

THE IMPACT OF EDUCATIONAL REFORMS FOR CHILDREN WITH DISABILITIES-A STUDY**Dr. V. Madhavi****Associate Professor, Department of Education****Sri Padmavathi Mahila Viswavidyalayam, Tirupathi, Andhra Pradesh, India**

Abstract- Educational reform is an issue that appeals to many people due to the discontent over the current state of the country's educational system. However, it must be remembered that the reforms proposed and implemented by well-intentioned policy makers have implications for all students and their parents, including students with special needs. Although students with special needs have often been an ignored part of the school population, current educational reforms are implementing changes that will impact how these students are taught, who teaches them, where they will do their learning and how they will be assessed. There is a growing realization among general educators that special education is no longer solely the domain of the special education teacher. Practices of including students with special needs in general education classrooms have become the norm. As such, the practice of inclusion requires all teachers to have a working knowledge of special education, past, present and future. Thus, this present paper focus on the history of special education, discuss current legislation that governs the administering of services to students with special needs, present some of the dominant controversies in special education expressed by teachers and leading authorities in the field and lastly take a look at future trends and policies and especially the six main principles of IDEA are zero rejection principle, non-discrimination principle, free and appropriate public education, least restrictive environment, procedural due process, and parental and student participation.

Keywords: Educational reforms, Idea principles, children with special needs

1. Introduction

One of the first instances of a government looking to distinguish among the ability levels of students came from the French ministry at the turn of the century. In 1905, the French government recognized a need to distinguish slow learners from the general student population and employed Alfred Binet and Theodore Simon to do so. As a result, Binet and Simon created one of the first measures of intelligence to predict academic performance in school. Subsequently, the Binet-Simon Scales were revised and standardized at Stanford University by Lewis Terman and published in 1916 as the Stanford-Binet Intelligence Scale. Throughout the twentieth century, the Stanford-Binet Intelligence Scale has been used as a tool in the assessment of an individual's intelligence and as one source in the prediction of school success for a child.

Early in the 1900s, programs that addressed the requirements of students with special needs, specifically those with a loss of hearing or sight and slow learners, were established. Typically, students with special needs were placed either in a separate classroom within a school that served the general population, or they were placed in a totally separate school. Those children who were perceived as unable to benefit from these segregated placements were simply excluded from the education system in its entirety. During the 1930s, special classes emerged for children with physical disabilities and in the 1950s, separate schools that provided accommodations, such as ramps, elevators and desks emerged. Although schools began to service children with some physical disabilities and those thought of as slow learners, from 1920 to 1960, mental hospitals remained the only viable alternative for children with severe emotional problems.

In the 1950s, a change began to emerge in the United States, largely through the efforts of parents who had children with special needs. Parents began to advocate for the expansion of educational programs and services by lobbying policy makers and scientific research professionals to address the needs of these exceptional children. The goal was to implement more effective practices in order to improve upon the services to this population. In the late 1950s, the number of separate public school classes increased for those students with mild mental retardation and behavior disorders. In support of this expansion in services, research emerged, which addressed the validity and benefit of having separate classrooms for students with special needs. Research conducted by Johnson (1962) contended that there was no difference in academic achievement for children with mental retardation if placed in a general or special education classroom. In addition, it was concluded that the special education classroom did not impact negatively on the child's social adjustment. In fact, the separate special education classroom was perceived as possessing several distinct advantages: (1) low teacher-pupil ratios, (2) a specially trained teacher, (3) a homogeneous classroom that contained greater individualization of instruction to meet the specific needs of the child, (4) an increased emphasis on social and vocational goals within the curriculum, and (5) greater expenditure and allocation of funds for each student (Johnson, 1962). The validity of the separate special education classroom was not questioned until Dunn (1968), a special education professor at Peabody College (now Vanderbilt University), wrote an article that questioned the validity and efficacy of separate classrooms for children with mild disabilities. Although the scholarly aspect of the work in this article was called into question by MacMillan (1971), Dunn's contention caused many other researchers to join in and advocate the abandonment of the separate special

education classroom (Christopolos & Renz, 1969; Lilly, 1970; Deno, 1970). Despite the increasing attention researchers directed on the inclusion of students with special needs in general education classrooms, empirical evidence advocating for a placement that was less restrictive than the separate special education classroom was anything but conclusive (Guskin & Spicker, 1968).

Special Education Legislation

Historically, children with disabilities have been discriminated against in two ways (Turnbull & Turnbull, 2000). First, schools either did not admit students with disabilities or if they were admitted, they were not provided with what experts would call an appropriate education (Yell, Rogers, & Rogers, 1998). Secondly, students who belonged to culturally and linguistically diverse groups were frequently misclassified with a disability that they did not have or were given the wrong classification - a type of mislabeling (Sarason & Doris, 1979).

