

Chapter 2

Special Education Today: An Unfinished History

Chapter Objectives

After studying this chapter, you should be able to:

- Identify the shared characteristics and accomplishments among notable historical figures involved in the social history of special education and disability
- Discuss the major components of the Individuals with Disabilities Education Act (IDEA, 2004)
- Explain how historical legislation and precedent-setting litigation influenced the development of IDEA
- Define the five characteristics of the No Child Left Behind Act (NCLB)
- Explain how the components of NCLB represent a major expansion of the federal role in the education of all students
- Discuss Section 504 of the Rehabilitation Act and the Americans with Disabilities Act (ADA) and how they influence service delivery to students with disabilities
- Describe two prevailing controversial issues associated with special education service delivery and accountability

Chapter Overview/Presentation Outline

I. INTRODUCTION

- Present slide 2.2 and discuss the five focus questions.
- Present slides 2.3–2.4 and review the chapter objectives that will be covered in the presentation.
- Present slide 2.5 and discuss why the social history of special education is important.

II. THE HISTORY OF SPECIAL EDUCATION

- Present slides 2.6–2.8 and discuss the people and event that influenced the history of special education.
- Assign Homework item 3 and discuss at next class session.
- Present slide 2.9 and explain each of the current issues in special education that will make up tomorrow's history.
- Involve students in responding to Discussion Question 1.
- Assign Homework item 1 and discuss at next class session.

III. THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT (IDEA)

- Present slide 2.10 and discuss each principle of IDEA.
- Involve students in responding to Discussion Question 2.
- Use MyEducationLab, Assignments and Activities section of Topic 1: Law, LRE, & IEPs, and have students complete the activity entitled *PL 94-142*.
- Present slide 2.11 and discuss court cases influencing the development of IDEA. Have students view Table 2.1, on page 34, and discuss the most relevant cases.
- Present slide 2.12 and discuss nondiscriminatory assessment.
- Use MyEducationLab, Building Teaching Skills and Dispositions section of Topic 1: Law, LRE, & IEPs, and have students complete the activity entitled *Participating in an IEP Meeting*.
- Present slide 2.13 and explain each part of an IEP.

- Involve students in responding to Discussion Question 3.
- Use MyEducationLab, Assignments and Act Activities section of Topic 1: Law, LRE, & IEPs, and have students complete the activity entitled *Individualized Education Programs*.
- Present slide 2.14 and describe the other aspects of IDEA.
- Use MyEducationLab, Assignments and Activities section of Topic 1: Law, LRE, & IEPs, and have students complete the activities entitled *Federal Law and the LRE* and *LRE and the Continuum of Services*.
- Involve students in responding to Discussion Question 4.
- Assign Homework item 4 and discussion at next class session.
- Present slide 2.15 and review the new themes that have emerged in IDEA 2004.
- Use MyEducationLab, IRIS Center Resources section of Topic 1: Law, LRE, & IEPs, and have students complete the activity entitled *RTI (Part I): An Overview*.
- Assign Homework item 5 and discussion at next class session.

IV. NO CHILD LEFT BEHIND (NCLB)

- Present slide 2.16 and discuss the components of NCLB.
- Involve students in responding to Discussion Question 5.
- Use MyEducationLab, Assignments and Activities section of Topic 1: Law, LRE, & IEPs, and have students complete the activity entitled *No Child Left Behind*.

V. OTHER RELEVANT LEGISLATION

- Present slide 2.17 and explain Section 504 and ADA and how they pertain to schools and students.

VI. PREVAILING CONTROVERSIES

- Present slide 2.18 and explain the two prevailing issues. Engage students in a discussion of the author's suggested ways that teachers can demonstrate and enhance compliance.
- Use MyEducationLab, Topic 1: Law, LRE, & IEPs, and have students complete the end-of-chapter activities outlined on page 47 of the textbook.
- Assign Homework item 2 and discuss at next class session.

