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ABSTRACT

This module, which is one in a series of training packages intended to train educators working with handicapped adolescents and young adults in correctional settings, deals with the terminology and issues/concepts of special education. Addressed in the individual sections of the module are the following topics: the distinction between normality and abnormality in statistical, medical, and social terms; different areas of exceptionality; factors that influence schooling in the United States; major problems of the U.S. educational system; the emergence of special and remedial programs in American schools; the significance of major legislation and litigation in the right to education for the handicapped movement; the concepts continuum of services, mainstreaming, and least restrictive environment; and current issues in special and correctional education. The module includes instructional design specifications (module title, competency statement, rationale statement, prerequisites); module objectives; evaluation procedures and criteria, learning activities and alternatives; a content outline; references; handouts; overhead transparency masters; and a training evaluation form. (MN)

C/SET

CORRECTIONAL/SPECIAL EDUCATION TRAINING PROJECT

TEACHER TRAINING MODULE #3:

OVERVIEW OF SPECIAL EDUCATION

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CORRECTIONAL/SPECIAL EDUCATION TRAINING PROJECT

INTRODUCTION

This module is one in a series of training packages that have been designed for working with the handicapped adolescent and young adult in correctional settings. This particular module focuses on the Overview of Special Education. The complete set of C/SET Training Modules includes information on the following topics:

Module 1:	Correctional Education/The Criminal Justice System
Module 2:	Characteristics of Exceptional Populations (Juvenile and Adult)
Module 3:	Overview of Special Education
Module 4:	Overview of PL 94-142 and IEPs
Module 5:	Assessment of Exceptional Individuals
Module 6:	Curriculum for Exceptional Individuals
Module 7:	Instructional Methods and Strategies
Module 8:	Vocational Special Education

MODULE COMPONENTS

This module has been designed as a self-contained training package. It contains all the information and materials necessary to conduct training. Additional information and materials can be included at the discretion of the trainer.

Instructional Design Specifications. This cover page includes the following information:

Module Title
Competency Statement
Rationale Statement
Prerequisites

Module Objectives

Evaluation Procedures and Criteria

Learning Activities and Alternatives

Content Outline

References

Handouts

Overhead Transparency Masters

Training Evaluation Form

RECOMMENDED PREPARATION PROCEDURES

1. Review Materials. The trainer should thoroughly review the entire package and become familiar with the content of each component.

2. Conduct Needs Assessment.
   a. Type in the name and address of the trainer on the Needs Assessment Form.
   b. Duplicate the form and distribute to participants well in advance of the established training date(s).
      Note: Each item on the Needs Assessment Form corresponds to a major unit or section of the Content Outline as designated by a number, decimal, and a zero (e.g., 1.0, 2.0, 3.0). As such, each needs assessment question represents a very broad content area.

      A trainer may design a more specific needs assessment instrument by formulating questions related to subsections of the Content Outline. This is recommended when there is a specific pre-determined focus for training or when there is a limited amount of time for training.

3. Review the completed Needs Assessment Forms.

4. Select the topics/content to be presented.

5. Formulate objectives for the training sessions. The major objectives are listed on the Module Objectives pages(s). In situations where the training is more highly focused, the trainer should formulate more specific objectives.

6. Determine evaluation instruments and procedures. Evaluation procedures and questions corresponding to the objectives are listed in the Evaluation Procedures and Criteria section. Additional evaluation questions should be developed in situations where additional or more specific objectives have been formulated.

7. Determine learning activities.
   a. Review the Content Outline section and select the content to be presented.
   b. Review the Learning Activities section and prepare learning activities that relate to the objectives.
      Note: It is recommended that the format of the training session include frequent participant activities in addition to a traditional lecture presentation. For maximum effectiveness the trainer should change the format of the session at least every 30 minutes. In most cases this will require the development of additional learning activities.

8. Prepare overhead transparencies.
   a. Select and make overhead transparencies that will be used in the training session.
   b. Additional transparencies should be developed by the trainer when specific information needs to be emphasized.

c. In some cases the ' ner may need to enlarge the transparencies when the training on will be conducted in a large room. Some transparencies will need to be separated where two have been placed on a page.

9. Prepare handouts
   a. Select and duplicate handouts.
   b. Additional handouts and materials for activities should be developed as needed.

DELIVERY OF MODULE TRAINING

The following is a list of recommendations for trainers relating to the delivery of module instruction.

1. Select a site conducive to training by considering the following:
   a. adequate size
   b. temperature control
   c. ventilation
   d. acoustics

2. Provide comfortable, moveable chairs and a hard writing surface for each participant.

3. Begin with a welcome and introduction of yourself. Include information on your background, training, and experience.

4. Explain the purpose of training.
   a. Provide a rationale (see Instructional Design Specifications section).
   b. Display and/or distribute a copy of the objectives the participants are expected to meet.
   c. Provide participants with a content outline listing the major and secondary level topics to be presented.

5. Explain the evaluation procedures to the participants.

6. It is recommended that the trainer provide a 10-minute break each hour. If the training session is to span the normal lunch period, provide at least 90 minutes. Access to refreshments during the training period is recommended.

7. Inform participants of the time-frame you intend to follow.

8. Periodically summarize the information you have presented.

9. Encourage participants to ask questions, ask for clarification, and/or ask for additional examples.

TRAINING EVALUATION

At the conclusion of the training session(s), ask the participants to complete the Training Evaluation Form.

C/Set Module #3: OVERVIEW OF SPECIAL EDUCATION

Purpose: This module has been designed to meet the needs of individuals with a broad range of skills and experiences. Therefore, not all training sections and components may be appropriate for you. To determine your training needs and to make our training more efficient and effective, please complete the following survey. Since we need this information to prepare for the actual training sessions, please return the survey as soon as possible to:

What other concerns, needs, or questions do you have regarding the topic covered in this module?

Instructions: Please rate each of the following items with one of the following indications:

1. High training priority ("must be covered")
2. Medium training priority ("I could use the information")
3. Low priority ("Not needed or applicable")

Other comments, concerns, recommendations.

Topic	Rating		
	High	Med	Low
1. Introduction to Exceptional Learners	1	2	3
2. Historical Development of Special Education	1	2	3
3. Special Education In Today's Schools	1	2	3
4. Issues In Special Education	1	2	3
5.	1	2	3
6.	1	2	3
7.	1	2	3
8.	1	2	3
9.	1	2	3
10.	1	2	3

PROGRAM: C/SET Training Module

MODULE: Overview of Special Education

COMPETENCY: Correctional educators should have a basic understanding of terminology and issues/concepts of special education if they are to provide services to handicapped individuals.

RATIONALE: In light of the significant numbers of incarcerated individuals who are also handicapped, teachers and administrative staff in correctional facilities should have an overall view of special education, where it came from and where it is going. They should be able to articulate some of the problems of our present educational system, system attempts to deal with the problems, and some of the current issues in special education.

PREREQUISITES: None required.

After completing this module the participant will be able to:

1. Define normality/abnormality in statistical, medical, and social terms.
2. Compare and contrast the terms: exceptional, handicapped, disabled, and impaired.
3. Define the different areas of exceptionality (i.e., vision, hearing, communication, social-emotional, intelligence, etc.).
4. Discuss the various handicapping conditions and their relationship to statistical, medical, or social norms.
5. Identify factors that influence schooling in the U.S.
6. List and discuss some of the major problems in the educational system.
7. Trace the emergence of special and remedial programs in American schools.
8. Identify and discuss the significance of major legislation and litigation in the right to education for the handicapped movement.
9. Identify prevalence and incidence figures for handicapping conditions and compare with figures for correctional education.
10. Describe the term "continuum of services" and discuss the components of such a curriculum.
11. Compare and contrast the terms mainstreaming and least restrictive environment.
12. Define the term "related service."
13. Identify and discuss current issues in special and correctional education.

PRE-POST TEST

1. How is normality expressed in statistical terms?

2. How is the social definition of normality different from statistical and medical definitions of normality?

3. Differentiate between the terms

   (a) exceptional and handicapped
   (b) disability and impairment

4. Give three (3) ways in which a handicapped inmate may be at greater risk when s/he enters the criminal justice system.

5. (a) List five (5) major areas of exceptionality recognized under PL 94-142.

   (b) How do they relate to statistical, medical, and social norms?

6. What is the exclusionary clause in the PL 94-142 definition of emotionally disturbed?

7. Define the term learning disabled.

8. Name three (3) criticisms of public schools and how those problems relate to correctional populations.

9. Name two (2) important pieces of federal legislation that provide educational rights for the handicapped.

10. Name two (2) other federal programs that have attempted to address the educational programming needs of remedial students.

11. When did mandatory educational programs for the handicapped appear?

12. How do incidence and prevalence rates compare for incarcerated vs non-incarcerated individuals?

13. What does the term "continuum of services" mean under PL 94-142?

14. Discuss the term "least restrictive environment" and tell how it differs from the term "mainstreaming".

15. Define a related service. Give an example.

16. Describe an imaginary program that would assist the handicapped offender in "making it" after his/her release.

ACTIVITY 1.0 Exceptional Learners

1.1 Introduction to LOFT Classroom Simulation

To the Instructor:

An exercise that can be conducted during this module is a composite of simulations found in the LEARNING OPPORTUNITIES FOR TEACHER program developed by Susan and Barry Dollar. Their exercise has been modified to fit this particular session. The objective in conducting this simulation is to develop a degree of awareness among the participants regarding some of the feelings and experiences to which many handicapped students have been subjected. The discussion following the activity should help participants to relate these feelings and perceptions to those their incarcerated handicapped students might be experiencing.

It is important to recognize that teaching the content contained in this activity is not the objective of this exercise. Lecture material is provided merely as a means of conducting a simulation that will induce certain feelings and experiences. Lecture content that the participants will have little prior experience with was deliberately chosen. This was done to promote feelings of frustration, anxiety, uncertainty regarding expectations, and a questioning of the relevance of the overall experience.

If selected, this simulation should be conducted at the beginning of the very first session for several reasons. First, it has a much greater impact when the participants have not had an opportunity to previously interact on a less structured basis with the instructor. Second, since they will not be prepared for what is to happen to them, they are more likely to experience feelings similar to those of a handicapped or incarcerated individual when exposed to an unfamiliar situation.

To begin, read all the materials and handouts enclosed. Then rehearse several times before trying to run the exercise. The activities in this part of the module should take about an hour to complete.

1.1.1 You begin the activity by handing out the LOFT pretest (Loft H-1) as the participants walk into the room. The test will really have no value for placing participants into the module. It will serve as an anxiety producer and a lead-in to discussion on how handicapped students may feel when they are assessed and grouped using tests that might not accurately reflect their abilities or that test unfamiliar skills. As they hand in the quiz, try to inconspicuously sort them into 3-4 groups (possibly more) depending on the size of your workshop. When all the papers have been collected, go to another room/area and act like you are leaving to score the tests. While out of the room, finalize the groups by arbitrarily assigning the participants to the following clusters:

Group 1: This is your top group. Choose people who look sharp, have asked questions, might be nicely dressed, filled in a lot of answers on the test, sat at the front of the room, etc.

Groups 2 & 3: These are your average groups, the ones who are left after selecting your top and bottom groups.

Group 4: This is your low group. Assign some minorities, any persons with obvious handicaps, any administrator that might be a participant, any athletic types, and someone who really tried hard on the test and actually answered some of the questions correctly, etc.

In developing your groups, also try to split up any obvious friends by putting one in the high group and another in a middle or low group.

1.1.2 Following the pretest administration and scoring, you will review the "classroom rules" for participation in the workshop and then present the enclosed LOFT lecture materials, overheads and handouts, without telling them of their group assignment. The "classroom rules" are designed to establish a more negative or punitive environment in which the participants are expected to work. We have deliberately selected lecture material that the participants may not be familiar with and will not be expecting to encounter in an overview of special education module. This is done to elicit certain behaviors on the part of the participants. We have also set it up in a confusing manner so that participants will not really be sure what they are supposed to do when asked to work independently.

During the lecture, consistently call on members of the high group to answer questions and reinforce them for their answers, even when they are wrong (ex.: "that's a good try," "well almost," etc.) Ignore most students in the low group when they raise their hands to answer, or call on them and then punish their response if it is wrong or not reinforce them when they are correct. "Scold" some of the lower group that may not be paying close attention, or ask them if they understand what is being said or need to have something explained to them. Do you get the picture now? The object of the role play is for participants to experience some of what it feels like to be handicapped, alienated, ridiculed in front of peers, to not understand the relevance of some experiences, etc.

1.1.3 Each LOFT transparency is accompanied by a 1-2 page lecture/discussion to be presented while viewing the transparency. As you put each transparency up, present the summary provided in the LOFT materials. If students ask questions, you can handle them in several ways. Either answer the question as best you can, answer them using jargon or "double-talk", or put them off by telling them you will discuss that issue later. Your responses are supposed to frustrate them or make them feel they do not understand the concepts being discussed.

