

# EDUCATION FOR ALL

## PART 1 THROUGH THE LIFESPAN

As we move through the second decade of the 21st century, we have come a long way in our understanding of diversity in today's society—that is, everyone is unique in some way.

For some of you, this book is the beginning of your journey into the past, present, and future of people who are exceptional. It is a journey about those with diverse needs, desires, interests, backgrounds, characteristics, and lifestyles. What does the word exceptional mean to you? Who or what influenced your knowledge, attitudes, and behavior toward people, and the words you use to describe them? You may have a family member, friend, or casual acquaintance who is exceptional in some way—or you may be a person who has at one time or another been described as “different.” The purpose of this book is to put forward a critical premise for the 21st century. That is, understanding human exceptionality is to understand ourselves.

Our journey into the lives of people with differences begins with four chapters that encompass the life span in family, school, and community living, moving through the early childhood years into elementary school and on to adolescence, high school, and the challenging transition to becoming an adult with disabilities in a complex and changing world.

## INSTRUCTOR'S OVERVIEW

Chapter 2, “Education for All,” provides an introduction to the field of education in a 21st century world. From the origins of special education to the Individuals with Disabilities Act, we examine the critical distinction between schooling for the *privileged* and the right of every child to a free and appropriate education. Characteristics of effective special education practice are discussed, including the hallmarks of the field (individualization, intensive instruction, and the explicit teaching of skills), as well as the critical elements of appropriate instruction, including multitiered systems of support (Response to Intervention), universal design for learning, access to the general education curriculum, and greater accountability for student achievement.

## CHAPTER-AT-A-GLANCE

DETAILED OUTLINE	TRADITIONAL LEARNING	ONLINE LEARNING	SERVICE LEARNING
<b>EDUCATING STUDENTS WITH DISABILITIES IN THE 21<sup>ST</sup> CENTURY: FROM ACCESS TO ACCOUNTABILITY</b> p.41- 42 Standards-Based Approach to Improving Student Achievement.	<b>Power Point Slides:</b> Ch. 2  <b>Learning Objectives:</b> Focus 5  <b>Test Bank, ExamView:</b> Ch. 2	<b>Web Resources:</b> <a href="http://www.ideapartnership.org/">http://www.ideapartnership.org/</a> <a href="http://www.fape.org/">www.fape.org/</a> <a href="http://www.ed.gov/offices/OSERS/IDEA">http://www.ed.gov/offices/OSERS/IDEA</a>  <b>WebQuest:</b> Chapter 2, Quest 1 - Education	Contact a local education agency and obtain, then report on, information about the agency's continuum of services for students with disabilities.  Interview a local education

		<p>for All: IDEA  <a href="http://questgarden.com/84/34/6/091014080541/">http://questgarden.com/84/34/6/091014080541/</a></p> <p><b>Premium Website:</b>  Videos</p> <p><b>WebTutor:</b>  Online resources for your course management system</p>	<p>agency representative and ask the following questions about the standards-based reform movement and special education:</p> <p>a) How will the standards-based system deal with the diverse needs and functioning levels of students with disabilities?</p> <p>b) Will participation of students with disabilities in a standards-based general education curriculum result in higher academic achievement?</p> <p>c) Are the knowledge and skills learned in the general curriculum the same ones that are necessary for the successful transition out of school to valued post-school outcomes during adult life?</p> <p>d) Will a variety of student performance measures be used, or will criteria be based solely on standardized achievement tests?</p>
<b>SECTION 504/ADA AND REASONABLE ACCOMMODATIONS P. 43-45</b>	<p><b>Learning Objectives:</b>  Focus 6</p> <p><b>Power Point Slides:</b>  Ch. 2</p> <p><b>Test Bank, ExamView:</b>  Ch. 2</p>	<p><b>Web Resources:</b>  <a href="http://www.ed.gov/offices/OSER/S/IDEA/regs.html">http://www.ed.gov/offices/OSER/S/IDEA/regs.html</a></p> <p><b>Premium Website:</b>  Videos</p> <p><b>WebQuests:</b>  Chapter 2, Quest 2 - Education for All: Global Perspectives  <a href="http://questgarden.com/84/34/6/091021111658/">http://questgarden.com/84/34/6/091021111658/</a></p> <p>Chapter 2, Quest 3 – Education for All: Law and Policy  <a href="http://questgarden.com/84/34/6/091021111945/">http://questgarden.com/84/34/6/091021111945/</a></p> <p><b>WebTutor:</b>  Online resources for your course management system</p>	<p>Observe your service learning placement. What model of service delivery, undifferentiated or individually referenced, is employed? What reasons do you think are behind the selection of service delivery models?</p>
<b>LOOKING TOWARD A BRIGHT FUTURE p. 45-47</b>	<p><b>Power Point Slides:</b>  Ch. 2</p> <p><b>Test Bank, ExamView:</b>  Ch. 2</p>	<p><b>Premium Website:</b>  Videos</p> <p><b>WebTutor:</b>  Online resources for your course management system</p>	<p>Have your students describe the social, economic, and political pressures that make the reality of NCLB and IDEA a challenge to realize.</p>