As a result of this blatant discrimination, families of children with disabilities, civil rights lawyers, and parent advocacy organizations in the 1970s sued state and local school officials for misclassifying and excluding students as a violation of their rights to receive equal educational opportunities as guaranteed by the U.S. Constitution (Turnbull & Turnbull, 2000). One early piece of legislation that came about as a direct result of public advocacy was the Education of All Handicapped Children Act of 1975, also known as Public Law 94-142. This piece of legislation debated integration and advocated for the rights of children with special needs. With the passage of the Education for All Handicapped Children Act, Congress asserted that the national interest was served by providing federal government support of programs for children with special needs. This law provided for a free and appropriate public education (FAPE) for all children aged 5 through 21. In addition, the law required a comprehensive, nondiscriminatory evaluation to identify the child's needs, a written individualized education plan (IEP), and stated that the child's educational services be provided in the least restrictive environment (LRE).

In 1990, the Individuals with Disabilities Education Act (IDEA), also known as Public Law 101-476, passed in Congress. This law updated the terminology of the Education for All Handicapped Children Act to reflect the ideology that the disability does not define the person, but that they are individuals with disabilities that need to be served. IDEA was amended in 1997 with the passage of Public Law 105-17, also known as IDEA 97. IDEA 97 provided an expanded role for parents in the decision-making process, including parents on the team that makes educational placement decisions. Additionally, schools were required to create and bear the cost of a system of mediation to resolve conflicts between schools and families. The most recent reauthorization of IDEA occurred in December 2004 with President Bush signing into effect the Individuals with Disabilities Education Improvement Act of 2004. In this reauthorization, some of the changes include the definition of a highly qualified teacher for both general and special educators, a plan to reduce the amount of paperwork that now exists in special education programs, the inclusion of special education students in the testing system that establishes accountability and a recommitment to the funding of special education as outlined by these laws. The reauthorization of IDEA in 2004 refines many of the constructs of the earlier legislation; however the basic premise of Public Law 94-142 and the IDEA legislations consist of six main principles that are designed to identify students in need of services. The passage of each new law has reauthorized and extended these basic rights. The six main principles of IDEA are:

1. Zero-reject principle

Zero reject is an educational philosophy which says that no child can be denied an education because they are "uneducable". It is part of the Individuals with Disabilities Education Act (IDEA), which is the main special education law that seeks to guarantee free and public education for students with disabilities. The zero-reject (exclusion) principle prohibits schools from excluding children from the ages of 3 to 21 with disabilities from receiving a free and appropriate public education, no matter how severe their disabilities. The Zero Reject principle ensures that all children receive a free and appropriate public education, no matter how severe their disability. A child may not be excluded because a school district feels they are too disabled to learn, has inappropriate behavior caused by their disability, or has a contagious disease unless there is a high risk that the student will infect other students.

Locate, identify, and serve all students with disabilities aged 3-21 Child find obligations Two criteria for eligibility: A student must be determined to have a disability that is covered by the IDEA because of the disability, the student needs special education and related services. Designed instruction of Zero Reject in IDEA, at no cost to parents or guardians, to meet the unique needs of a disabled child, including classroom instruction, and instruction in hospitals and institutions as well as "related services" (transportation, and such developmental, corrective, and other supportive services... as may be required to assist a disabled child to benefit from special education". Although the "free appropriate education" provision only assures disabled children a limited level of services, IDEA provides this guarantee unconditionally. School districts which fail to comply, therefore, are not afforded significant leeway in asserting defenses based on a child's lack of conventional academic ability or the high cost of necessary services.



Learning Knows No Bounds

IDEA adopts a "zero reject" principle which brings within its protective ambit a wide range of disabled children who require special education and related services. The cornerstone of IDEA is the provision that all disabled children are assured the "right to a free appropriate public education" which is comprised of "specially designed instruction, at no cost to parents or guardians, to meet the unique needs of a [disabled] child, including classroom instruction, and instruction in hospitals and institutions" as well as "related services"

2. Nondiscriminatory evaluation

A nondiscriminatory evaluation of each student is required to provide a multifaceted and comprehensive assessment in order to determine if the child has a disability. Historically, children from cultural and linguistically diverse backgrounds have experienced discrimination in the assessment process (Dunn, 1968). As part of nondiscriminatory evaluations, evaluations must be conducted in the student's primary language. Nondiscriminatory evaluation is an IDEA principle that requires schools to evaluate students fairly to determine if they have a disability and, if so, what kind and how extensive. This information is necessary to plan an appropriate education for the student and determine where the student will be educated

One of the goals of public education is to create an environment where everyone has the opportunity to learn. To do this, education's governing bodies have created programs that seek to make learning more equitable and fair for everyone. One of these measures is the Individuals with Disabilities Education Act (IDEA).

As part of IDEA, schools are required to evaluate all students who may need special education services. These student evaluations must be tailored to the individual. This means that assessments must be given one-on-one with only the evaluator and the student present. They also have to be nondiscriminatory.