At the end of the lecture, divide the participants into groups and have them work through parts of the module independently. The high group should be placed further into the material than the middle groups, and the low group should be started at the beginning. Let them move into groups in different sections of the room to get started. Tell the members of the low group that if they need help they can ask someone in the high group (without calling it the high group). After they work for about 5 minutes, they should have figured out which group was designated as the high group, the low group, etc., be confused about what is expected of them, and be totally frustrated. If so, you've got them where you want them. It will make for a lively discussion afterwards.

At the end of about 5-10 minutes, call them back together as a group to debrief them. Participants should be seated in a circle to facilitate discussion. You should then ask questions to stimulate discussion of the participants' feelings and perceptions of what was going on during the simulation.

1.2 LOFT Script

1.2.1 To the participants:

"This is a quick test to help me place you into instructional groups for working on this module. Complete it as quickly but as accurately as possible. I would like the papers back in 10 (15) minutes. Then you can take a short break while I score them and assign you to groups." (Distribute LOFT H-1)

(After taking up and scoring the pretest say:)

"Let me begin today by going over a few rules that I would like you to observe while the workshop is in session. To begin with there will be no smoking in this room (designate areas outside that may be used during breaks). As a lecturer, I lose my train of thought when others are talking, so I also ask that you not talk during the presentation. Finish any coffee, food, etc. now, as I feel that if people are to retain what they hear in lectures they need to write it down. Since you'll be taking notes I would like you to get rid of any distractors before we get started. Now let's get started..."

1.2.2 (Display LOFT T-1.2.2)
In previous workshops or coursework, you have probably been introduced to a basic teaching and problem solving model as shown on Visual 1. The nature of the influence provided by consequences (what happens after a response) and the schedules of consequences has been emphasized in social learning theory. In this workshop we will explore in greater detail the influence of signals or stimuli with a special emphasis upon how academic tasks teach the relationships between signals and responses (actions).

Many programs present change tactics for social behavior problems first because teachers often define undesirable social behavior as being immediately more aversive than undesirable academic progress. While academic progress and social behavior are closely related, it seems to be important first to have confidence that problems arising from person-to-person interaction can be handled before problems generated from responding to academic tasks are analyzed. However, concerns do change. In the words of one teacher, "Now that I've finally got Johnny in his seat, what exactly is he supposed to do?" We can expand this question to ask, "How does any teacher decide what any learner is supposed to do?"

1.2.3 (Display LOFT T-1.2.3)
To answer this question let's step outside of school and formal instruction and take a look at how everybody's mythical teacher, "Mother Nature" seems to successfully decide what so many different kinds of people are supposed to do.

William Hull once wrote, "If we taught (as in school) children to speak, they'd never learn." Although this remark may sound too pessimistic, Hull does point to a significant achievement gained by a large number of children before they experience the first day of the first year of "school." Of course, you might regard the development of language as a relatively minor achievement, but think about the vide array of complex concepts, relationships and tasks the young learner regularly accomplishes without a fixed time or person specified for learning.
It's instructive and interesting to watch very young children experience their immediate environment.

Children engaging in undisturbed, unrestricted interaction may change activities five or more times within two or three minutes. Young children experiment with sounds, examine objects, try out a few more sounds and return to some other experience through hundreds of daily repetitions. Are they learning? They must be. Most survive. Even more surprising, most children learn pretty well without hordes of educational specialists somehow planning each part of the learning process. It seems like "Mother Nature" has a theory, an approach to learning that she is keeping a secret. It's also a little disconcerting that "Mom" doesn't have a large team of diagnostic specialists or even a bank of prescriptive materials. What "Mother Nature" appears to have (and maybe schools lack) can be partially described as accommodation.

1.2.4 (Display LOFT T-1.2.4)
You might receive a clearer notion of the meaning of accommodation if we impose some educational ways of examining the concept. For example, the "natural" curriculum or content of what is learned and the curriculum sequence fits exactly the immediate needs and higher order interests of the learner. Of course, "Mother Nature" defines certain terminal tasks to be learned such as feeding, sleeping, language and social relationships. However, even these terminal tasks are always interrelated and sliced into many parts which allow for individual differences. Our memories are very limited storehouses when compared with the multitude of bits and chunks of information we receive and respond to on a daily basis. "Mother Nature" helps even young learners overcome the limits of memory by teaching them to categorize things which are alike and respond the same way to the things grouped together. In other words when we encounter something new, we compare the new to see which category fits. In learning the new, we contrast how it's different from other things and how it's similar to something else. All that we have really said is that we don't have to be constantly learning with each different experience because "Mother Nature" allows us to categorize. Each category is a concept.

1.2.5 (Display LOFT T-1.2.5)
In addition to content, "Mother Nature" accommodates each person's learning style, rate and environment needs as well. Most of us start out with at least five senses and "Mother Nature" never says, "Well, to learn about that or this you must use only your eyes." Instead we are allowed to vary our learning styles by varying the kinds of input received and the kinds of responses we make depending upon how we feel and what we are learning at the moment.

In a like way, "Mother Nature" never rings a bell or schedules the end of a learning time period for us. It may sound strange, but most pre-school children continue at a task until the task is mastered and then move to new experiences. "Mother Nature" may set criteria for mastery, but she accommodates a wide range of learning rates in achieving terminal tasks.

Equally as important, most of us find that the arrangement of the physical environment accommodates our learning differences as well. Again, "Mother Nature" sets broad limits but doesn't say, "You must be sitting in [illegible] chair whenever you try out new sounds."

1.2.6 (Display LOFT T-1.2.6)
Our analogy is not intended to say that school should be a structureless, unguided series of "experiences." The point is that individuals enter school and continue through school with unique individual learning characteristics. These characteristics are not only different for different people, but vary and change for the same person across different tasks and over time. We are proposing that each teacher begin to work toward organizing instruction to accommodate, to capture and to reinforce the uniqueness of each learner. This may sound like another far-flung, unrealistic objective; but it's really possible. We can show you how to do it. First, each of the four general areas of individual difference previously mentioned can be better defined.

1.2.7 (Display LOFT T-1.2.7)

LEARNER DIFFERENCES	ACCOMMODATIVE INSTRUCTIONAL DEFINITIONS
Rate	The number of tasks and/or concepts presented to the learner and the time allowed for the learner's mastery of the concept.
Style	The modalities required to attend and respond to tasks.
Content	The defined universe of concepts and tasks and the sequence (order) of concept and task presentation.
Environment	The physical arrangement of the objects in the classroom or school.

Given this particular way of looking at differences, we can describe general aims for individual classrooms and schools which will accommodate these learner characteristics.

1.2.8 (Display LOFT T-1.2.8)
The above instructional aims describe accommodative practices reachable by every teacher. In order to eventually achieve the accommodative instructional aims, two different kinds of information are necessary.

To begin with, we need a way of assessing what's happening now. The teacher's earlier question about what Johnny is supposed to do at his seat can be better answered after we know how the teacher currently organizes his/her classroom to accommodate Johnny's rate, style, content and environment characteristics. After an assessment of current instructional practices, we need a listing or sequence of skills which lead to new aims more accommodative than the current instructional practices.

1.2.9 Let's examine and discuss the relevant characteristics of each of the descriptions.

Display LOFT T-1.2.9a

Distribute LOFT H-2

- Discuss -

Display LOFT T-1.2.9b

Distribute LOFT H-3

- Discuss -

Display LOFT T-1.2.9c

Distribute LOFT H-4

- Discuss -

Display LOFT T-1.2.9d

Distribute LOFT H-5

- Discuss -

Distribute LOFT H-6

"This glossary will help you define some key terms."

1.2.10 Distribute LOFT H-7.
Ask participants to read the description of Ms. Maier's classroom.

1.2.11 Divide into groups.
Call out names of people assigned to each of the 3 (or 4) groups.

Instructions to Lowest Group:

"I want you to figure out the relevant characteristics of the content level of Ms. Maier's classroom. If you have problems with this exercise, you may ask members of this group to help you (point to high group)."

Instructions to Middle Group(s):

"Since you have some understanding of the content levels, I want you to work on the relevant characteristics of rate levels."

Instructions to High Group:

"I would like you to identify the relevant characteristics of the environment level in Ms. Maier's classroom. If some of the other groups have problems with their part of the exercise, feel free to help them."

1.2.12 After the groups have had about 5-10 minutes to begin working and become totally frustrated, bring them back together as a group and talk about what was happening and how they felt about their experience. Tell the group: "This was a simulation and I would now like us to get back together as a group and talk about what was happening and how you felt."

At this point you should begin with the structured questions listed below and add any relevant ones that occur during the course of discussion.

Questions to Promote Discussion:

How did you feel when you were asked to take a test immediately and you knew that it would be used to group students?

(Tell participants that they were tested and grouped to simulate experiences handicapped students have in educational progress that do not address their unique needs.)

Did you feel that it was a fair test? Could you accurately assess how well you had performed on the test? Did you feel that your performance on this test was a fair indication of your skills?

What were your feelings when I started lecturing about something that you probably thought was irrelevant?

How did I set the tone of the classroom right from the beginning? (rules negatively stated, ignoring of certain people, ostracizing of certain participants, favoring of certain participants, etc.)

How quickly could you figure out which group was the top group and the ordering of the remaining groups?

How did you feel when your peers knew you were in the low group?

How quickly did you figure out which persons had been designated as behavior problems? What happened to their behavior when I started picking on them?

What other things did you notice? Other feelings or comments?

(The discussion should probably last about a half hour or so.)

ALTERNATIVE ACTIVITY 1.0 EXCEPTIONAL LEARNERS

Divide the group into sub-groups of 3 or 4 persons. Ask each group to describe in detail a "normal" person in any one of the following categories/contents:

a) a normal middle-class adult
b) a normal adult learner (post-secondary student)
c) a normal adolescent
d) a normal offender

Note: other categories should be added as needed.

Have each group record characteristics of their normal person on an overhead.

After they have completed this activity, display each transparency and ask the group if they know of persons who have different characteristics yet still are considered normal.

After reviewing the characteristics listed by each group, try to get the group to recognize that "normal" is a relative and subjective term.

ACTIVITY 2.0 IDENTIFYING PROBLEMS IN THE EDUCATIONAL SYSTEM

a. Divide participants into 4 or 5 small groups.
b. Ask each group to identify "problems" in the educational system.
c. Have each group score the problems they identified on an overhead.
d. Display each transparency. Provide additional information from the content outline as it relates to each problem the group identified.

ACTIVITY 2.2 EMERGENCE OF SPECIAL & REMEDIAL PROGRAMS

Ask participants to relate how students with special needs, or handicapped students were served when they were in school. Record these and relate them to the emergence of special and remedial programs as we know them today.

ACTIVITY 3.0 MAINSTREAMING ROLE PLAY ACTIVITY

The following activity has been adapted from an article by George Gregory, published in The Directive Teacher. The role play focuses on issues and attitudes towards mainstreaming. It can be conducted in a 30-40 minute period of time.