## FOCUS PREVIEW

After studying this chapter, your students should be able to discuss their answers to the following:

### *Focus 1*

What educational services were available to students with disabilities during most of the 20<sup>TH</sup> century?

### *Focus 2*

Identify the principal issues in the right-to-education cases that led to the eventual passage of the national mandate to educate students with disabilities.

### *Focus 3*

Identify five major provisions of the Individuals with Disabilities Education Act.

*Focus 4*

Discuss the special education referral, assessment, planning, and placement process.

*Focus 5*

Identify three principles that are intended to assure that schools across the nation are accountable for student learning. Under IDEA 2004, what must a student's IEP include to ensure access to the general curriculum?

*Focus 6*

Distinguish between students with disabilities who are eligible for services under Section 504/ADA and those eligible under IDEA.

## CHAPTER/LECTURE OUTLINE

### I. A CHANGING ERA IN THE LIVES OF STUDENTS WITH DISABILITIES

- a. Today, many nations are acknowledging the importance of an education for these children as a critical factor in promoting independence in family and community settings. The view that children with disabilities should be excluded from school is being replaced with the call to provide an educational opportunity for every child.
  - i. Salamanca Statement affirms that:
    - 1. Every child has unique characteristics, interests, abilities, and learning needs.
    - 2. Education systems should be designed, and educational programs should be implemented to take into account the wide diversity of characteristics and needs.
    - 3. Those with special educational needs must have access to regular [general education] schools that should accommodate them within a child-centered instructional program.
    - 4. Regular schools with this inclusive orientation are the most effective means of combating discriminatory attitudes, creating welcoming communities, building an inclusive society and achieving education for all. (United Nations Education, Scientific and Cultural Organization [UNESCO], 1994)

### II. ORIGINS OF SPECIAL EDUCATION IN THE UNITED STATES – the goal of education is full participation for everyone, regardless of race, cultural background, SES, physical disability, or intellectual challenges. It wasn't until 1975, however, that this value was translated into practice for all students with disabilities in the United States.

- a. Early Special Education Programs
  - i. Throughout most of the last three centuries, many families who had a child with a disability were unable to get help with that child's most basic needs.
- b. Education as a Privilege but Not a Right
  - i. From 1920 to 1960, most states merely allowed for special education; they did not mandate it. Educational services to children with mild emotional disorders (e.g., discipline problems or inappropriate behavior) were initiated in the early 1930s, but mental hospitals continued to be the only alternative for most children with severe emotional problems. Special classes for children with physical disabilities expanded in the 1930s; separate schools for these children became very popular during the late 1950s, with specially designed elevators, ramps, and modified doors, toilets, and desks.
  - ii. For the most part, children with disabilities continued to be educated in a school setting that isolated them from peers without disabilities. Early research resulted in the development of a new model (mainstreaming) in which a child could remain in the general class program for the majority, if not all, of the school day, receiving special education when and where it was needed.
- c. John F. Kennedy and the Expanding the Role of the Federal Government