Discussion Questions

1. After learning about eugenics and bioethics, make cases for and against each and share with your classmates or group.
2. Why do you think there is an overrepresentation of minorities in certain disability categories? How can schools remedy this?
3. In your own words, what is the least restrictive environment and why is it important?
4. Discuss procedural safeguards. Who are they safeguarding and in what ways?
5. Discuss adequate yearly progress under NCLB. How is it determined?

Homework

1. Create a timeline of the history of special education beginning in the 1500s.
2. After reading the chapter, explain your views of the future of special education.
3. Choose one of the pioneers of special education identified in the chapter. Complete further research and write a short report on the person and his or her contributions to society and education.

4. Research the unique issues of disciplining students with special needs regarding suspension and expulsion. Explain what manifestation determination means.
5. Using Figure 2.4, on page 33 of the chapter, create a timeline of the evolution of IDEA 2004 legislation.

Reflective Exercises

1. How do current issues involving bioethics (e.g., stem-cell therapy, genetic mapping) remind some people of the dark days of eugenics? Can you think of similarities and differences between these situations?

Possible response: bioethics can make people think of eugenics by removing the possibility of genetic and other disorders and disabilities from the human population. Many people think that this is interfering with natural means of reproduction and “playing God.”

Similarities include using science to “select” positive or preferred characteristics and genes. Differences include the fact that bioethics techniques are used to help prevent disorders, not prevent people from reproducing. It may be thought of as less of an infringement on human rights.

2. Investigative journalism played a key role in the attainment of civil rights and educational services for individuals with disabilities. Today, our ever-present media have focused on a number of controversial special education issues. Can you identify these issues and comment on the impact of the media on them?

Possible responses: Refusal of schools to include students with special needs in the general education curriculum. Parents can now fight this to allow their child to attend the general education setting. Urban education and issues in urban schools—school violence, class size, lack of materials and resources. The media presence has brought these topics to the forefront and helped legislators to focus on news laws to change this.

3. We have identified three current issues surrounding the delivery of special education. What issues do you believe historians 30 years in the future will focus on?

Possible responses: Inclusive education, teacher preparation and training, high-stakes testing.

4. In spite of all of the effort involved in developing IEPs, their use during classroom instruction is limited. Can you think of ways to make IEPs user-friendly?

Possible responses: more training for general education teachers on how to use IEPs, more collaboration time for general educators and special educators to discuss strategies for instruction, decrease the amount of pages in the IEP so teachers are not overwhelmed by the document.

5. Consider the issues of equity involved in having different standards for suspension and expulsion. Is manifestation of a disability justification for having different disciplinary consequences? How should we address the breaking of school rules by students with disabilities?

Responses will vary depending on the student’s beliefs and educational philosophy.

6. Consider the major accomplishments of IDEA since its original enactment in 1975. Has the law fulfilled its mission of providing a free appropriate education to all students? What can improve this act?

Possible responses: Free appropriate public education is more widespread than in the 1970s and 1980s. With each reauthorization it becomes more available. The law is fulfilling its mission and needs to continue to ensure FAPE for all students.

More government funding for education will help to ensure FAPE.

7. Federal government involvement in education is a hot political issue. Do you believe that federal agencies and national policymakers should influence the policies of neighborhood schools? If so, under what circumstances do you believe that states and local governments should object to such influence?

Possible responses: State and local governments should object to how state and local funds are allocated in public schools, high-stakes testing, inclusive education, and the curriculum.

8. Critics of NCLB have asserted that the rhetoric of the act is admirable but in some cases unreasonable. For example, is it realistic to expect that all students will be able to meet state-mandated proficiency levels?

Possible responses: It is not reasonable to expect that all students will be able to meet state-mandated proficiency levels since these levels are usually measured by a test. There are too many factors that can influence test performance. Also, if a student with special needs is not on grade level but is expected to achieve at the state-mandated proficiency levels, aren't we setting him or her up for failure?

It is reasonable to expect that all students will be able to meet state-mandated proficiency levels. If we are allowing all students to participate in general education regardless of their disability so that we do not violate their civil rights, then we should expect them to participate in all facets of the school experience.

