

Individuals with Disabilities Education Improvement Act

IDEA 2004

By

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History of Special Education

Throughout history, there have always been children with special needs but there has not always been special education programs. The programs we see today, have been developed through the hard work of advocates, such as family associations, who have managed to change federal policies.

Notable examples include: (U.S.,2010)

- **Captioned Films Acts of 1958 (P.L. 85-905)**, which supported the production and distribution of accessible films
- **Training of Professional Personnel Act of 1959 (P.L. 86-158)**, which helped train program administrators and teachers of children with mental retardation
- **Teachers of the Deaf Act of 1961 (P.L. 87-276)**, which trained instructional personnel for children who were deaf or hard of hearing

History of Special Education Cont.

- ❖ In 1965 the **Elementary and Secondary Education Act (ESEA; P.L. 89-10)** and the **State Schools Act (P.L. 89-313)** provided states with
 - Direct grant assistance to help educate children with disabilities

(Dover, 2002)
- ❖ Landmark court decisions further advanced increased educational opportunities for children with disabilities →

History of Special Education Cont.

- The Pennsylvania Association for Retarded Citizens v. Commonwealth (1971)
- Mills v. Board of Education of the District of Columbia (1972) established the responsibility of states and localities to educate children with disabilities.

These court decisions proclaim “the right of every child with a disability to be educated,” and are grounded in the Equal Protection clause of the 14th Amendment of the U.S. Constitution. (U.S., 2010)

History of Special Education Cont.

- ❖ In 1975, ten years after the **Elementary and Secondary Education Act (ESEA; P.L. 89-10)**, U.S. Congress passed the *Education for All Handicapped Children Act, Public Law (P.L.) 94-142*:

- Access to Schools

Public Law 94-142 guaranteed a free appropriate public education to each child with a disability. This law had a dramatic, positive impact on millions of children with disabilities across the country. (Dover, 2002)

History of Special Education Cont.

Public Law 94-142 (1975)

- ❖ Required public schools to provide a free and appropriate education to all students, regardless of the severity of condition
- ❖ Programs were developed around a continuum of services and placements
- ❖ Resource rooms, self-contained classrooms, special day schools, homebound instruction, and institutions

Four Purposes of Public Law 94-142 (1975):

- “To assure that all children with disabilities have available to them ... a free appropriate public education which emphasizes special education and related services designed to meet their unique needs.
- To assure that the rights of children with disabilities and their parents are protected.
- To assist States and localities to provide for the education of all children with disabilities.
- To assess and assure the effectiveness of efforts to educate all children with disabilities.”

Changes implicit in the law included efforts to:

- (a) improve how children with disabilities were identified and educated,
- (b) evaluate the success of these efforts, and
- (c) provide due process protections for children and families.

In addition, the law authorized financial incentives to enable states and localities to comply with P.L. 94-142.

Source: Education for All
Handicapped Children Act, 1975

History of Special Education Cont.

1980's

The **1983** amendments to **The Education Of The Handicapped and Analysis (P.L. 98-199)**

- Increased national concern for young children with disabilities and their families.

Whereas P.L. 94-142 mandated programs and services for children ages 3 to 21 that were consistent with state law, the **1986** amendments to **EHA (P.L. 99-457)**

- Mandated states provide programs and services to children with disabilities from birth. (Dover, 2002)

Mid to late 1980s - The Regular Education Initiative (REI)

Prior to The Regular Education Initiative, students with disabilities were separated from nondisabled peers and a report concluded by M.C. Will (1986) highlighted problems that “persisted with low graduation rates and unemployment/underemployment of students served by Special Education.” (Dover, 2002)

- “Proposed all children start in a regular classroom with later placements and services determined by their rate of development.” (Pg.3)

**Education for all
Handicapped Act →
Individuals with Disabilities
Education Act**

History of Special Education Cont.

The **1990** amendments to **EHA (P.L. 101-476)**, which changed the name to the Individuals with Disabilities Education Act, and the **1997** amendments to **IDEA (P.L. 105-17)** supported:

- Initiatives for transition services from high school to adult living.

Because these mandates, each student's Individualized Education Program (IEP) must include transition plans or procedures for identifying appropriate employment and other post school adult living objectives for the student.