- i. The 1960s brought significant changes in the education of students with disabilities. President John F. Kennedy expanded the role of the U.S. government, providing financial support to university programs for the preparation of special education teachers.
- III. THE RIGHT TO EDUCATION – the right of education for children with disabilities came about as part of a larger social issue: the civil rights movement of the 1950s and 1960s.
  - a. Education was reaffirmed as a right and not a privilege by the Supreme Court in the case of *Brown v. Topeka, Kansas, Board of Education* (1954). Although usually heralded for striking down racial segregation, this decision also set a major precedent for the education of students with disabilities. Yet, it was nearly 20 years later before federal courts confronted the issue of a free and appropriate education for these students.
  - b. The 1970s have often been described as a decade of revolution in the education of students with disabilities. Many of the landmark cases were brought before the courts to address the right to education for students with disabilities. Additionally, major pieces of state and federal legislation were enacted to reaffirm the right of students with disabilities to a free public education.
- IV. INDIVIDUALS WITH DISABILITIES EDUCATION ACT (IDEA) – The Education for All Handicapped Children Act (Public Law 94-142), made available a free and appropriate public education to school age (6-21) students with disabilities. In 1986, P.L. 99-457 extended the rights and protections of school-age children to preschoolers ages 3–5. In addition P.L. 99-457 established a state grant program for infants and toddlers. In 1990, the same year that the Americans with Disabilities Act was signed into law, Congress renamed the Education for All Handicapped Children Act, now know as the Individuals with Disabilities Education Act (IDEA) reflecting “person first” language and the national use of the term *disability*.
  - a. What Are Special Education and Related Services?
    - i. Referred to as the zero exclusion principle, IDEA requires that all students with disabilities receive at public expense the special education and related services necessary to meet their individual needs.
    - ii. Special education means specially designed instruction provided at no cost to parents in all settings, including the workplace and training centers.
    - iii. Related services include special transportation and other support services necessary for a student to benefit from their special education program.
  - b. Who Is Eligible for Special Education and Related Services?
    - i. For a student to receive the specialized services available under the IDEA the student must meet two criteria:
      - 1. The student must be identified as having one of the disability conditions identified in the federal law or in corresponding state rules and regulations, and
      - 2. The student must demonstrate a need for special education and related services.
  - c. Major Provisions of IDEA
    - i. A Free and Appropriate Public Education (FAPE)
      - 1. Schools must provide special education and related services at no cost to parents.
    - ii. Nondiscriminatory and Multidisciplinary Assessment
      - 1. The testing of students in their native or primary language, whenever possible
      - 2. The use of evaluation procedures selected and administered to prevent cultural or racial discrimination
      - 3. Validation of assessment tools for the purpose for which they are being used
      - 4. Assessment by a team of school professionals using, several pieces of information to formulate a placement decision
    - iii. Parental Safeguards and Involvement
      - 1. To give consent in writing before the child is initially assessed to determine eligibility for special education and related services

2. To give consent in writing as to the educational setting in which the child will receive special education and related services
  3. To request an independent educational assessment if the parents believe the school's assessment is inappropriate
  4. To request an educational assessment at public expense if the parent disagrees with the school's assessment and recommendations
  5. To participate on the committee that considers the assessment of, placement of, and programming for the child
  6. To inspect and review educational records and challenge information believed to be inaccurate, misleading, or in violation of the privacy or other rights of the child
  7. To request a copy of information from the child's educational record
  8. To request a due process hearing concerning the school's proposal or refusal to initiate or change the identification, educational assessment, or placement of the child or the provision of a free and appropriate public education
- iv. Individualized Education Program (IEP)
    1. The individualized education program (IEP) is a written statement that is the framework for delivering a free and appropriate public education to every eligible student with a disability. The IEP provides an opportunity for parents and professionals to join together in developing and delivering specially designed instruction to meet student needs.
    2. The purpose of the IEP process is to ensure continuity in the delivery of special education services and supports for each student on a daily and annual basis. The IEP is also intended to promote more effective communication between school personnel and the child's family
  - v. Education in the Least Restrictive Environment (LRE)
    1. To the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are not disabled, and that special classes, separate schooling, or other removal of children with disabilities from the regular [general] education environment occurs only when the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily. (IDEA, 2004, PL 108-446, Sec. 614[d])
- d. The Special Education Referral, Assessment, Planning, and Placement Process: Mandated by IDEA to ensure that all eligible students with disabilities receive a FAPE.
    - i. Phase I - Initiating the Referral—This process can begin at different times for different students.
    - ii. Phase II - Assessing Student Eligibility and Educational Need
    - iii. Phase III - Developing the Individualized Education Program (IEP)
    - iv. Phase IV - Determining the Least Restrictive Environment (LRE)
- V. EDUCATING STUDENTS WITH DISABILITIES IN THE 21ST CENTURY: FROM ACCESS TO ACCOUNTABILITY – The education of students with disabilities has gone through many changes during the past three decades. The rallying cry in today's schools is "higher expectations for all students."
- a. A Standards-Based Approach to Improving Student Achievement
    - i. A focus on student achievement as the primary measure of school success
    - ii. An emphasis on challenging academic standards that specify the knowledge and skills students should acquire and the levels at which they should demonstrate these skills in getting ready for college or beginning a career
    - iii. A desire to extend the standards to all students, including those for whom expectations have been traditionally low (U.S. Department of Education, 2011)