In this context, nondiscriminatory means that the test must be deemed "valid" by educational standards. Valid is official education language that means a test is not biased for or against any individual or group. So tests must be given in the student's primary language, and any other burdens, such as cost, should be removed so that they don't influence the student's outcomes on the evaluation. A nondiscriminatory evaluation has many steps. First, stakeholders must determine if a nondiscriminatory evaluation is necessary. Someone at the school may start the evaluation process, or parents can start the process themselves. Either way, a parent must consent to the evaluation, and assessment must be completed within 30 days of initiation. Students already receiving special education services must be reevaluated every three years or more frequently. In addition to the student and the parents, several workers from the school or school district must be involved in evaluating a student. These may include but are not limited to a special education teacher, a principal, a guidance counselor and a subject-area expert. For older students or students who participated in classes in the school's general population, one or more classroom teachers may be involved in the evaluation process.

After the evaluation period has begun, the group of stakeholders will gather information about the student's disability. This may include logs of behavior and social skills, examples of class work and more. Sometimes a student will be given a nondiscriminatory assessment. A nondiscriminatory assessment might be a standardized test or a norm-referenced test. They can also include observational assessments based on written criteria. Interviews also fall into this category. After assessment, the group of stakeholders will reconvene to determine the best course of action for students. This can include special classes, such as sessions with a speech therapist. Other help may include IEPs, 504 plans or more extensive assistance.

3. Free and Appropriate Public Education [FAPE]

A free and appropriate public education [FAPE] must be provided to each student. To accomplish this end, an individualized education program is constructed that is tailored to the specific requirements of the student with special needs. For babies and toddlers from the ages of 0 to 3, this plan is called an individualized family service plan [IFSP]. For students from the ages of 3 through 21, the plan is called an individualized education program [IEP]. There has been much debate about the meaning of an appropriate education (Yell & Drasgow, 2000). The basic premise of FAPE is that a student should be making substantial progress that produces a beneficial educational experience (Turnbull & Turnbull, 2000).

4. Least restrictive environment [LRE]

The provision for the least restrictive environment [LRE] contends that a student with a disability will be educated to the greatest extent possible with peers without disabilities. The LRE is often interpreted as the general education classroom, but historically, this interpretation was not clearly defined as the only accepted one. The most prevalent notion is that the school may not remove a student from the general education classroom unless school officials can prove that even with the provision of supplementary aids and support services; the student is not benefiting to the maximum extent and warrants a more restrictive placement (Bateman & Chard, 1995). Therefore, schools must offer a continuum of placement options that range from less to more restrictive. This continuum is generally understood as (from least restrictive to most restrictive): the general education classroom, general education classroom with resource room or other related services, separate special education classroom, separate special education school, homebound instruction by a special education itinerant teacher and hospital or institutional placement.



- Least restrictive environment (LRE) isn't a place; it's a principle that guides your child's educational program.
- Special education law says your child should be learning with peers.
- When LRE comes up, so do the words *mainstreaming* and *inclusion*.

Different Types of LRE

The basic idea of LRE is straightforward. Still, it's often a hot-button issue at meetings. IDEA doesn't spell out the LRE for each type of disability. There isn't necessarily one "right" environment for all kids. And at times, it may be better or more suitable for a child to learn separately. The intent of LRE is to make sure that kids who receive special education are included in the general education classroom as often as possible. But agreeing on how that happens isn't always easy. The IEP team, which includes you, decides what the LRE is for your child. Here are some common LRE scenarios:

- **General education classroom with support.** Your child spends the entire day in a general education class. Your child receives supports and services like a tutor or aide, assistive technology, related services, accommodations, modifications, or any combination of these.

- **Partial mainstream/inclusion classroom.** Your child spends part of the day in a general education class. Your child gets some individual or small-group instruction in a special education class, or is pulled out of class for some services.
- **Special education class.** This is a program with specialized instruction for kids with similar learning needs.
- **Specialized program outside of your school district.** This includes private schools, residential programs and hospital programs.

5. Procedural due process

Procedural due process seeks to make the parents and school partners in their responsibility to each other for carrying out the rights of both the student and parents as guaranteed by IDEA legislation. If a parent or the school does not agree with the placement decision and/or services that are to be provided, a hearing is coordinated and is conducted before an impartial arbitrator. The loser of the due process hearing maintains the right to appeal the ruling to a higher court.

6. Parental and student participation

Finally, parental and student participation is required in the special education process in order to facilitate shared decision making. Written informed consent is required to be given by the parent to the school in order to conduct an evaluation and to implement an IEP, as well as the verbal assent of the student during the process of an IEP evaluation. These steps are taken to make sure parents and students are participants in the development of the educational plan and are not simply informed of school-based decisions. In addition to the six main principles of IDEA, this federal law requires that a student with special needs be classified into one of 13 classifications of disability.

THE INVOLVEMENT OF FAMILIES



These classifications can be thought of as existing in two groups: high incidence disabilities and low incidence disabilities. High incidence disabilities are those classifications that represent the highest percentage of students receiving special education services and low incidence disabilities represent students in classifications that are not seen as frequently.

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