To the Instructor:

a. Distribute the problem sheet to all workshop participants. (All the materials are included here, as well as in the handouts section.)

b. Select six participants to role play and give them each a "Role Card."

c. Select six role player observers and give each a "Role Player Observer Sheet."

d. Distribute "Group Observer Sheets" to all remaining participants.

e. Brief role-players, focusing on the following points:

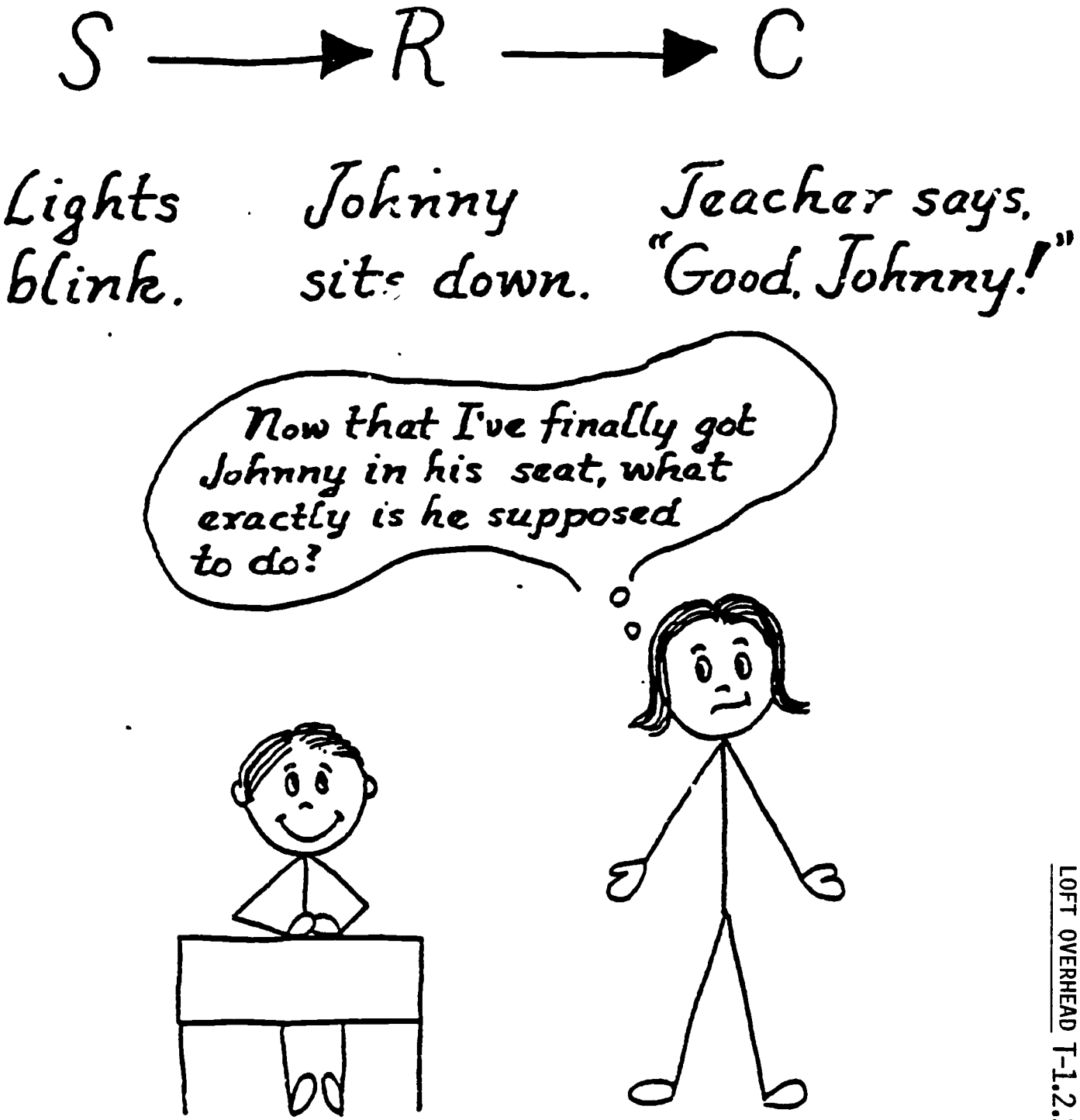
-- play role described on card.
-- be careful not to overplay role or underplay it.
-- listen and react to arguments posted by other role players.
-- do not show your role card to anyone.
-- H. Andy Capped, Director of Special Education should begin role play session.

ACTIVITY 4.0 ISSUES IN SPECIAL AND CORRECTIONAL EDUCATION

Divide participants into groups and ask each group to develop a list of problems that handicapped offenders will face when they are returned to their community. Each group could focus on problems in different areas (e.g., employment, housing, transportation, recreation/leisure, social-personal interactions, medical services).

Present each group's listing to the entire group.

Ask the group to identify what a correctional education program might do to alleviate one or more of the problems identified.



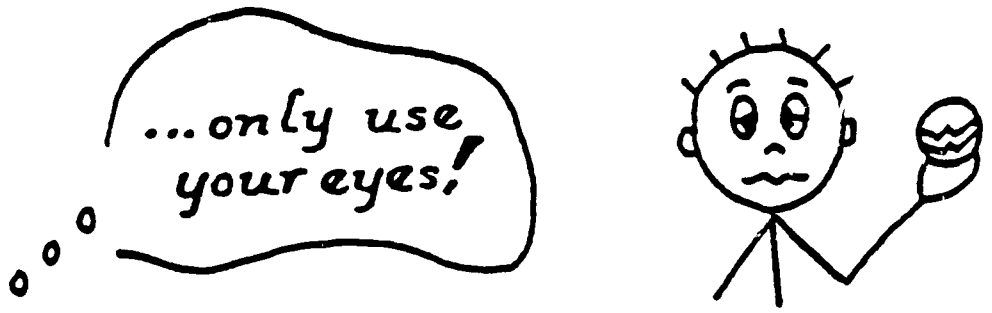
LOFT OVERHEAD T-1.2.2

Mother Nature
Accommodation

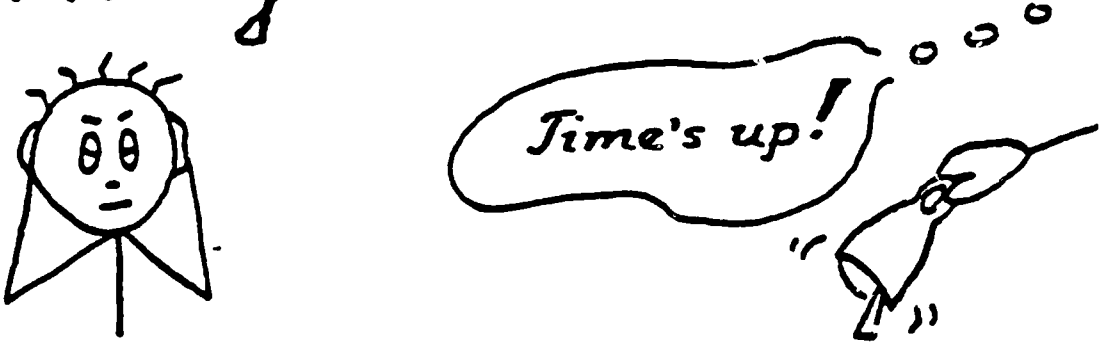
"Natural" Content:
Terminal task: eat food
Concept to learn:
food

Sand Box

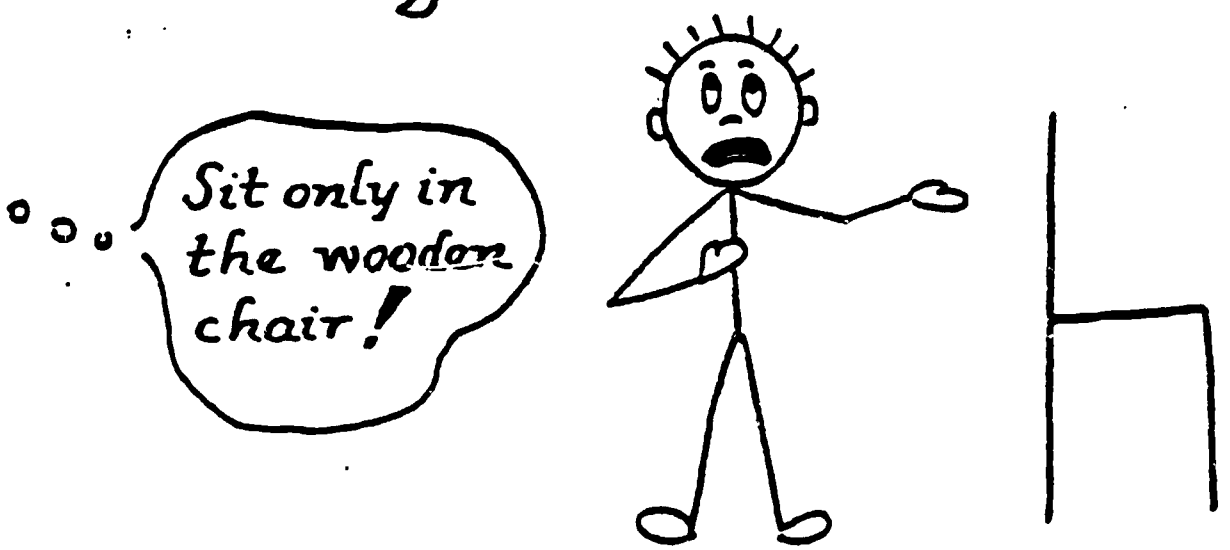
Learning Style



Learning Rate



Learning Environment



LOFT OVERHEAD T-1.2.5

LOFT OVERHEAD T-1.2.6

Style + Content +

Rate + Environment =

The Accommodation

of Differences

Learner Differences — Accommodative Definitions

Rate	The number of tasks and/or concepts presented to the learner and the time allowed for the learner's mastery of the concepts.
Style	The modalities required to attend and respond to tasks.
Content	The defined universe of concepts and tasks and the sequence (order) of concept and task presentation.
Environment	The physical arrangement of the objects in the classroom or school.

Differences occur between learners and for the same learner over time.

Learner Differences	Accommodative Instructional Aims
Rate	*Learner has time needed to master the task.*
Style	*Learner self-selects combinations of materials to receive and respond to tasks.*
Content	*Concepts are defined and sequenced for the learner and self-selected according to interest and aptitude.*
Environment	*Learner self-selects physical settings in order to enhance or facilitate concept acquisition.*

LOFT OVERHEAD T-1,2,8

CONTENT

C1 Concept and content presentation is completely defined and determined by the textbook or teacher's guide. Sequence of concepts and/or tasks is determined by the sequence of the textbook pages or teacher's guide. Concepts are not specifically defined for the teacher or for the student.

C2 Concepts presented by the basal text or teacher's guide are specified and identified by the teacher for the student. Textbook or teacher's guide sequence of concepts and/or tasks determines the sequence followed by the student. Content is determined by the basal text or teacher's guide.

C3 Concepts are specified and identified by the teacher for the student. The sequence of concepts and/or tasks is based upon evaluation of student's previous task(s) performance(s). Content is determined by teacher's guide or basal texts.

C4 Concepts are specified and identified by the teacher for the student. Concept and/or task sequences from similar content areas are matched, integrated or combined and sequenced according to evaluation of each student's previous task(s) performance(s). Content is determined by basal texts or teacher's guide(s).

C5 Students' interests guide the selection of content areas. Concepts and/or tasks are specified and identified for the student by the teacher and are sequenced according to evaluation of each student's previous task(s) performance(s).

STYLE

S1 Students respond to identical tasks which are not correlated to a specified concept. The tasks are not varied according to learning mode.

S2 Students respond to identical tasks which are not correlated to a specified concept. The tasks are varied according to learning mode.

S3 Students respond to identical tasks which are correlated to a specified concept. The tasks are not varied according to learning mode.

S4 Students respond to identical tasks which are correlated to a specified concept. The tasks are varied according to learning modes.

S5 Each student may respond to different tasks which are correlated to a specified concept. The tasks are varied according to learning modes.

RATE

R1 Students are allowed the same amount of time to respond to a fixed number of tasks. No evaluation of student's mastery of concept(s) is used.

R2 Students are allowed the same amount of time to respond to a minimum or a fixed number of tasks. Students who respond to all of the tasks before the end of a specified time period may respond to unrelated tasks until the time period ends. No evaluation of student's mastery of concept(s) is used.

R3 Students are allowed the same amount of time to respond to a fixed or minimum number of tasks. Students who respond to all of the tasks are allowed to respond to the next page, story, unit and the like within the same content area. No evaluation of student's mastery of concept(s) is used.

R4 Students respond to a fixed or variable number of tasks within a content area and demonstrate concept(s) mastery at a set time. After the evaluation, all students respond to the next set of tasks which present different concept(s).

R5 Each student's demonstration of concept(s) mastery occurs upon the completion of a variable or fixed number of tasks. After the evaluation, all students respond to the next set of tasks which present different concept(s).

R6 Students respond to a fixed or variable number of tasks and demonstrate concept(s) mastery at a set time. Those students who demonstrate mastery of the tested concept(s) respond to tasks related to different concept(s). Those students who do not demonstrate mastery of the tested concept(s) respond to additional tasks related to the tested concept(s).

R7 Each student's demonstration of concept(s) mastery occurs upon the completion of a variable or fixed number of tasks. After the evaluation, those students who demonstrate mastery of the tested concept(s) respond to tasks related to different concept(s). Those who do not demonstrate mastery of the tested concept(s) respond to additional tasks related to the tested concept(s).

R8 Students are pre-tested at a set time. Those who do not demonstrate mastery of the tested concept(s) respond to a fixed or variable number of tasks related to the tested concept(s). Those who demonstrate mastery of the tested concept(s) respond to additional pre-tests which evaluate different concept(s) and then respond to a fixed or variable number of tasks related to the unlearned concept(s). All students demonstrate concept(s) mastery at a set time.

R9 Each student's response to a pre-test determines which concept(s) s/he has mastered. Students respond to tasks which relate to the unlearned concept(s). Each student's demonstration of mastery occurs upon the completion of a variable or fixed number of tasks. If the student has mastered the tested concept(s), s/he responds to a pre-test which covers different concept(s); if s/he has not mastered the tested concept(s), s/he does additional tasks related to the unmastered concept(s).

LOFT OVERHEAD T-1.2.9 D

ENVIRONMENT

E1 Students sit in desks which face the same direction.