- b. Section 504/ADA and Reasonable Accommodations. Schools must provide supports and services to two groups of students with disabilities.
    - i. One group qualifies for special education services under IDEA because their disability limits their access to an appropriate education.
    - ii. Another group, not viewed as educationally limited by their disability and therefore ineligible for special education, are protected against discrimination under Section 504 of the Vocational Rehabilitation Act and the Americans with Disabilities Act (ADA).
- VI. LOOKING TOWARD A BRIGHT FUTURE
- a. Over the last four decades, national policy in the United States has reaffirmed the rights of students with disabilities who are eligible for special education services to a free and appropriate public education (FAPE).
  - b. The mantra of “education for all” remains more a promise than a reality in today’s schools. Although there is considerable agreement with the intent of IDEA 2004 to improve student learning, the means to achieve the goal are controversial. Clearly, research is needed to directly support or refute the assumption within national policy that a standards-based education system will improve results for all students, including those with disabilities. Without such evidence, educators will continue to operate in a vacuum of opinion. Finally, it will be critical that all general and special educators have the knowledge and skills to work collaboratively in partnership with families to provide an education experience that consistently reflects the stated value of an education for all.

## DISCUSSION AND ASSIGNMENT TOPICS

*LECTURE NOTE II.* Early special education programs were offered primarily in segregated classrooms. If the student’s deviation from his or her peers without disabilities was too substantial, he or she was likely excluded from public education entirely.

Instruct students to research and write a report on the availability and nature of services available to students with significant and severe disabilities in the early and middle of the twentieth century. Have students address how various psychological perspectives on disability have resulted in changes in the educational opportunities for individuals with exceptionalities.

*LECTURE NOTE II.* A number of court cases have had a significant impact on the provision of educational services to individuals with exceptionalities.

Divide the class into groups and instruct them to create a presentation about the facts that framed the case, the courts findings, and how the findings have impacted special education services.

*LECTURE NOTE IV.* In order to receive special education services a student must meet two criteria: identification as having one of the thirteen recognized disabling conditions and demonstration of a need for special education services.

Divide the class into thirteen groups and have them research and prepare a brief report on one of the disability conditions recognized under IDEA.

*LECTURE NOTE IV.* IDEA is based on the value that every student can learn.

Lead the class in a discussion about their own beliefs on who can and cannot learn, and what barriers exist to learning in the educational and social structure in America today.

*LECTURE NOTE IV.* IDEA mandated that children with disabilities receive a free, appropriate public education in the least restrictive environment. To meet this mandate, schools have developed services ranging from placement in general education classrooms to homebound and hospital programs. Supporters of segregated facilities believe that better programs can be provided by housing all services for

students under one roof. Inclusionists believe that students being prepared to live in the community should be educated in that community with their peers.

Have each student write an editorial or letter to the editor, arguing a personal position on the inclusion of students with disabilities in general education settings. Ask students to gather information concerning the special education services available in their communities. Where are students with various types of disabilities educated?

*LECTURE NOTE IV.* An individualized education program (IEP) provides an opportunity for parents and professionals to join together in designing a program that meets the individual needs of each student.

Show the class examples of IEPs. Since students in general education are often provided instruction as if they learn at the same pace and in the same manner, have class members discuss whether individualizing instruction for general education students would be beneficial, as well. How could this be achieved, considering the number of students in a regular classroom and the variability from one student to the next?