9. The transferring and consolidation of funds between and among programs can be controversial. What are the potential advantages and disadvantages associated with this flexibility? Why might advocates for students with disabilities be concerned by the practice?

Possible responses: Advantages include schools being able to use funds for the most immediate and pressing services needed. Disadvantages may be misappropriation of funds.

Advocates may be concerned that money that should be spent for special education services may be used for less important things.

Chapter 2 Test Items

Multiple Choice

1. Strong accountability, increased flexibility and local control of schools, research-based teaching methods, options for parents, and highly qualified teachers are components of which federal law?
 - a. Individuals with Disabilities Education Act (IDEA)
 - b. No Child Left Behind (NCLB)
 - c. Section 504 of the Rehabilitation Act
 - d. Americans with Disabilities Act (ADA)

2. Nondiscriminatory identification, assessment, and evaluation; least restrictive environment; individual education plans; and procedural safeguards are components of which federal law?
 - a. Individuals with Disabilities Education Act (IDEA)
 - b. No Child Left Behind (NCLB)
 - c. Section 504 of the Rehabilitation Act
 - d. Americans with Disabilities Act (ADA)

3. Providing new or different perspectives on current issues, increasing the application of effective classroom interventions, and allowing a more complete understanding of the people and social circumstances associated with precedent-setting events are important for understanding which of the following?
 - a. Federal law
 - b. Education law
 - c. Social history of special education
 - d. Social history of general education

4. The science of human improvement by better breeding, which was popular in the early 20th century, is called _____.
 - a. Genetics
 - b. Selection
 - c. Survival of the fittest
 - d. Eugenics

5. The variability of strengths and weaknesses within a student, which was first identified by Sam Kirk in 1963, is called _____.
 - a. Intraindividual differences
 - b. Interindividual differences
 - c. Intrapersonal relationships
 - d. Interpersonal relationships

6. Inclusion, accountability, and overrepresentation of students from certain ethnic groups are current issues of which of the following?
 - a. General education
 - b. Special education
 - c. Higher education
 - d. Remedial education

7. Developing valid and reliable methods for making appropriate testing accommodations is considered the key issue of which of the following?

- a. Inclusion
 - b. Overrepresentation
 - c. Accountability
 - d. Parent rights
8. Having a higher or lower number of students identified in certain disability categories in special education is considered the key issue of which of the following?
- a. Inclusion
 - b. Overrepresentation
 - c. Accountability
 - d. Parent rights
9. The role of social, demographic, and economic factors, and school processes that are insensitive to cultural and linguistic differences are factors that affect _____.
- a. Inclusion
 - b. Overrepresentation
 - c. Accountability
 - d. Parent rights
10. Two major legislative acts that shape how teachers do their jobs are Individuals with Disabilities Education Act (IDEA) and _____.
- a. Section 504 of the Rehabilitation Act
 - b. Americans with Disabilities Act (ADA)
 - c. Perkins Act
 - d. No Child Left Behind (NCLB)
11. All children regardless of severity of disability can learn and are entitled to _____ according to IDEA.
- a. A free appropriate public education (FAPE)
 - b. Procedural safeguards
 - c. Parent participation
 - d. An individualized education program (IEP)
12. Ensuring that adequate notice is provided for meetings and settling disagreements through mediation of due process hearings is called _____.
- a. A free appropriate public education (FAPE)
 - b. Procedural safeguards
 - c. Parent participation
 - d. An individualized education program (IEP)
13. A program developed for a student with special needs that includes the present level of performance, annual goals, extent of participation in general education, and evaluation methods is called _____.
- a. A free appropriate public education (FAPE)
 - b. Procedural safeguards
 - c. A nondiscriminatory evaluation
 - d. An individualized education program (IEP)