E2 Students sit in desks which face the same direction. Interest center(s) are defined by different arrangement of furniture and/or materials and are located in the periphery of the room.

E3 Students sit in desks or at tables which are in a pattern that deviates from the row-by-column arrangement.

E4 Students sit in desks or at tables which are in a pattern which deviates from the row-by-column arrangement. Interest center(s) are defined by different arrangement of furniture and/or materials.

E5 Classroom space is divided into distinct areas or learning centers. Centers may include room for both materials and students or for materials only.

E6 Classroom space is divided into distinct areas or learning centers. Areas outside the school (community) and immediate classroom environment are organized for the presentation of additional concepts and/or tasks.

LEARNING ACTIVITIES:

HANDOUT H-1

PLACEMENT TEST

List the four characteristics of a good task.

Name one rule to follow when sequencing concepts.

Contrast the difference between a behavioral objective and a concept.

Identify four characteristics of a good learning resource management system.

T F A concept is a function of the set of instances used to present the concept.

T F To determine the essential or unvaried characteristics of a concept you need to start with the application tasks in a task series.

T F Instances of a concept help the learner define the boundaries of the concept's characteristics.

T F The term "modality" refers to the input and output requirements of a task.

T F You may test only what you have taught.

Please indicate in the space provided any additional information about you and what you know which may help place you in the appropriate materials.

Match each area of instructional accommodation to the correct component of instruction.

AREAS	COMPONENTS
Learning Style	Multisensory Tasks
Learning Rate	Tests, Application Tasks
Learning Content	Concepts
Learning Environment	Arrangement of Physical Objects

Design a pre and post test for the concept of "sensation" or "sense."

Name the essential characteristics of the concept presented by the following task:

Find the sum:

2	2	2	3	3	4
+ 3	+ 4	+ 5	+ 4	+ 6	+ 7
___	___	___	___	___	___

5	7	1	2	8	1
+ 8	+ 9	+ 5	+ 6	+ 9	+ 4
___	___	___	___	___	___

Identify the attention and response directions for the task presented in Question 10.

CONTENT

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C4 Concepts are specified and identified by the teacher for the student. Concept and/or task sequences from similar content areas are matched, integrated or combined and sequenced according to evaluation of each student's previous task(s) performance(s). Content is determined by basal texts or teacher's guide(s).

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STYLE

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S4 Students respond to identical tasks which are correlated to a specified concept. The tasks are varied according to learning modes.

S5 Each student may respond to different tasks which are correlated to a specified concept. The tasks are varied according to learning modes.

ROLE PLAY HANDOUTS

PROBLEM SHEET

PARTICIPANTS:

Mrs. Payne: the mother of an incarcerated handicapped teenager; several more children at home.

Turn Overnuleef: son, in a correctional youth facility serving a two year sentence; attends special education classes part of the day.

Martin Turner: Director of Programs

Gedoffa Macase: the counselor/case manager who is assigned to monitor Turn's behavior while he's incarcerated.

Benda Roschark: a psychologist at the correctional institution.

Bernd Aught: the special education teacher working in the correctional facility.

PROBLEM:

You are meeting with several staff members from the institution, a belligerent student who is constantly causing problems, and his parent who is threatening to take the correctional education to a due process hearing.

The student has missed a good number of his special education classes due to acting out behavior that results in his being sent to lock-up. The mother feels that her son is emotionally disturbed and, as a result, needs more related services than he is currently getting.

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BENDA ROSCHARK:

You are the overworked psychologist that doesn't have enough time to do everything as it is. You evaluated the student and believe that he is truly in need of services, but so is just about everybody else in this place. What can you do, ther are just so many hours in the day? This might be a good opportunity for you to try subtle tactics to pressure the program's coordinator to get the additional staff you have repeatedly requested, since you can only be required to provide these services under 94-192. Besides, you also don't feel that this student would fit into any of the groups you are currently counseling and that he would be disruptive to the progress that has occurred in the group counseling sessions. You're also not sure you can work with Turn. There is just something about him that gets under your skin and makes it difficult for you to work with him professionally.

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BERND AUGHT:

You are Turn's special education teacher. You feel that if he were not removed from class so often, you might be able to make progress with him academically. You're not sure what the answer is and you are frustrated in general. In fact, you're presently more interested in meeting Benda Roschark and eventually taking her out on a date. During the meeting, you plan to agree with Benda's position (whatever it is) and support whatever points she makes.

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GEDOFFA MACASE:

You are the counselor/case manager assigned to monitor Turn's progress in the facility. You have some real concerns about his lack of progress and inability to adjust to structure or pressure of any kind. In some ways, you wish you had more of a counseling background to help you interact more effectively with this student. On the other hand, you also feel he could probably get it together better if he wanted to, but he chooses not to at times. Maybe with the passage of time he will learn to accept more structure, but you have some real doubts He'll probably just max out his sentence and leave without making any real progress.

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ROLE CARDS

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MARTIN TURNER:

You are the Director of Programs for the correctional facility, and as a result you are concerned about the lack of financial resources to support all of your programs. You fear that if this parent went to court and you were mandated to provide more services, your budget would be impossible to balance. You have to weigh the need for all programs and set priorities. You would not feel good about resources being pulled from other projects to offset the cost of psychological services above and beyond what is currently available.

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MRS. PAYNE:

You are the mother of a 15 year old boy who has had adjustment problems ever since your first husband deserted the family. You had recently remarried just before Turn got into trouble this last time. You feel that much of his behavior is related to his unwillingness to accept your remarriage. As a parent, you feel that this is a critical time for your son and that if he doesn't get some help soon, it will be too late. You are also concerned about the problems your family will go through when Turn is released if he doesn't get help now. You've heard about 94-142 because Turn was classified as behaviorally disordered and received services through the public school. However, you think that the public school didn't do a very good job in providing services. If they had, your son might have gotten better, instead of ending up in prison. You think Turn should get group counseling as a related service.

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TURN OVERNULEEF:

You are 15 years old and try to play the tough guy routine, although it doesn't come off too well at times. You have been classified as behaviorally disordered and have been in special education classes for the past three years. You don't think it's done you much good. Although you have an average IQ, your skills are only 3-4 grade level. You often get into fights in less structured settings and become very angry when you think someone is getting on your case.

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ROLE-PLAYER OBSERVER SHEET

1. Was his/her participation general, specific, or lopsided?

2. Were his/her contributions helpful or useless? Why?

3. What effects did his/her participation have on the group?

4. Did his/her contribution indicate that he/she was listening to others in the group?

5. Were his/her contributions centered on solving the group's problems, or were they directed by personal needs, attitudes, and/or values? Explain.

6. Write two or three sentences which best characterize the individual you observed.

. . . . . .

GROUP OBSERVER SHEET

1. ATMOSPHERE

   a. Was the general atmosphere of the group cooperative or competitive, friendly or hostile?

   b. Did the atmosphere vary from time to time?

2. PARTICIPATION

   a. Who participated most? Least? Average?

   b. Was their participation helpful or useless?

   c. Why did they participate in that way?

   d. What effect did that kind of participation have on the group?

3. INTEREST AND UNITY

   a. Was the general interest high?

   b. Did the interest lag at times? Was this due to lack of information, understanding, or stimulation?

   c. To what extent did the group feel united by a common purpose? Were there factors that blocked progress? What were they?

4. PROGRESS

   a. How far did the group get?

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R9 Each student's response to a pre-test determines which concept(s) s/he has mastered. Students respond to tasks which relate to the unlearned concept(s). Each student's demonstration of mastery occurs upon the completion of a variable or fixed number of tasks. If the student has mastered the tested concept(s), s/he responds to a pre-test which covers different concept(s); if s/he has not mastered the tested concept(s), s/he does additional tasks related to the unmastered concept(s).

ENVIRONMENT

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E6 Classroom space is divided into distinct areas or learning centers. Areas outside the school (community) and immediate classroom environment are organized for the presentation of additional concepts and/or tasks.

GLOSSARY

CONCEPT

A set of characteristics which differentiate a group of instances (events, objects, relationships and so on) from all other instances presented. The concept may change as the setting in which it is presented changes. (Siegfried Englemann, Conceptual Learning. San Rafael, California: Dimensions Publishing Co., 1969).

CONCEPT SPECIFICATION

The identification of the concept in terms which (1) tells us the positive and negative instances which must be taught and (2) tells us the essential and irrelevant characteristics of the instances of the concept within a given teaching universe of concepts.

CORRELATED

Tasks which present an instance, not instance, essential or irrelevant characteristic(s) of a concept(s). Note that the concept must be specified before tasks can be correlated to the concept.

INTEREST CENTER

The physical organization of tasks which are not correlated to specified concepts and which may be self-correcting and self-directing. Interest centers may also be occupied by students as well as materials.

LEARNING CENTER

The physical organization of tasks which are correlated to specified concepts and are self-directing and/or self-correcting. Learning centers may be occupied by students as well as materials.

LEARNING MODE (STYLE)

The "mode" of receiving information may be visual, auditory, kinesthetic, olfactory or taste in any combination. The mode of responding to information may be motoric and/or oral.

TASK

What the learner does. Tasks are defined by the signals to respond and the modality required by the learner in responding. For example, the teacher's command, "Say 'R'" is a task and the direction "Write 'R'" is a task. "R" is the concept presented.

SEQUENCE

Ordering tasks so that it is possible to correct errors by referring only to previously presented tasks and concepts.

STUDENTS

Students may be individual, group(s), or class(es).

TEACHER'S GUIDE

Any commercially or locally published source of information describing skills, objectives, teaching tactics or correlations used in instruction with a textbook or in lieu of the textbook (like behavioral objectives from a curriculum department).

UNRELATED

Tasks are unrelated if the tasks present separate, independent concepts. For example, when you finish ten math problems, you may paint with the water-colors.

LOFT HANDOUT H-7

MS. MAIER'S CLASSROOM

Johnny's teacher, Ms. Maier, teaches a second grade reading class from 9:00-10:15 each morning. At the beginning of the year, Ms. Maier reviewed the pupil progress records and discovered that seven of the students were reading on page 75 of the Busy Bee book; eleven were ready to begin the Colossal Camel book; and five (one of which is Johnny) were finished with the Colossal Camel book. Ms. Maier decided to permit those who were finishing the Colossal Camel to progress to the Delightful Dinosaur book. Ms. Maier also decided to ditto a list of tasks including the workbook pages, tapes, games and/or filmstrips which correlated or matched each story in the book. In this way as each group finished a story and completed each of the tasks, Ms. Maier would be ready to provide the next list of activities for the following story. Ms. Maier planned to seat each of the groups at separate tables arranged around the room to facilitate her instruction and the students' face-to-face interaction. She also decided to organize audio-visual areas for the film-strips, tapes and so on in the back of the room.

1.0 INTRODUCTION TO EXCEPTIONAL LEARNERS

1.1 Defining Terminology

1.1.1 What is normal? It is a concept that by its very nature is constantly changing. It is one that changes depending on the context of the situation. And it is certainly one that could have as many different definitions as there are people in this room.

If we hear that a teenage boy keeps his room spotlessly clean (without his parents nagging him), that he dusts the room regularly, makes his bed and then refuses to sit on it for the rest of the day so that he won't wrinkle the covers, we might initially consider that strange behavior in view of his age. However, if we learn that the same teenager is an inmate in a prison facility where points and privileges are earned based on that type of performance, then his behavior appears normal within that context. In other words, based on our experience, in that situation the behavior of the teenager is perceived to be within the acceptable range (i.e., the perceived norm). The concept of normality then is predicated on the extent to which a behavior or event meets an actual or perceived norm (Ysseldyke & Algozzine, 1984).

The concept of normality is most frequently employed in statistical, medical or social contexts. Most of us are familiar with the Gaussian, or 'normal', curve that is symmetrical in shape and expresses variability from the average in standard deviation units. (Display T-1.1.1) This curve is used to represent statistical normality and also allows us to make statements about abnormality. In the normal curve, the percentage of scores that fall between any two points on the curve is known. So if you know the standard deviation for a particular score or characteristic that is being measured (e.g., I.Q., height, achievement test score) and a person's score on that characteristic, then you can make judgments regarding the relative standing of that score. The category of mental retardation is based on the assumption that intelligence is normally distributed and that a score below a certain point can be considered abnormal.

Standards for medical normality are arrived at by measuring certain bodily functions in healthy persons. Judgments regarding medical abnormality are based on the degree to which a person deviates from that norm.

Defining social normality is similar to defining statistical or medical normality in that judgments about abnormality are made relative to difference from the collective norm. However, an important distinction does exist. In medical and statistical normality, objective "facts" are compiled against which subjective judgments regarding normality are made. Social 'norms" are much more relative to the context in which they exist, therefore, social normality centers around using subjective "facts" to make subjective decisions regarding normality (Ysseldyke & Algozzine, 1984).