*LECTURE NOTE VI.* Although standards-based school reform efforts aspire to include “all children,” many professionals have suggested that it is exclusionary to students who are disabled or at risk. For example, students who do not succeed on standardized tests not only face another failure, but also may find themselves stigmatized for lowering school norms. Also, higher standards of school behavior may result in students with behavior disorders being suspended, expelled, and pushed out of school.

Instruct students to form cooperative groups and develop a list of problems or issues that should be addressed to ensure that all students are included in the current reform movement. For example, how will student performance be measured? With an emphasis on higher academic standards, will alternatives developed through IEPs be decreased? How will the nonacademic transition goals of many secondary students with disabilities be handled with increased coursework in academic subject areas? Next, instruct students to brainstorm solutions to the problems and issues that they raised.

*LECTURE NOTE VII.* A safe school environment has become a critical issue for a wide variety of stakeholders in the educational process. The result has been an increase in the legislation of zero tolerance behavioral policies in U.S. schools. How does this principle of zero tolerance mesh with the principal value of zero exclusion in IDEA?

Divide the class into two groups and instruct them to take one position, either zero tolerance or zero exclusion, and have them provide a rationale for their position.

## **MASTERY ACTIVITIES AND ASSIGNMENTS**

1. Complete a written test of the chapter's content. If your instructor requires a written test of your content knowledge for this chapter, keep a copy for your portfolio. A practice test on the information covered in this chapter is available through the Education CourseMate website.
2. Review the Case Study, “Jerald,” and respond in writing to the Application Questions. Keep a copy of the case study and your written response for your portfolio.
3. Read the Debate Forum, “Educational Accountability for Students with Disabilities: High Academic Achievement or Inevitable Failure?” in this chapter. Formulate your viewpoint. Keep a copy of this activity for your portfolio.
4. Participate in a community service learning activity. Service learning is a valuable way to enhance your learning experience. Ask your instructor for suggested community service learning activities that correspond to the information presented in this chapter. Develop a reflective journal of the service learning experience for your portfolio.

## **CASE STUDY FEEDBACK**

## JERALD

*What do you see as the important issues for the team to consider in deciding what educational setting would be most appropriate to meet Jerald's needs?*

Important issues are (1) the identification of specialized instructional services needed to provide Jerald an appropriate educational experience as defined in his IEP goals and (2) determination of the most appropriate (least restrictive) educational placement to deliver the specialized instruction.

*In addition to the recommendations made by Ms. Beckman, the special education resource room teacher, what suggestions would you have to adapt Jerald's academic and behavioral program if he were to remain in his third-grade class at Kennedy Elementary?*

Jerald's educational needs include both specialized behavioral and academic instruction. In addition to the recommendations of the resource teacher, Jerald will require a behavior management plan that focuses on increasing his appropriate behavior in class while decreasing his tendencies to act out. Given that Jerald has difficulty controlling his emotions, the plan should include some self-management techniques to help him to deal directly with his continual frustrations with school. As Jerald gains more control over his emotions, it will also be important for him to have some success in academic areas. To prevent him from falling further behind, his educational team (i.e., general education teacher, special education teacher, school psychologist) must collaborate in the development and delivery of a specialized instruction program in the areas of both reading and math. In addition to academic programs that are consistent with Jerald's needs, the focus should be on increasing the actual time Jerald spends in reading and math instruction, increasing his on-task time during instruction, and providing practice activities to enhance his performance in academic areas.

*Should he remain in his third-grade class at Kennedy Elementary?*

Placement decisions need to be made collaboratively, involving input from both the family and school personnel. These decisions should focus on the least restrictive environment in which the child can successfully learn and adapt to the daily routines. Both Jerald's parents and Ms. Beckman, the special education resource room teacher, feel that Jerald should be given the opportunity to be successful in his current school with an appropriate support system in place. A transfer to a special education classroom in another school should only occur if other, lesser-restrictive environments have proved to be unsuccessful for Jerald.