- The IEP must specifically designate the person responsible for each transition activity, and transition planning should begin at age 14. (Dover, 2002)

Examples of Early Childhood Accomplishments Due to IDEA:

- State-of-the-art models of appropriate programs and services for young children with disabilities (birth–5 years) and their families.
- Individualized Family Service Plans to identify and meet the unique needs of each infant and toddler with a disability and his or her family.
- Effective assessment and teaching practices and related instructional materials for young children and their families.
- National network of professionals dedicated to improving early intervention and preschool education at the state and local levels.
- Collaboration among federal, state, and local agencies to avoid duplication of efforts in providing early intervention and preschool education. (Holbrook, 2007)

2000's: Amendments to IDEA

- The Elementary & Secondary Education Act, also known as No Child Left Behind, as amended in **2001 (P.L. 107-110)**
 - Holds schools and districts responsible for the performance of students, including students with disabilities.
 - The **2004 amendments to IDEA** allow states and localities to employ a response to intervention (RTI) framework and consider a student's response to:
 - Scientific, research-based interventions when identifying students with specific learning disabilities.
- (U.S., 2010)

The 2004 amendments to IDEA (P.L. 108-446)

Sharpened federal mandates to increase state and local accountability for educating children with disabilities and expanded methods to identify students with specific learning disabilities. This law also continued federal commitment and support to ensure:

- Special education and early intervention personnel are highly qualified (U.S., 2010)

Evolution of Special Education

The past 35 years have brought significant growth to the Special Education field. “The nation has moved from paying little attention to the special needs of individuals with disabilities to merely accommodating these individuals’ basic needs and then eventually to providing programs and services for all children with disabilities and their families.”

(Dover, 2002)

Evolution of Special Education

- ❖ Prior to P.L. 94-142: Many individuals lived in state institutions for persons with mental retardation or mental illness.
- ❖ These restrictive settings provided only minimal food, clothing, and shelter.
 - Basic needs vs. education & rehabilitation (Hallahan, Kauffman, Pullen, 2015)

Evolution of Special Education

- ❖ 1970, U.S schools only educated 1 in 5 children with disabilities
- ❖ Many states had laws excluding certain students from school, including children who were deaf, blind, emotionally disturbed, or mentally retarded.
- ❖ Providing appropriate education to youngsters from diverse cultural, racial, and ethnic backgrounds was especially challenging. (Hallahan, Kauffman, Pullen, 2015)

Evolution of Special Education

❖ Culturally Relevant Instructional Principles

- Link assessments of student progress directly to the instructional curricula rather than to abstract norms for standardized tests.
- Examine not only the individual child, but also his or her instructional environment, using direct observational data.
- Create classroom environments that reflect different cultural heritages and accommodate different styles of communication and learning.
- Develop and implement family-friendly practices to establish collaborative partnerships with parents and other caregivers, including those who do not speak English. (Hallahan, Kauffman, Pullen, 2015)

Disability Categories Under IDEA

1. Autism
2. Deaf-Blindness
3. Deafness
4. Emotional Disturbance
5. Hearing Impairment
6. Intellectual Disability
7. Multiple Disabilities
8. Orthopedic Impairment
9. Other Health Impairment
10. Specific Learning Disability
11. Speech or Language Impairment
12. Traumatic Brain Injury
13. Visual Impairment Including Blindness

Categories of Disability under IDEA. (2012, March). Retrieved May 26, 2016, from http://www.parentcenterhub.org/wp-content/uploads/repo_items/gr3.pdf

Free and Appropriate Education (FAPE)

“Eligible students with disabilities are entitled to a ‘free appropriate public education,’ often referred to as FAPE. FAPE is a standard set by federal law. When we ask whether or not a student is receiving all the services to which they are legally entitled, we ask, “is the student receiving a FAPE?” Rarely is there disagreement about what is meant by the words ‘free,’ ‘public,’ and ‘education.’ As many parents have discovered, however, the interpretation of the word ‘appropriate’ can differ widely among individuals.” (2008)

Least Restrictive Environment

Chapter 60 - To the maximum extent appropriate, students with disabilities are educated with students who are nondisabled.

- The least restrictive placement on the continuum is the regular education classroom with supplementary aids and services as appropriate

Makeup of IEP Team

1. **Special Education Teacher:** Must include not less than 1 of child's special education teachers.
 - a. Contributes important information and experience about how to educate children with disabilities
2. **General Education Teacher:** Must include not less than 1 of child's special education teachers.
 - a. Gen Ed teacher knows the curriculum for child's grade level and what children in general education class are expected to do

Makeup of IEP Team Cont.