There is no "correct" definition of social normality. Since many of the decisions we make in special education are based upon the concept of normality, we must be careful to employ definitions that are universal, specific, and consistent. By universal, we mean that all persons who meet the definition should be viewed as falling within that category or group and that the definition should be specific enough to only apply to one group. Furthermore, these definitions must be consistent enough that different persons can apply them in such a way as to arrive at the same decisions regarding the degree to which another's behavior is normal. Ultimately, the problem with any definition of normality is that it will serve as the basis for subjective decision making. Therefore, the accuracy of any decision will depend on the degree of accuracy inherent in the data upon which the decision is base (Ysseldyke & Algozzine, 1984).

1.1.2 In special education we have tried to move toward the use of operational definitions that are tied to specific observable behaviors or events. Let's take a minute to examine several of the current terms being used in special education today. (Display T-1.1.2) The term 'exceptional' encompasses any student whose performance deviates from the norm to the extent that he or she requires special programming. As a result, 'exceptional' has come to include both the intellectually gifted student and the severely retarded one.

1.1.3 A more restrictive term that is sometimes used interchangeably with 'exceptional' is 'handicapped.' However, the term handicapped does not include gifted students. More specifically, it refers to the problems or difficulties encountered as a result of a physical disability or behavioral characteristic that marks a person as being different from the norm (Hevard & Orlansky, 1984).

1.1.4 When a person's ability to perform normal tasks is limited by a physical problem we often refer to that person as disabled. However, we must guard against viewing disabled individuals as handicapped. They are only handicapped in as much as their physical problems lead to educational, social, vocational or other difficulties.

1.1.5 The term 'impairment' is basically synonymous with 'disability.'

1.1.6 What is it like to be handicapped and incarcerated? One disturbing possibility is that the negative impact of the prison subculture and environment will have a much greater impact on you than it will on the average offender (Santamour & Fanning, 1984; Keilitz, 1984).

It also means that you are less likely to have been represented by legal counsel and when represented, it's more likely to have been by a court-appointed attorney. In a national study of retarded offenders in correctional institutions, Brown and Courtless (1971) found that in 7.7% of the cases, the retarded person was not represented by an attorney. Of the ones represented by an attorney, 59% of them were court-appointed.

If you're incarcerated and handicapped it also means that you're much more likely to have pleaded guilty and much less likely to have plea bargained. In 80% of the cases in the Brown and Courtless study, the original charge and the convicting charge were one and the same. You only have to watch a few TV shows to realize how often plea bargaining occurs and how disproportionate these figures are.

In addition, you are much more likely to serve a longer sentence than a nonretarded inmate convicted of a similar crime. Santamour and Fanning (1984) offer several reasons for this. The retarded offender is less able to complete programs that are required for consideration for parole and more likely to encounter institutional trouble leading to loss of good time. Furthermore, they are frequently unable to present well-defined employment and residential plans at parole hearings, resulting in the denial of parole.

Finally, being incarcerated and handicapped means that you are less likely to understand your rights or certain abstract concepts (e.g., self-incrimination) inherent in the criminal justice system. As a result of your handicap, you may have been incarcerated when a nonhandicapped person would not have been and once in the system, you are much more likely to be victimized by the more sophisticated majority of inmates.

1.2 Areas of Difference

Under P.L. 94-142, The Education for All Handicapped Children Act, the U.S. Department of Education recognizes eleven categories of handicapping conditions. School districts may receive federal financial support for educational services provided to students classified under any of these categories. Let's take a brief look at some of the areas of difference included in P.L. 94-142. (Display T-1.2)

1.2.1 One of the areas included under the law is that of visual impairment. Visual handicaps are defined in terms of visual acuity, a person's ability to see things at specified distances. Everyone is familiar with the term "20/20 vision." A person who has 20/20 vision can see at 20 feet what a normal person can see at 20 feet, therefore it is considered normal vision. A person has to have visual acuity of 20/200 or less in the better eye to be considered blind. In other words, they can see at 20 feet what a normal person can see at 200 feet. Persons who have a restricted field of vision, such as in tunnel vision, may also be classified as blind when the widest diameter of their field of vision is less than 20 degrees.

However, under 94-142 you do not have to be legally blind to be eligible for special education services. Those persons with visual impairments greater than 20/70 in the better eye after correction, may also be classified and served.

1.2.2 Hearing acuity, like visual acuity, is measured against an objective medical standard. As with the visually impaired, students exhibiting varying degrees of hearing loss may be served in special education classes. In determining hearing impairments, professionals are concerned with a student's ability to hear sounds at certain levels of loudness, expressed in decibels, and at certain frequencies measured in hertz, or cycles per second. A person is considered deaf if his/her sensory deficit prevents him/her from receiving sound in all or most of its forms. Even with correction, the person would not be able to understand speech. A hard-of-hearing student may experience very significant difficulties but can still respond to speech and other auditory stimuli. Deafness is a low incidence disability with only about .2% of the school-age population, or about 1 child in 300, experiencing severe or profound hearing losses. However it is estimated that about 5% of all school-age children have hearing impairments (Davis & Silverman, 1970).

1.2.3 Students who differ from the norm in their degree of mobility are often classified as physically impaired. However, some states have a broad category of "other health impaired" in which these students are included along with ones who experience chronic or acute health problems. Students who have neurological impairments such as cerebral palsy and muscular dystrophy, those with congenital anomalies (clubfoot, spina bifida, missing limbs) and those who experience health problems such as heart disease, asthma, and diabetes fall within the categories of 'other health impaired' or 'physically impaired.' The U.S. Department of Education statistics indicated that, in 1980, approximately 200,000 students were being served between these two categories.

1.2.4 The broad category of communication disorders can

encompass: (1) those who experience expressive or receptive language deficits (i.e., aphasia, motor apraxia) and (2) those with speech impairments. In any of these categories listed under Public Law 94-142 the impairments must adversely affect their educational performance for the student to qualify for special education services.

1.2.5 Another area of difference recognized under the federal legislation is that of social/emotional functioning. This is a category familiar to many of us in correctional education. There is no definition of behavior disorders that is currently agreed upon by most professionals (Heward & Orlansky, 1984), although P.L. 94-142 has made an attempt to define the term. Under the law several criteria must be met in order for a student to qualify for services. Whatever the problem exhibited, it must have been demonstrated over a long period of time and to a marked degree. Furthermore, it must adversely affect educational performance. Additionally, the term is not meant to include children who are socially maladjusted, unless it is also determined that they are seriously emotionally disturbed. In spite of this exclusionary clause, Keenan and Hammond (1979) argue that a good majority of incarcerated juveniles meet this definition of emotionally disturbed. They state that "there are very few legitimate juvenile sociopaths (i.e., children who are seriously socially maladjusted with no element or overlay of emotional disturbance). Failure, rejection, punishment, and guilt tend to create emotional upset in teen-aged humans" (p. 381).

1.2.6 (Display T-1.2.6) Intellectual differences lie at either extreme of the normal curve discussed earlier. Gifted and talented students are generally those students performing in the top 3-5% of the school age population and are not included under the provisions of P.L. 94-142. And although Congress passed the Gifted and Talented Children's Education Act in 1978 to provide financial incentives, only 15 states have mandated services to this population of exceptional students.

On the other end of the continuum of intellectual differences are the 3% of school age students who are classified as mentally retarded. The AAMD defines mental retardation as "significantly subaverage intellectual functioning existing concurrently with deficits in adaptive behavior, and manifested during the developmental period" (Grossman, 1973, p. 5). Significantly subaverage is interpreted to mean "performance that is two or more standard deviations from the mean or average of the test" (p. 11). Mental retardation is generally classified as mild, moderate, severe, or profound according to the degree to which the student varies from the mean. Because of the different standard deviations, the ranges for the two most widely used I.Q. tests vary slightly (see overhead).

Level	Test	
	Stanford-Binet	Wechsler
Mild	68-52	70-55
Moderate	51-36	54-40
Severe	35-20	29-25
Profound	19 and below	24 and below

Learning differences can also occur among the population falling in the middle range of intelligence. Students labeled as learning disabled fall within the normal range, but do not achieve commensurate with their age and ability levels in one or more areas, when provided with appropriate learning experiences. These learning discrepancies may be in the areas of oral expression, listening comprehension, written comprehension, basic reading skills, reading comprehension, math calculation, or math reasoning skills. However, students cannot be identified as learning disabled if the severe discrepancy is primarily the result of:

a) a visual, hearing, or motor handicap;
b) mental retardation;
c) emotional disturbance; or
d) environmental, cultural, or economic disadvantage.

This definition of learning disabilities and its exclusionary clause suffers from the same type of vagueness as the definition of seriously emotionally disturbed. Frequently we see students who have both emotional and learning problems. It is often times difficult to distinguish when an emotional disturbance is the major cause of the learning disability or when the learning problems have resulted in emotional problems.

1.2.7 In addition to the categories of differences that we have already discussed, there are some students who can be classified as having multiple handicaps. These are the students "who because of the intensity of their physical, mental, or emotional problems or a combination of such problems, need educational, social, psychological, and medical services beyond those which are traditionally offered by regular and special education programs (21 U.S. Code 1407 (7); 45 Code of Federal Regulations 121.1).

Severe multiple handicaps can be caused by a variety

of conditions, with a significant percentage of the children being born with chromosomal abnormalities or with genetic or metabolic disorders (Heward & Orlansky, 1984). Some of the children included in this group are deaf-blind, students who have a combination of cerebral palsy, mental retardation and language impairment, etc.

2.0 HISTORICAL DEVELOPMENT OF SPECIAL EDUCATION

2.1 Influences on Schooling in America

Today we are going to discuss the historical background of the right to education for the handicapped movement, along with prevalence figures for various handicapping conditions and some of the existing service delivery models.

2.1.1 To understand the historical development of special education, you must view it in the larger context of schooling in America. To begin with, there is no Federal constitutional right to education. The 10th Amendment to the Constitution clearly reserves education as a state right. Consequently, states, through legislative amendments to their constitutions, have enacted laws that authorize or require a system of public schools, as well as mandatory school attendance laws. (To the instructor: mention the constitutional provision for your state.)

2.1.2 The first mandatory attendance law was passed in 1840 with all states requiring compulsory education by 1918. It is interesting to note that compulsory education for the handicapped did not appear until about 135 years after mandatory attendance for nonhandicapped students was required in all states. In 1975, P.L. 94-142 mandated that educational services be provided to all handicapped students, including those who were institutionalized or incarcerated. Unfortunately, another decade has elapsed since its passage and the major drive to implement it in correctional settings is just getting started.

2.1.3 Since education is a right reserved to the states, the objectives for education and approaches to implementation vary from state to state. As a result of this diversity, you may find many different definitions of what schools are and why they exist.

Basically, most formal definitions of schools identify them as social institutions "that are established when informal education is no longer sufficient to induct the young into the culture, or when there is a body of knowledge and skill to be taught formally." Whatever the definition, most people believe that schools are to transmit the knowledge, beliefs, technology, values, and the rules of the culture in which they exist (Ysseldyke & Algozzine, 1984).

2.2 Problems in the Educational System

Some individuals feel that while the objectives of education have included all of the functions we have just discussed, schools have not necessarily done what they should have done. There are those who would argue instead, "that they have also served to select winners and losers on the basis of circumstance of birth; to increase the gap between the haves and the have-nots in our economic system; to turn off certain kinds of talent while fostering others; and to lower the self-concept of those who do not adjust easily to the expectations and regimens of schooling" (Goodlad, 1979, p.2). Those that would argue in favor of this statement point to the problems in school attendance, dropout rates, lowered achievement scores and the like as indicators of the failure of American schools. For many students, school has not been a very reinforcing place to be.

This is particularly true of incarcerated juveniles. Some researchers (Keenan & Hammond, 1979) go even farther in suggesting that a great deal of the behavior that brings adolescents to the attention of the juvenile court "can be attributed to the failure, often by the public school system, to apply, or to have at the opportune time applied, appropriate special education..." (p. 370). In their study, Burke and Simmons (1965) found that 90% of institutionalized delinquents had school records of truancy and poor school adjustment. In addition, they found that 75% had failed two or more grades, 75% had left school at or before the legal age of 16, and 67% of incarcerated juveniles were reading below the sixth grade level. In light of the high correlations between educational attainment and employment and between unemployment, educational failure and juvenile delinquency, both parents and educators have become concerned with the school system's failure to educate significant numbers of students. (Display T-2.2)

2.2.1 Attendance, as mentioned, has been one indicator that critics have pointed to in citing school failure. National figures indicate that approximately 8% of the total nationwide student body is absent daily from school. Large city school systems tend to have attendance rates that fall below the national norm. In Baltimore, New Orleans, Cleveland, and Washington, D.C., more than 14% of the students are absent daily, while in New York and Boston the absenteeism rate has skyrocketed to almost 25% (Dearman & Plisko, 1980).