## RELATED MEDIA

2.1 *3R's for Special Education* (VHS, 50 min). Guiding a child through the special education system is a critical process for not only the child, but their parents and educators as well. This program offers guidance, confidence, and understanding in planning for the education and vocation of children with special needs and with the goal of guiding them on to personal success. Edvantage Media, Inc., 1995 [www.amazon.com](http://www.amazon.com)

2.2 *A New IDEA for Special Education* (VHS or DVD, 45 min). This video is a comprehensive overview for parents and educators to help better their understanding of the recent changes to the Individuals With Disabilities in Education Act, the law governing Special Education. Brookes Publishing, P.O. Box 10624, Baltimore, MD 21285-0624, Tel (800) 638-3775. 1998, \$49.95 (VHS) \$54.95 (DVD) [www.brookespublishing.com/store/books/hanlon-0616/index.htm](http://www.brookespublishing.com/store/books/hanlon-0616/index.htm)

2.3 *Accommodations: Making the Instruction and Assessment Connection* (VHS). This conference highlights practical decisions and the uses of accommodations. The discussion focuses on the use of accommodations in instruction, classroom tests, and state and school district assessments. National



Association of State Directors of Special Education, Inc. 1800 Diagonal Rd, Suite 320, Alexandria, VI 22314, Tel (703) 519-3800. 2000, \$35.00, [www.nasdse.org/publications.cfm](http://www.nasdse.org/publications.cfm)

2.4 *What We Know and How We Teach* (VHS, 35 minutes). This video stresses the strategies and importance for linking together the medical and educational programs for students with special needs. National Professional Resources, Inc., 25 South Regent St., Port Chester, NY, 10573, Tel (800) 453-7461. 1998, \$99.95, [http://www.nprinc.com/spec\\_edu/vlme.htm](http://www.nprinc.com/spec_edu/vlme.htm)

2.5 *Reaching Standards through Cooperative Learning* (4 Videos, 30 minutes each, 4 Guides). These videos and accompanying teacher guides provide a range of proven methods for differentiating instruction through cooperative learning for diverse learners in each of four major content areas: English/Language Arts, Math, Social Studies, and Science. Each video can also be purchased separately. National Professional Resources, Inc., 25 South Regent St., Port Chester, NY, 10573, Tel (800) 453-7461. 2000, \$499.00, [www.nprinc.com/spec\\_edu/vlme.htm](http://www.nprinc.com/spec_edu/vlme.htm)

2.6 *Beyond the Standards Movement: Defending Quality Education in an Age of Test Scores* (VHS, 30 minutes). A video focused on the standards-based reform movement in schools and the threats to the provision of quality education are outlined. National Professional Resources, Inc., 25 South Regent St., Port Chester, NY, 10573, Tel (800) 453-7461. 2000, \$99.95, [www.nprinc.com/spec\\_edu/vlme.htm](http://www.nprinc.com/spec_edu/vlme.htm)

2.7 *Inclusion: A Service, Not a Place* (VHS and book, 38 minutes). A comprehensive framework that enables administrators, teachers, and staff developers to build an effective schoolwide approach that focuses on service rather than location in teaching special education students. National Professional Resources, Inc., 25 South Regent St., Port Chester, NY, 10573, Tel (800) 453-7461. 2000, \$149.95, [www.nprinc.com/spec\\_edu/vlme.htm](http://www.nprinc.com/spec_edu/vlme.htm)

2.8 *1997 Amendments to IDEA* (VHS). On this video, Dr. Hehir, Director of the Office of Special Education Programs, U.S. Department of Education, discusses steps toward implementation of the 1997 Amendments. National Association of State Directors of Special Education, Inc. 1800 Diagonal Rd, Suite 320, Alexandria, VI 22314, Tel (703) 519-3800. No date, \$25.00, [www.nasdse.org/publications.cfm](http://www.nasdse.org/publications.cfm)

2.9 *No Child Left Behind* (DVD, 56 minutes). After spending a year as a student teacher in a New York City elementary school, documentary filmmaker Lerone Wilson explores the effects of President George W. Bush's No Child Left Behind Act on schools across the country. 2005, \$19.99 [www.amazon.imdb.com/title/tt0478875](http://www.amazon.imdb.com/title/tt0478875)

2.10 *Free and Appropriate Public Education* (VHS, 21 minutes). This program is developed for school districts that want to understand the Federal Education Law. Program Development Associates, P.O. Box 2038, Syracuse, NY 13220-2038, Tel (800) 543-2119. 2004, \$89.95, [www.pdassoc.com](http://www.pdassoc.com)