14. Testing to identify and assess students with disabilities that is not racially or culturally discriminatory and testing students in their native language are components of which of the following?
- A free appropriate public education (FAPE)
 - Procedural safeguards
 - A nondiscriminatory evaluation
 - An individualized education program (IEP)
15. Written permission for testing, evaluation, and changes in services and participation in IEP development and annual reviews are required under which component of IDEA?
- Free appropriate public education (FAPE)
 - Least restrictive environment (LRE)
 - Parent participation
 - Individualized education program (IEP)
16. When the preferred placement of general education classroom is not successful for a student and the school uses an alternative on the continuum of services, this is called _____.
- A free appropriate public education (FAPE)
 - The least restrictive environment (LRE)
 - Parent participation
 - An individualized education program (IEP)
17. The first special education law, which was enacted in 1975, was called which of the following?
- Section 504 of the Rehabilitation Act
 - Americans with Disabilities Act (ADA)
 - Education for All Handicapped Children Act (PL-94-142)
 - No Child Left Behind (NCLB)
18. Legal cases in which a judge or a jury interprets the law in situational disputes is called _____.
- Legislation
 - Litigation
 - Irrigation
 - Translation
19. The provision of IDEA (2004) that allows fair and specific procedures related to assessment, identification, and placement of children in special education is called _____.
- Due process
 - Equal protection
 - Zero reject
 - A free appropriate public education
20. Individual students must be provided with a full range of appropriate direct and related education services at no cost to the student or their families, and this is part of which of the following policy?
- The least restrictive environment
 - Equal protection

- c. Zero reject
 - d. A free appropriate public education
21. Services are to be delivered in settings that best meet the needs of the student and are closest to the typical general education setting. This is the premise of which of the following?
- a. Least restrictive environment
 - b. Equal protection
 - c. Nondiscriminatory assessment
 - d. Free appropriate public education
22. Biased evaluation instruments and/or procedures constitute a denial of equal access to education. Students can be harmed and wrongly labeled by this process. _____ is a component of IDEA that was developed to prevent this bias.
- a. Least restrictive environment
 - b. Equal protection
 - c. Nondiscriminatory assessment
 - d. Free appropriate public education
23. The court case that determined that African American students who were required to attend segregated schools were not receiving an equal education is _____.
- a. *PARC v. the Commonwealth of Pennsylvania*
 - b. *Board of Education v. Rowley*
 - c. *Brown v. Board of Education of Topeka, Kansas*
 - d. *Mills v. Board of Education*
24. The court case that provides students with disabilities with access to a free appropriate public education and due process regardless of the school district's financial status is _____.
- a. *PARC v. the Commonwealth of Pennsylvania*
 - b. *Board of Education v. Rowley*
 - c. *Brown v. Board of Education of Topeka, Kansas*
 - d. *Mills v. Board of Education*
25. The court case that requires programs of individualized education and enables a student to benefit from an education is _____.
- a. *PARC v. the Commonwealth of Pennsylvania*
 - b. *Board of Education v. Rowley*
 - c. *Brown v. Board of Education of Topeka, Kansas*
 - d. *Mills v. Board of Education*
26. The court case that assured that a free appropriate education would be provided to all students and that there would be no exclusion of students with mental retardation is _____.
- a. *PARC v. the Commonwealth of Pennsylvania*
 - b. *Board of Education v. Rowley*
 - c. *Brown v. Board of Education of Topeka, Kansas*
 - d. *Mills v. Board of Education*

27. Using multiple assessments, having a qualified test administrator, securing written consent and input from parents, and using testing materials in the student's primary language are requirements for teachers when doing which of the following?
- Report cards
 - Progress notes
 - Conducting evaluations
 - Developing IEPs
28. The task of identifying, assessing, and evaluating students for special education services does not fall on only one individual but on the _____.
- Multidisciplinary team
 - School choice team
 - School improvement team
 - Parent association
29. The IEP team should include all of the following **EXCEPT** the:
- General education teacher
 - Special education teacher
 - School psychologist
 - School district superintendent
30. In 1986, the early reauthorization of IDEA provided services for infants, toddlers, and preschoolers. Preschool special education services were mandated for children ages _____.
- Birth to 3 years
 - 3 to 5 years
 - 4 to 6 years
 - Birth to 6 years