2.2.2 Another issue frequently discussed is the dropout rate. Dropout prevention has been of particular concern to many because of the strong positive correlation between educational attainment and employment in later life. The dropout rate is alarming when you realize that a

disproportionate number of dropouts also come in contact with the correctional system.

In a study sponsored by the Children's Defense Fund, analysis of the 1970 U.S. Bureau of Census data indicated that nearly two million children between the ages of 7 and 17 were not enrolled in school. Researchers felt that these figures did not accurately represent the real picture since the statistics do not include students who were enrolled but suspended or expelled, nor do they include many handicapped or pregnant students who were receiving only homebound instruction (Washington Research Project, 1974). These statistics are alarming because, as Keenan and Hammond (1979) state "the incidence of dropouts, pushouts, and expulsees in the juvenile delinquent and storage institutions is extremely high" (p. 382).

While the study does not accurately reflect the number of students physically out of school, also lacking in those statistics are the number of children who are functionally out of school. The study estimates that there are a far greater number of students who remain in school while benefitting very little or not at all (p. 2). Many of the students we serve in correctional education fall into these categories, as they have either been physically out of school or functionally excluded prior to coming in contact with the criminal justice system.

2.2.3 Another area where education has come under heavy criticism is in declining achievement scores and increasing illiteracy rates. In 1980, in addition to the approximately 2 million students out of school, 85% of the 4 million special education students were not performing adequately in basic subjects and another 5 million students were enrolled in compensatory education programs funded under Title 1. These figures are indicators of the significant number of students who are failing to benefit from our educational system (Vaseldyke & Algozzine, 1984).

2.2.4 As one might suspect, a disproportionate number of those who drop out or who are enrolled in compensatory education programs are minority students. While national averages indicate that approximately 10% of students drop out each year, statistics show that 22% of American Indians drop out, 20% of Hispanics, and 15% of blacks quit school.

In addition to higher drop out rates, minority students also perform lower on standardized tests. Studies have shown that with the exception of Oriental Americans, minority students in the first grade score on the average one standard deviation lower than white students. Furthermore, that deficiency increases in the higher grade levels, with twelfth grade minority students falling significantly behind white students (Coleman, 1966; Burkhead, Fox, & Holland 1967; cf. Dearman & Pliako, 1980).

Disproportionate numbers of minority students are also found within our correctional institutions. In a U.S. Department of Justice study (1977) researchers found that blacks were two and a half times more numerous among incarcerated populations than among the general population of 10 to 19 year olds. In addition, while Hispanics constituted only 6% of the general population, they represented 9% of the incarcerated juvenile population. This data indicating higher percentages of minorities among dropouts and academic underachievers, correlates with the higher percentages of minorities among incarcerated populations.

Dealing effectively with these large numbers of students who are failing to benefit from education is no easy task. In the past, when a student failed to adjust to the curriculum, they were simply excluded from school. With the advent of the civil rights movement and the corresponding right to education for the handicapped movement, exclusion was no longer considered appropriate. As a result, schools were forced to find better ways of meeting the needs of their students and special education came out of the closet and into the classroom.

2.3 Emergence of Special and Remedial Programs

2.3.1 Although special education programs existed in private institutions, it was not until states passed mandatory education laws that we began to see them in public schools. These first school attendance laws forced exceptional children to become more visible in the public school system (Display T-2.3.1).

As a result, early educational programs only offered two choices. Either you received and benefitted from instruction which was provided in lock-step graded classes or you were educated in special class, totally removed from the mainstream. These special classes were viewed by most educators as clearinghouses for students who were en route to the prevailing treatment facilities (i.e., institutions for the physically, mentally, or morally deviant members of society (Vaseldyke & Algozzine, 1984)).

Some of these special classes were established to serve students with specific disabilities. Classes for the blind were initiated in 1900 in the public schools of Chicago, but unfortunately this was not until 71 years after their emergence in private institutions (Reynolds

& Birch, 1982). And while some of these classes were designed to serve students with specific impairments, others were simply a dumping ground for those students who did not fit into the regular classroom.

2.3.2 Since their beginnings in the early 1900s, public school programs for special students have developed into an elaborate system. Special education classes for the categories of handicapping conditions stipulated under P.L. 94-142 are one way the system has tried to cope with student failure and the inability of schools to meet the needs of their students. In addition, other special remedial and compensatory programs (i.e., Title I, Headstart, Project Follow Through, etc.), as well as vocational education, have been implemented to cope with the significant number of students who are not succeeding in today's schools.

The Elementary and Secondary Education Act (ESEA) Title I, now called Chapter I, has provided compensatory education funding for economically disadvantaged students. Many correctional education programs receive some of their funding through Chapter I monies. These funds are provided to schools on the basis of the proportion of students living at the poverty level. Unfortunately, this does not mean that all economically disadvantaged students receive Title I/Chapter I services. Still, in the 1977-78 school year:

- 87% of all schools in the U.S. received Title I funds
- 5 million students were enrolled in Title I programs
- most were enrolled in grades 1-6
- 11% of all students required compensatory education

Finally, since Title I funding is weighted by the state average expenditure per pupil, schools with the largest proportion of low-income students did not necessarily receive the largest allocations of funds. In Mississippi, where 20% of the students received compensatory education, the average per pupil expenditure was lower, resulting in a lower proportion of Title I funds being allocated to that state (Dearman & Plisko, 1980).

In 1963 The Vocational Education Act made it possible for the federal government to provide financial assistance to states to fund job training programs in the schools. Although vocational training programs had been in existence since The Smith Hughes Act of 1917, they were rather limited in scope and relatively few in numbers.

Traditionally, students who had failed in "regular" academically oriented curriculum were assigned to vocational programs in order to prepare them for employment. Now with the passage of P.L. 98-524, the Carl Perkins Vocational Education Act, more emphasis will be placed on assuring handicapped students equal access to vocational training as part of their special education programs.

Correctional education programs have benefitted in the past from vocational training monies and Title I/Chapter I funding. With the movement toward the provision of 94-142 services in correctional settings, institutions should also benefit from special state and federal funding of special education programs. In addition, more monies should become available through vocational training programs to make them accessible to the handicapped incarcerated inmate.

2.3.3 Right to Education Movement

We have talked about several educational movements, some of which grew out of the 1960s War on Poverty, and their attempts to address the failure of the schools to educate significant numbers of students. It was during this era that the right to education for the handicapped movement gained momentum. In a broader sense though, the right to education movement was part of the larger movement advocating habilitation and treatment for the handicapped. Also included in this movement was the push away from institutionalization and towards normalcy for the handicapped.

Over the past thirty years, the civil rights of Americans have continually been redefined and ensured through various mental disability laws, civil rights legislation and court litigation. The Education for All Handicapped Children Act of 1975, commonly referred to as Public Law 94-142, is a direct result of these historical movements which have served to further insure that all Americans are afforded equal opportunities under the law. In order to understand P.L. 94-142 and its implementing regulations, one must examine it in the context of these movements. (Display T-2.3.3a)

The development of P.L. 94-142 has typified the cycle of evolution that generally takes place when new laws are drafted. This cycle is initiated when the courts establish certain rights and principles through legal interpretations of constitutional provisions. These legal decisions, which constitute case law, are only binding within the court's jurisdiction. However, some of these decisions are seen as setting a psychological precedent, even when a legal one does not exist. After several judicial decisions have been delivered on a right or principle, these rights and principles are generally incorporated into statutory law by Congress or the various state legislatures. The implementation of a new statute is often followed by another round of litigation, which seeks to interpret statutory law to

clearly discern the intent of the law makers. The principles or decisions that result from this second round of litigation are then frequently translated into legislative amendments and refinements of the law, in order to further clarify the intent. Thus, we have three important sources of law in our system: Constitutional law, statutory law, and case law.

In examining Constitutional law in the United States, three important principles affect education. First, the federal government has only those powers specifically granted by the U.S. Constitution. All other powers are reserved for the states, except those specifically denied by the Constitution, thereby allowing the states to legislate to protect or promote the general welfare of its citizens. In addition to the designation of certain powers, the Constitution assures that neither the state nor the federal government may deny an individual citizen those rights which are specifically guaranteed by the U.S. Constitution, such as due process and equal protection.

In the area of education, the 10th Amendment to the Constitution clearly reserves education as a state right. Consequently, almost all state constitutions have enacted laws that authorize or require a system of public schools, as well as mandatory school attendance laws. One might then ask how the federal government got into the picture with P.L. 94-142, as well as other federally funded educational programs, if education is supposedly regulated by the states?

The federal government has come into the educational arena through the interpretation of certain statutory laws and through the equal protection and due process clauses of the Constitution. Statutory law includes all laws (or statutes) which are written by Congress or the various state legislatures. It is also inclusive of the rules and regulations that are written to accompany the legislation.

Under Article 1, Section 8 of the Constitution, Congress was granted the power to tax and spend in order to protect the general welfare of the people by enticing states to meet certain standards and conditions in the provision of educational services. Thus, monies made available through the federal government by laws such as P.L. 94-142, Title I (now Chapter I) of the Elementary and Secondary Education Act, and the Vocational Education Act, etc., are only provided upon the fulfillment of specified conditions. In other words, these laws are not mandatory unless a state wishes to receive funding allocated by the law.

While compliance with certain federal statutes may be elective on the part of the states, both the states and the federal government are bound by the due process and equal protection clauses of the Constitution. The right to education for the handicapped movement has its roots in the civil rights movement, which grew out of judicial interpretations of these two Constitutional clauses.

The concept of "due process" is guaranteed to us through the 5th and 14th Amendments of the U.S. Constitution. These amendments stipulate that governments cannot deprive citizens of life, liberty, or property unless due process of the law has been provided. Due process means that at the minimum, citizens are to be notified of the action to be taken and they have the right to be heard. In instances such as a capital crime, where there is the issue of life at stake, the maximum amount of due process has been required. This is interpreted to include the right to a speedy trial, to counsel, to compel and cross-examine witnesses, to appeal decisions, etc. Federal and state laws can mandate more due process than what is required by the Constitution, but not less.

Our right to equal protection under the law is also found in the 5th and 14th Amendments. While the right to equal protection of the law does not mean that all citizens must be treated equally, the government must have a sufficient reason when they choose to treat some citizens differently. In cases where a citizen is receiving differential treatment because of membership in a minority group that is relatively powerless, or where there is a constitutional right being abridged, the government must clearly demonstrate a compelling reason for treating its citizens differently.

The 1954 Supreme Court decision in Brown v. Board of Education was based on this premise of equal protection. In its decision, the court held that racially segregated education violated the equal protection clause of the 14th Amendment. In stating that "... it is doubtful that any child may reasonably be expected to succeed in life if he is denied the opportunity of education. Such an opportunity, where the state has undertaken to provide it, is a right which must be made available to all on equal terms," the Brown case opened the door for future litigation on the behalf of handicapped children who were also being segregated and excluded. (Display T-2.3.3b)

Following the Brown case and school integration, ability grouping or "tracking" was an approach used by many districts to address the large numbers of students who were not succeeding. It also tended to maintain segregation within "integrated" schools. The Hansen v. Hobson (1967) suit was instrumental in having the system of ability tracking eliminated from the Washington, D.C. school system. Following this case, the courts have

repeatedly demonstrated that educational placements based on achievement test scores result in disproportionate numbers of minority students being placed in the lower tracks. When ability tracking was eliminated, more pressure was then brought to bear on the schools regarding their inability to adequately serve students. Hansen v. Hobson therefore affected the drafting of later legislation in two ways: (1) it brought pressure to establish other more acceptable ways of categorizing and serving children in the schools, and (2) it helped to establish that this categorization could not be done on the basis of achievement scores alone.

Following the Hansen v. Hobson decision, the Diana v. State Board of Education (1970) case established another important precedent for special education. In this case, the state of California agreed to (1) test all non-English speaking children in their primary language, as well as English, prior to placement in classes for the mentally retarded, (2) to eliminate "unfair verbal items" from tests, and (3) to develop IQ tests that are normed on Mexican-American populations and that reflect that culture. Testing students in their native language was a provision later incorporated into P.L. 94-142.

In 1971, the Pennsylvania Association for Retarded Children (PARC) used the equal protection clause and the precedent set by the Brown case to force the state of Pennsylvania to provide equal educational opportunities for its retarded citizens. However, in PARC v. Pennsylvania, a consent agreement was entered into, as opposed to a judicial decision being handed down. Therefore, while it set the tone for future litigation and legislation on the behalf of the handicapped, the PARC case set no legal precedent, since consent agreements are only legally binding on the parties involved in the suit.