3. Representative of Public Agency:

a. Administrator

- i. Knowledgeable about the availability of resources of the public agency

b. Individual who can interpret instructional implications of evaluation results

- i. May not be the child's parent, this member must be able to talk about the instructional implication of the child's evaluation results

c. Others with “knowledge or special expertise” about the child

- i. Attends “at the discretion of the parent or the agency”
- ii. May be a **related services provider** (as appropriate)

Makeup of IEP Team Cont.

4. **Parent (s):** Parents are vital members.

- Can describe what goals are most important to them & to their child
- Share their concerns and suggestions for enhancing their child's education
- Give insights into their child's interests, likes and dislikes, and learning styles

Parent participation is a parent's right and a parent's choice.

Makeup of IEP Team Cont.

5. **Child with Disability:**

The child with a disability may have something essential to contribute to planning his/her educational program and future.

The child with a disability:

- Must be invited to attend, whenever appropriate
- Must be invited to a meeting where postsecondary goals and transition services needed to reach those goals will be considered

If the child does not attend the meeting, other steps must be taken to ensure that child's preferences and interests are considered.

Role of the General Education teacher in regards to Special Education:

The general education teacher knows the curriculum for a student's grade level and what they are expected to accomplish. If and when the student is going to be educated in the general education environment, for any part of the school day, the general education teacher can share what the student will be taught and expected to learn. This information contributes to making decisions about what types of supplementary aids and services may be needed for successful learning/transition.

Evaluation and Identification of Exceptional Learners

Response to Intervention Tiered System Model

Response to intervention refers to student's change (or lack of change) in academic performance.

RTI provides three tiers of instruction for students who are struggling in their academics:

1. Students are screened, identified, received research based instruction
2. More intensive instruction, assistance in small-group format
3. Placement for service and student progress is monitored.

Vs.

The Discrepancy Model:

Using IQ scores to determine intelligence of student

(Hallahan, Kauffman, Pullen, 2015)

Individualized Education Program Components:

1. Student Profile
2. Special Instructional Factors
3. Transportation as A Related Service
4. Nonacademic and Extracurricular Activities
5. Method/Frequency for Reporting Progress of Attaining Goals to Parents
6. Present Level of Academic Achievement and Functional Performance
7. Measurable Annual Goal related to meeting the student's needs
8. Type(s) of Evaluation for Annual Goal
9. Benchmarks
10. Special Education and Related Service(s)
11. General Factors
12. Least Restrictive Environment
13. People who Attended and Participated in The Meeting to Develop IEP

Individualized Education Program Components:

Types of IEPs:

- a) New IEP (for Initials - developed when a student is found eligible via an initial IDEA evaluation)
- b) New IEP Annual
- c) New IEP Revision
- d) New Reevaluation/Revision
- e) New Reevaluation/Annual

Present Levels of Educational Performance (PLEP)

Baseline information about the child, including:

- Strengths and needs related to the child's disability (academic and non-academic areas)
- Functional behavior & current academic achievement (e.g., reading or language arts, math, science, or history).
- Impact statement (how does the student's disability affect their participation/progress in general education)
- Student's interests
- Strategies that work

All information should be sufficient to develop goals and objectives.

Essential Components of a Standards-Based IEP

Step 1: Consider the grade-level content standards for the grade in which the student is enrolled or would be enrolled based on age.

Step 2: Examine classroom and student data to determine where the student is functioning in relation to the grade-level standards.

Essential Components of a Standards-Based IEP

Cont.

Step 3: Develop the present level of academic achievement and functional performance.

- a. “Describe the individual strengths and needs of the student in relation to accessing and mastering the general curriculum.”
- b. “Consider the factors related to the student’s disability and how they affect how the student learns and demonstrates what he or she knows.”

Step 4: Develop measurable annual goals aligned with grade-level academic content standards

Essential Components of a Standards-Based IEP

Cont.

Step 5: Assess and report the student's progress throughout the year.

- Data collection
- Teacher observation

Step 6: Identify specially designed instruction including accommodations and/or modification needed to access and progress throughout the year.

Step 7: Determine the most appropriate assessment option.

Planning an Individualized Education Plan

1. Prior Written Notice
 - a. A stand alone legal document given to parents , prior to any action
2. Schedule Conference
 - a. Re-evaluation (90/40 days?)
 - b. Contact participants
 - c. Schedule with parents
 - d. Team members
3. Meeting:
 - a. Invite parents
 - b. IEP Team
 - c. Define Needs
4. After Meeting:
 - a. Send out information
 - b. Confidential file

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