Short Answer

- Discuss what future historians might identify as today's key issues in special education.
- Explain eugenics and discuss your views of this social theory.
- Discuss the civil rights movement and how it affected special education.
- Explain what is meant by the least restrictive environment (LRE).
- Identify the members of the IEP team.
- Discuss the unique issues when suspending or expelling students with special needs.
- Explain the meaning of highly qualified teachers according to NCLB.
- Describe Section 504 of the Rehabilitation Act and how it applies to school students.
- Describe the Americans with Disabilities Act (ADA) and how it applies to school students.
- Identify the three major statutory (legal) methods to address noncompliance of federal laws by schools and school districts.

Essay

- Explain why the social history of special education is important for pre-service and in-service teachers.
- Identify the four important reasons for knowing the social history of special education.
- Discuss the issues of inclusion, accountability, and overrepresentation that are current in special education.
- Explain the six components of IDEA.
- Discuss the legal requirements for educators with conducting evaluations.
- Explain the components of an individualized education program (IEP)
- Identify and explain the two major changes that came from IDEA 2004.

8. Explain the major five components of No Child Left Behind (NCLB).
9. Describe what teachers can do to demonstrate and enhance their compliance with federal legal requirements.
10. Discuss the importance of using person-first language when speaking of students with special needs.

Chapter 2

Multiple Choice

1. B 2. A 3. C 4. D 5. A 6. B 7. C 8. B 9. B 10. D 11. A 12. B 13. D 14. C 15. C
16. B 17. C 18. B 19. A 20. D 21. A 22. C 23. C 24. D 25. B 26. A 27. C 28. A 29. D
30. B

Short Answer

1. Answer should include discussion of service delivery, assurances, and whether appropriate education is being provided to every student with a disability.
2. Answer should include a definition of eugenics and the student's viewpoint.
3. Answer should include a discussion of the civil rights movement, exclusion, segregation, and how this helped students with disabilities.
4. Answer should include a description of the least restrictive environment when placement in the general education classroom is not possible. When success in the general education classroom cannot be achieved even with significant alterations, alternatives on the continuum of placements are to be considered.
5. Answer should include the general education teacher, special education teacher, school district representative, evaluation specialist, other specialists who might provide related services, and parents.
6. Answer should include a description of change of placement, manifestation determination, and violations that allow the school authorities to provide a change of placement.
7. Answer should include a description of highly qualified teachers provided by NCLB.
8. Answer should include a description of Section 504 and its implications for schools and students with special needs.
9. Answer should include a description of ADA and its implications for schools and students with special needs.
10. Answer should include withholding federal funds to states and school districts, monetary fines, and punitive damages.

Essay

1. Responses will vary.
2. Answer should include helping teachers develop a conceptual framework, giving perspective on current issues, helping us understand changing cultural contexts of schools, and decreasing the possibility that we hold on to policies and procedures that don't work.
3. Answer should include discussion of the current issues with inclusion, accountability, and overrepresentation.
4. Answer should include discussion of FAPE, nondiscriminatory assessment, least restrictive environment, IEPs, parent participation, and procedural safeguards.
5. Answer should include a discussion of nondiscriminatory evaluation, using multiple assessments, and testing in a student's native language.
6. Answer should include a description of student's current level of performance, measurable annual goals, a description of how progress will be monitored and reported, a statement of special education and related services, the extent to which a student will or will not participate with nondisabled students in the general education classroom, the projected date for the beginning of services, and the anticipated frequency, location, and duration of services.
7. Answer should include a discussion of the reduction in paperwork and methods of identifying students with learning disabilities.
8. Answer should include discussion of accountability for results, expanded flexibility and local control of schools, an emphasis on teaching methods based on scientific research, expanded options for parents, and highly qualified teachers.
9. Answer should include the items identified by Billingsley (2005) and Rosenberg (2006) in the chapter.
10. Answer should include a discussion of person-first language and some examples.