The PARC agreement stipulated that every retarded individual should be provided a free, appropriate public education that was specifically designed to meet their individual capabilities. In addition, it stated that these services were to be provided in the least restrictive environment and that there would be an automatic reevaluation of an individual's program every two years. The agreement also insured that retarded citizens were entitled to procedural due process consisting of notice and hearing and that any change of placement required due process procedures be implemented. These basic tenents later became the backbone of P.L. 94-142.

Following closely behind the PARC case, a suit was brought in the District of Columbia on behalf of emotionally disturbed students who were being denied access to public education. The Mills v. Board of Education of the District of Columbia (1972) decision again held no legal precedent outside the court's jurisdiction, but was viewed as a psychological precedent by many. The Mills decision restated basically the same principle as that found in PARC, but extended it to all handicapped children by stating that children, regardless of any exceptional condition or handicap, have a constitutional right to a publicly supported education.

Another important aspect of the Mills case was the concept that "equal" was not always "equitable." The Board of Education had argued that there were insufficient funds to support the higher costs of educating emotionally disturbed children. However, the court ruled that if sufficient funds were not available to support the total cost of education for all children then the Board of Education was to distribute the funds equitably, so as to fund the same percentage of the cost of education for the handicapped as well as the non-handicapped. In addition, the Mills decision also established the use of due process hearing officers to insure the rights of parents and students.

During the same year as the Mills case, the Vocational Rehabilitation Act was extended requiring first service priorities for those who were the most severely handicapped. A year later, Congress passed P.L. 93-112, The Rehabilitation Act of 1973. Since the original intention of P.L. 93-112 was to ensure equal employment opportunities for the handicapped under any programs which were receiving federal funds, the nondiscrimination language found in Section 504 was interpreted only as prohibiting discrimination in matters of employment. In 1974 the Rehabilitation Act was amended to broaden the definition of "handicapped" to include any handicapped children who might be denied admission to school systems who were also receiving federal funds (Martin, 1980).

In spite of the amendments intended to broaden the impact of Section 504, H.E.W. failed to respond by promulgating regulations. Without implementing regulations, school districts, as well as other agencies, did not feel compelled to comply with such broad sweeping legislation. In fact, it was not until four years later after several embarrassing demonstrations and sit-ins, that regulations were published. These regulations appeared in the Federal Register on May 4, 1977, with full compliance with the regulations mandated to occur no later than September 1, 1978. The regulations describe Section 504 as the first federal civil rights law protecting the rights of handicapped persons and requiring that the handicapped be brought into the mainstream of American life. During the four years between the passage of The

Rehabilitation Act of 1973 and the implementing regulations, Congress continued to push for reforms in the provision of services for the handicapped. In August 1974, the Education of the Handicapped Act, P.L. 93-320 required state education agencies to develop state plans which would further delineate school district responsibilities and assure procedural safeguards. The following year, this act was amended by P.L. 94-142, the Education for All Handicapped Children Act. On October 1, 1977, just several months after the implementing regulations for Section 504 were signed into law, the regulations for P.L. 94-142 became effective. There were then two important pieces of legislation that handicapped persons could rely on: Section 504 of the Rehabilitation Act of 1973 and P.L. 94-142 (Martin, 1980). Congress had definitely brought the handicapped out of the closet into the mainstream of American society.

2.3.4 Major Federal Legislation

2.3.4.1 Section 504 of the Rehabilitation Act of 1973

(Display T-2.3.4.1)
The Department of Health, Education and Welfare published final regulations for Section 504 on May 4, 1977 (45 Code of Federal Regulations 84). As part of the Rehabilitation Act of 1973, Congress enacted Section 504 which provides that "no otherwise qualified handicapped individual... shall, soley by reason of his handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance."

This regulation is intended to ensure that programs receiving any federal assistance under Health, Education and Welfare are operated without discrimination on the basis of handicap. The regulations:

(1) define and forbid acts of discrimination in employment

(2) require recipients to make reasonable accommodations to the handicaps of applicants and employees

(3) require recipients to make programs accessible and to assure that new facilities are readily accessible to handicapped persons

(4) and to operate their programs in a nondiscriminatory manner.

Aside from the 94-142 regulations, Section 504 also mandates a free, appropriate, public education for all handicapped persons regardless of the nature or severity of the handicapping condition. In this area, the implementing regulations for 504 and 94-142 are almost identical in wording.

In addition, 504 definitions of handicapping conditions are more inclusive than those of 94-142. Consequently, some educators feel that all adjudicated juveniles meet the definition of 'handicapped persons' under Section 504. This section defines 'handicapped person' as one who has a physical or mental impairment which substantially limits one or more of major life activities (e.g., functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working).

2.3.4.2 P.L. 94-142 -- The Education for All Handicapped Children Act

(Display T-2.3.4.2)
As mentioned before, although Section 504 was passed by Congress in 1973, the implementing regulations were not promulgated until 1977, and were published just before the regulations for P.L. 94-142 were finalized. While 504 forbids discrimination against handicapped by recipients of federal funds and required that all handicapped receive a free, appropriate, public education, P.L. 94-142 was implemented to fund the excess costs of educating the handicapped. Under 94-142, states which developed plans stipulating policies and procedures for educating handicapped students could receive flow-through funds originally projected to range from 10 to 40% of the excess costs. State plans were to include service to all handicapped children between the ages of 3 and 18 by 1978, and 3 and 21 no later than September 1980.

P.L. 94-142 also mandated certain provisions that the states must meet to insure education of the handicapped. For example, states had to guarantee that students would be educated in the least restrictive environment and to the maximum extent possible with nonhandicapped peers. Further assurances regarding evaluation and placement procedures were to be made in order to guard against racially or culturally discriminatory practices. Once evaluated, handicapped students must have an individualized education program developed prior to placement. And finally, due process procedures were included to ensure that "whenever a school proposes or refuses to initiate or change the identification, evaluation, or placement of a child" parental rights would be protected through prior notice, the right to be heard, and consent requirements.

2.3.4.3 Education for the Handicapped Act Amendments of 1983

(Display T-2.3.4.3)

In 1983 Congress passed P.L. 98-199 to amend the Education of the Handicapped Act. These amendments provide for discretionary grants for secondary education and transitional services for the handicapped. They establish funding priorities for transitional strategies and techniques, model vocational programs, cooperative models for transition, and research projects in secondary education.

These amendments could have an impact on correctional education programs in light of the Department of Education's current funding priorities. Recent requests for proposals indicated that handicapped populations who were also dropouts, migrants, minorities, or incarcerated were to be targeted populations for projects seeking funding.

2.3.4.4 Carl Perkins Vocational Education Act - P.L. 98-524

The Carl Perkins Vocational Education Act was signed into law in 1984 and the implementing regulations were published in the summer of 1985. As mentioned before, this act provides for a number of revisions to previous vocational education legislation. Since the 1970s there have been 10% set aside funds allocated to support vocational education for the handicapped. Those set aside funds will remain, but with stronger matching and excess costs provisions.

In the past, although 10.5% of all elementary and secondary students were identified as handicapped, only .5% were enrolled in vocational education programs. With this new act there are many new assurances that states must make in guaranteeing equal access and recruitment of handicapped students to a full range of programs.

Hopefully, this act will have a positive impact on the provision of vocational training programs to handicapped inmates.

2.3.5 Movement into Corrections

At the same time that the right to education for the handicapped movement was gaining momentum, the right to treatment and habilitation for confined non-criminals and constitutional limits on treatments imposed on civilly committed persons were also being advanced. Many of these cases argued violations of the 8th Amendment's proscription of cruel and unusual punishment. While these cases initially focused on physical abuses, environmental deficiencies, and the use of certain drugs in treatment therapies, etc., more recent cases have also expanded to include the provision of educational services to handicapped offenders. The movement in corrections was similar to that for handicapped persons in general. The first cases were argued under a right to treatment and 14th Amendment rights, while later cases have relied on the provisions of P.L. 94-142 and Section 504.

In 1972, around the same time as the PARC case was arguing right to treatment for the institutionalized mentally retarded, three important class action suits were brought arguing a right to treatment for incarcerated juveniles. One of these suits was brought by the boys of a training school in Indiana for violation of their 1st, 9th, and 14th Amendment rights (Keenan, & Hammon 1979, pp. 351-351). The Nelson v. Heyne case specified that these incarcerated juveniles had an affirmative right to treatment and that the treatment should take into consideration the individual needs of the students.

A similar class action suit was also brought in 1972 in the Inmates of Boys Training School v. Affleck. Here again, the court found a right to treatment and the responsibility of the institution to provide such treatment. And finally, in Martarella v. Kelly the court ruled that not only were inmates to be provided treatment, but that a constitutionally adequate standard of treatment must be maintained. This case was one of the first that mandated certain minimum levels of service.

The following year, in 1973, a class action suit was brought against the Texas Youth Council. Although the Morales v. Turman case was not settled until 1977, around the time that the 94-142 regulations were to be implemented, the court did finally specify a right to treatment that included a right to education for the educationally handicapped.

Another right to treatment case is found in Ruiz v. Estelle, a Texas case involving conditions of confinement for prisoners. Issues involving special education for both adults and juveniles were raised at the trial, prompting the Texas Department of Corrections concession that only about 20% of the handicapped inmates were actually being served at that time.

As we have mentioned, by 1977 regulations had been promulgated for both Section 504 and 94-142. In that same year, a class action suit, Morgan v. Sproat, was brought by the students in a juvenile facility in Mississippi. This was one of the first cases argued under 94-142 regulations and the court ordered improvements reflecting educational and special education needs. Shortly after the regulations for 94-142 were published, states began to pass their own laws guaranteeing a right to education for the handicapped within their states. The first class action right to treatment suit

brought under 94-142 and state law was Doe et al. v. Bradley. It was filed in 1978 on behalf of all mentally retarded residents of juvenile correctional facilities in the state of Tennessee. The findings of widespread abuse of mentally retarded juvenile inmates resulted in an injunction decree being issued by the court in early 1979 (Hockenberry, 1980).

Another landmark case occurred in North Carolina in 1979. In the Willie M. class action suit, the state agreed to provide appropriate treatment and educational services for all incarcerated emotionally disturbed juveniles within the state. These students experienced severe emotional problems and were considered violent and aggressive. Existing correctional facilities could not provide them with appropriate treatment programs and the existing mental health programs could not provide the secure environment needed by many of these students. This consent agreement resulted in the establishment of specialized treatment facilities and programs to deal with this population of students.

In 1981, Green v. Johnson, another corrections case, also affirmed the rights of inmates to special education services under 94-142 and state law. In this Massachusetts case, the court ruled that handicapped inmates not yet 22 years old did not forfeit their rights to a free appropriate public education simply because they were incarcerated. Under 94-142 the 18-21 year old age range is not mandatory unless educational services are provided under state law to other handicapped or nonhandicapped students. Massachusetts has such a law and so the court determined that handicapped inmates were also entitled to such services.

While it is the responsibility of the state education agency to ensure that all handicapped students, regardless of institutionalization or incarceration, receive an appropriate education, there are several mitigating factors that make this, at best, a difficult task. The problem of coordination of services is usually exacerbated by the number of agencies who are actually involved in the provision of services and the variety of administrative arrangements that are involved in the provision of such services. Moving 94-142 into the correctional setting and bringing correctional facilities into compliance in the provision of special education and related services will be no easy task. It is highly likely that we will continue to see litigation involving the parameters of special education within the correctional setting.

3.0 Special Education in Today's Schools

3.1 Who is Being Served in Special Education?

3.1.1 Prevalence Figures

It has been estimated that about 10-15% of American school children should be considered exceptional and provided special education services. These figures are based on prevalence estimates published by the federal government over the past two decades. However, some politicians and critics of special education argue that exceptionality has been overestimated and that estimates should be considerably less than 10%. These critics cite a United States General Accounting Office (GAO, 1981) report published in 1981, as supportive of their opinion. However, advocates of special education cite the very same statistics as being supportive of their position (Display T-3.1.1).

In the 1981 GAO report, the prevalence estimates previously published by the government were compared with statistics on the number of students currently being served in each category of exceptionality. Needless to say, there were large discrepancies between the two sets of figures. The text of the GAO report, along with the figures, indicated that during the 1980-81 school year there were a substantial number of exceptional students who had not been identified or served. The report indicated that only approximately 4.3 million students were receiving special education. This figure is roughly half of the government's estimation that there are 8 million handicapped students in the United States. Also, some would argue that many of the unidentified and uncounted handicapped are school dropouts, expellees, or are among our incarcerated populations.

Opponents of the high prevalence figures argue that the 8 million estimate is far too high. They feel that most students in need of special education are presently being served. They further claim that many of the students formerly thought to be mildly handicapped are instead just slightly below average in ability and/or achievement. Likewise, they argue that these slow learners and others in need of remedial education can be adequately served by regular teachers.

