

Special Education in the United States

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SCHOOL OF EDUCATION

Background

- Education and the US Constitution
- Compulsory attendance laws
- Purpose of special education
- Advocacy
- Litigation
- Legislation

Legislative History

Date	Number of Law or Section	Name (and any Abbreviation)	Key Provisions
1973	Section 504	Section 504 of the Rehabilitation Act	<ul style="list-style-type: none"> Set the stage for IDEA and ADA Guarantees basic civil rights to people with disabilities Requires accommodations in schools and in society
1975	PL 94-142	Education for All Handicapped Children Act (EHA)	<ul style="list-style-type: none"> Guaranteed a free appropriate education in the least restrictive environment
1986	PL 99-457	EHA (reauthorized)	<ul style="list-style-type: none"> Added infants and toddlers Provided IFSPs
1990	PL 101-476	Individuals with Disabilities Education Act (IDEA)	<ul style="list-style-type: none"> Changed name to IDEA Added transition plans (ITPs) Added autism as a special education category Added traumatic brain injury as a category
1990	PL 101-336	Americans with Disabilities Act (ADA)	<ul style="list-style-type: none"> Barred discrimination in employment, transportation, public accommodations, and telecommunications Implements the concept of normalization across American life
1997	PL 105-17	IDEA (reauthorized)	<ul style="list-style-type: none"> Added ADHD to the "other health impairments" category Added Functional Behavioral Assessments and Behavior Intervention Plans
2001	PL 107-110	Elementary and Secondary Education (No Child Left Behind) Act of 2001: (ESEA)	<ul style="list-style-type: none"> Required that all schoolchildren participate in state and district testing Called for the 100 percent proficiency of all students in reading and math by 2012

Source: Smith, D.D & Tyler, N.C. (2010). Introduction to special education: Making a difference (7th ed.). Columbus OH: Pearson/Merrill.

PL 94-142

4 purposes

- guarantee availability of special education programming to children and youth who require it
- assure fairness and appropriateness in decision making
- establish clear management and auditing requirements
- financially assist States through federal funds

Key concepts

- Authorization/appropriation
- FAPE
- LRE
- IEP
- Due process

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Legislative history

- 2004 – IDEA reauthorization

- Complex issues – discipline; due process; monitoring and enforcement; Individualized Education Programs (IEPs); definition of highly qualified; Part C Early Intervention; related services; paperwork reduction; child medication; research; and funding

- ESEA/IDEA alignment

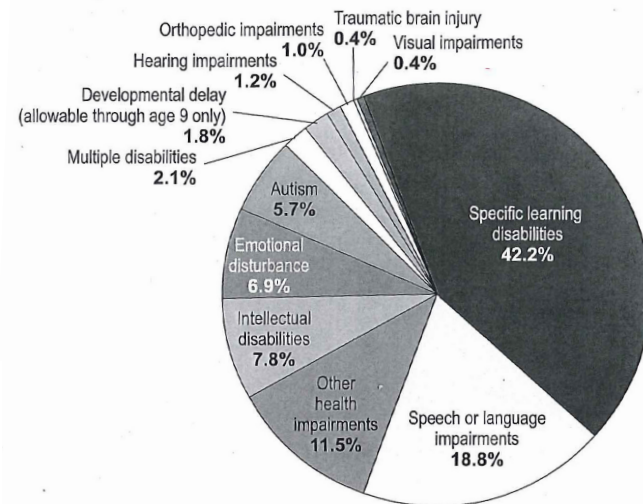
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13 Categories

Autism, Deaf-blindness, Deafness, Emotional disturbance, Hearing impairment, Mental retardation (developmental disabilities), Multiple disabilities, Orthopaedic impairment, Other health impairment, Specific learning disability, Speech or language impairment, Traumatic brain injury, Visual impairment

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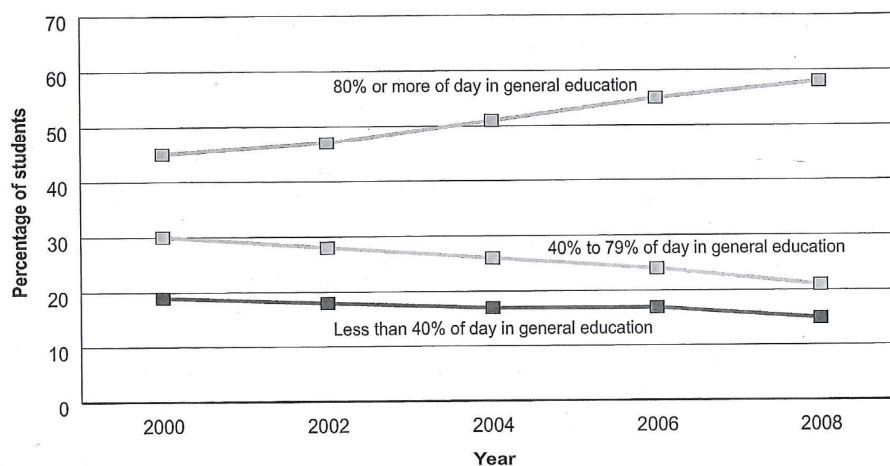
Students Receiving Special Education Services in the United States, by Disability Category



Source: www.IDEAdata.org, 2009 Part B Child Count, students ages 6-21

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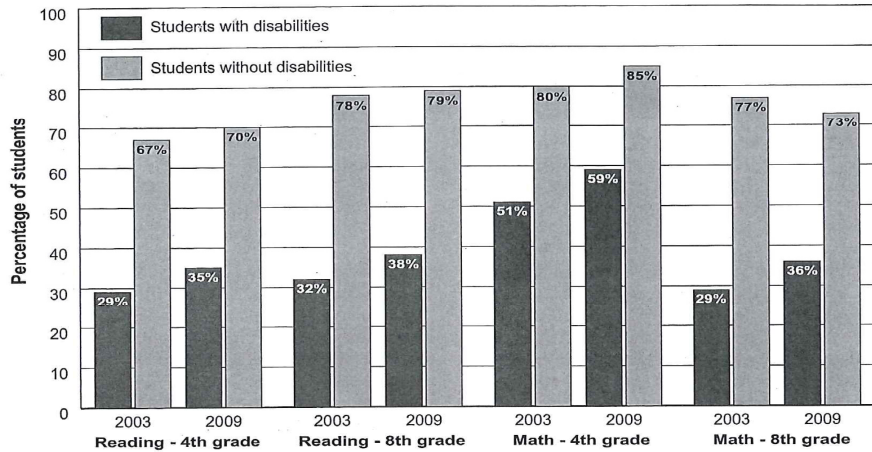
Where Students With Disabilities Spend Their School Day



Source: www.IDEAdata.org

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Percentage of Students Scoring at or Above Basic Level on the National Assessment of Educational Progress



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Significant issues

- Academic achievement
- Assessment
- Highly qualified teachers
- ESEA/IDEA

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