Certainly, there are no easy conclusions to be drawn from these arguments. The truth probably lies somewhere between the two extremes. Definitions are sufficiently vague and subjective to allow the possibility that some administrators and teachers ignore the needs of many mildly handicapped students in order to hold down the high costs of special education. As Kneedler (1984) points out, it is ironic that some handicapped children may go unserved because of the provisions of 94-142, instead of it being the other way around. Schools may fail to identify all handicapped students in order to avoid financial disaster or prosecution for failing to

provide services to all identified students (Kauffman, 1982; Magliocca & Stephens, 1980).

3.1.2 Incidence Figures

Aside from the comparison of prevalence and incidence rates, the GAO report indicated that the "typical" special education student is young (preadolescent), male, and mildly handicapped (GAO, 1981, p.11). Although males comprise about 51% of students age 3 to 21, two thirds of all students enrolled in special education are males. Additionally, the results of a Research Triangle Institute survey (Pyecha, 1980) indicated that 51% of the students currently served in special education have mild handicaps, while 36% have moderate handicaps, and 13% are classified as severe. The GAO report indicated that 8.35% of all school age children were being served as handicapped in 1980.

Another study conducted by the Office of Civil Rights (1980) indicated that while black students comprise 16% of public school enrollment, they constitute 21% of the enrollment in special education programs. White students, who make up 75% of the public school enrollment, account for only 71% of special education classes.

The incidence of handicaps among the population of incarcerated youth indicates that a disproportionate number of individuals in correctional facilities are eligible for special education placement. Messinger (1976) found that approximately 80% of the youthful offenders processed at the Virginia State Reception and Diagnostic Centers had problems in "psychosocial adjustment," along with a possible incidence of mental retardation at the rate of nearly 14%. In a study of one hundred and sixty-six (166) youths admitted to two state correctional facilities in Wisconsin, Prout (1981) reported a seventy-one percent (71%) rate of suspected exceptionality. Studies of the prevalence of specific reading, language and learning disabilities in the juvenile delinquent population indicate a rate of between 32% (Zimmerman, Rich, Keilitz, & Broder, 1981) and 90% (Compton, 1974; Trogdon, 1978; Jacobson, 1974; Poremba, 1975). Morgan's (1979) study of 204 state correctional facilities in the United States indicated that 42% of incarcerated juveniles possessed some type of handicap.

Others (Keenan & Hammond, 1979) argue that by virtue of their incarceration, these students meet the definitions of handicapped under both 94-142 and 504. They state that "the fact that a child has been removed from his home and school environment for his own protection, for society's protection or for whatever other reason... should be taken as proof that the child suffers from: (a) an inability to learn which cannot be explained by intellectual, sensory or health factors; [or] (b) an inability to build or maintain satisfactory interpersonal relationships with peers and teachers."

A recent cross-sectional study conducted by the National Center for State Courts (Dunivant, 1982; Zimmerman, et al., 1981; Keilitz & Miller, 1980; Broder, Dunivant, Smith, & Sutton, 1981) did in fact attempt to establish a relationship between learning disabilities and juvenile delinquency. Data from this study indicated that learning disabilities were more prevalent in the adjudicated delinquent population than among non-delinquents. This study, however, rejected the hypothesis of School Failure and Susceptibility (Murray, 1976) as the cause and instead proposed a "Differential Treatment Hypothesis." Since study findings revealed that learning disabled and non-learning disabled students reported engaging in the same kinds of delinquent behaviors, it was postulated that differential treatment results from evidence of the child's failure in school, from a reaction to something about the child himself, or both. For whatever reason, the LD child is treated differently for the same delinquent behavior and as a result is much more likely to become incarcerated (Zimmerman, et al., 1981).

3.1.3 Difficulties with Figures

As we mentioned a few minutes ago, there has been some problem in reconciling the large differences in the prevalence and incidence figures for handicapping conditions in general. These problems also carry over into the correctional setting, where it is not entirely clear what the incidence rates are.

As in the public schools, some of the discrepancies may be a result of the correctional facility's reluctance to identify large numbers of handicapped students because of the financial burden that would be placed on the institution.

Other discrepancies can be due to assessment and identification processes employed in correctional facilities. For whatever reasons, there is a great degree of variability in reported incidence rates, as some states count all incarcerated juveniles as handicapped while others count very few.

3.2 After a student has been evaluated and found to be eligible for services under P.L. 94-142, an Individualized Education Program (IEP) is developed. This individualized program is a written statement of the goals and objectives that are to be met in providing an appropriate education for the student. The IEP must be in effect before any special education or

related services are provided and must be implemented as soon as possible following its development (Display T-3.2).

3.2.1 It is the responsibility of the public agency to initiate and conduct an IEP meeting whenever it is necessary to develop, review or revise the individualized program of a handicapped student. When a student is referred to special education for the first time an IEP meeting must be held within 30 calendar days from the date that eligibility was determined. Once a student is receiving services, then periodic reviews of their program must be conducted at least annually. More frequent reviews and revisions can be initiated when necessary.

3.2.2 These IEP meetings should be scheduled at a convenient time to encourage and facilitate parental involvement in the development of the educational program. Other participants involved in IEP meetings would include: a representative of the public agency, the student's teacher, the student (when appropriate), and any other individuals at the discretion of the parent or agency.

3.2.3 To ensure that the parents of a handicapped student are afforded the opportunity to participate, they should be notified early enough so that they may plan to attend. The meeting must also be scheduled at a mutually agreed on time and place. The notification sent to parents should state the purpose, time and location of the meeting and who will attend.

3.2.4 Aside from designating who is to take part in the development of the IEP, the law also stipulates the basic content of the document. First, a statement regarding the student's present level of educational performance must be provided. Based on this information, a list of annual goals and short term instructional objectives should be developed and included. Once these have been written, a statement must be provided which delineates the specific special education and related services that are to be provided and the extent to which the student will participate in regular educational programs. A projected date for initiation of services is also required, along with some indication of the duration of the services being provided. Finally, the IEP must include objective criteria, evaluation procedures, and schedules for determining whether the objectives are being met.

3.2.5 One concern that has been voiced regarding IEPs is that of accountability. The regulations clearly state that the law does not require any agency, teacher, or other person be held accountable when a student does not achieve the annual goals and objectives specified in the IEP. The intent is that the IEP serves to identify and monitor the goals that are educationally relevant for that student, not that they assure attainment of those goals. However, if a student was not making adequate progress towards mastery of his or her individual objectives, one would have to question the 'appropriateness' of the goals or perhaps the 'appropriateness' of the educational programs/methods being used.

3.3 Service Delivery

3.3.1 Cascade of Services

With the passage of 94-142, school districts have been required to develop a continuum of services for handicapped students within their district. Many districts have patterned their services on Deno's (1970) Cascade System of Special Education Service or on Dunn's (1973) modification of Deno's work. In both models educational decisions are based on the learning needs of the student instead of on the particular categorical classification of the student.

The models are diagramed as inverted pyramids (Display T-3.3.1). These diagrams illustrate the movement from least restrictive environment to most restrictive environment based on the services required for the student to benefit from their special education program. In this model the least restrictive environment is the regular class placement and the most restrictive is the special residential school.

Of the levels of service depicted in this model, the first five can be provided within the context of the regular public school. Levels one through four allow the handicapped student to attend regular classes with their nonhandicapped peers. Supportive help is provided through consultation with their regular class teachers or by attending a resource room for part of the day.

The resource room has been an outgrowth of the dissatisfaction with the self-contained special class and the movement towards normalization for the handicapped. It is also a recognition that these students are more similar to other students than they are different. Support for the use of resource rooms has grown out of the argument that they: (1) provide for greater organizational efficiency, (2) help to reduce the stigmatization of the handicapped student, and (3) they place more emphasis on instructional remediation.

The resource room is generally an instructional setting where the students receive educational services on a regular, but part-time basis. When not in the resource room, the student is assigned to regular classes. Resource room instruction would be provided in those subject areas where the student demonstrates a sig-

nificant discrepancy between ability and achievement. A variety of subjects and skills have been taught in resource rooms depending on the philosophy of the particular school or district. Subjects ordinarily taught are basic skills areas in reading, math, writing, and spelling. Others may include instruction in social skills, academic survival skills, and various content area subjects.

Students at level five require full-time placement in a special class with other exceptional students. Traditionally, these self-contained classes were categorical in nature, meaning that they served one disability group (i.e., hearing impaired, physically handicapped, learning disabled, emotionally disturbed, mentally retarded). In the past, this was the most prevalent service delivery option used by the public schools. If you did not fit into a regular class, then a special class placement was the only other placement option. Today, in some more rural areas, the self-contained class has become somewhat more cross-categorical with several low incidence populations being grouped together.

Although these students may require self-contained class placements in order to receive appropriate services, P.L. 94-142 mandates that all handicapped students, to the maximum extent appropriate, be educated with nonhandicapped peers. It is therefore required that educators provide opportunities, such as at lunch time, at recess, during physical education, and in other recreational activities, where these students can interact with nonhandicapped peers.

Because the students are removed from the regular public school and their opportunity to interact with nonhandicapped peers is greatly restricted, the last three types of placements on the pyramid are seen as much more restrictive in nature. Along with self-contained classes, special school placements have also been traditional options in special education. As we have noted, the first programs for handicapped students were provided in special segregated schools for the deaf, blind or mentally retarded.

Because of the stigmatizing effects that residential or institutional care can have on handicapped students, they are considered by many as less desirable placement options. As a result, many more deaf, blind, mentally retarded, or behaviorally disordered students are being served in special day treatment programs. Homebound instruction is usually reserved for students who are physically unable to attend classes. It is also used as an interim service when determining appropriate placement for emotionally disturbed or behaviorally disordered students.

In addition, interagency agreements have allowed some institutions to provide services for low incidence populations within the prison setting. In one instance, a deaf prisoner was allowed to attend a nearbly state school for the deaf by being bused back and forth between the school and the prison. Others have contracted for services from itinerant teachers who come into the correctional setting to provide services.

Furthermore, instruction has also been provided within the most restrictive setting in correctional institutions, namely, lock-up. In some facilities, when inmate behavior permits, and the inmate is to be confined to a locked situation that will prohibit his attending classes for more than 8-10 days, "homebound" instruction has been provided in that setting.

We can as correctional educators provide a continuum of services within the institutional setting which complies with the intent of 94-142 and meets the needs of our handicapped students. It may take a little more ingenuity on our part and a lot more cooperative agency agreements, but it is possible.

3.3.2 Aside from a cascade or continuum of services, special educators also speak of services in terms of whether they are direct or indirect. Direct services can be provided in several ways. Any time handicapped students attend a special class, see the speech therapist, occupational therapist or adaptive physical education teacher, or receive specialized vocational training, they are receiving direct services from a special educator. Additionally, many school districts, as well as some correctional education programs have adopted consulting teacher models or itinerant teacher models to augment their direct service options.

The consulting teacher model has been adopted by some programs to facilitate the mainstreaming of handicapped students. A consulting teacher often operates in a dual capacity by providing direct services to the student who is mainstreamed in a regular class or by providing indirect services. Direct services might involve the special education teacher going into the regular classroom to help the student with regular classroom assignments. To make this a more viable option, the teachers may group several handicapped students into a mainstream class so that the consulting teacher can use their time more efficiently. The provision of indirect services may involve: inservice training of regular educators; adapting of curriculum materials to be used by the regular teacher or vocational trainer; writing IEPs when the instruction is to be offered in the

regular class: etc.

Sometimes, due to sparcity of population, the resource room teacher or consulting teacher will operate on an itinerant basis. A person serving in this capacity may travel to more than one school during the day or week. Itinerant teachers are used when it is not economically feasible to provide a teacher for a small number of handicapped students or in instances where a correctional facility may not be able to recruit a specialized person to work on a full-time basis.

3.3.3 Least Restrictive Environment and Mainstreaming

Whenever we speak of a continuum of services or the provision of special education, we constantly encounter the terms least restrictive environment and mainstreaming. They are perhaps the two most misinterpreted terms and the two that have given regular educators the most nightmares and apprehensions regarding special education (Display T-3.3.3).

To begin with, 94-142 never mentions the term mainstreaming. Instead the law refers to the requirement that handicapped persons be educated in the least restrictive environment. It also requires that to the maximus extent appropriate, handicapped students are to be educated with nonhandicapped students. However, this does not mean that all handicapped students are to be placed in regular classes, nor does it mean that it is appropriate for all to be placed in regular schools. Appropriateness has to be determined on the basis of individual needs. For a severely emotionally disturbed student, the least restrictive environment where he can benefit from special education may be a residential facility. Additionally, the least restrictive environment for a deaf student may be the regular class with some modifications to the environment.

On the other hand, mainstreaming is the concept of moving handicapped individuals from more restrictive settings into the mainstream of society. One example of this is the moving of a handicapped student from a self-contained class into a regular school class for all or part of the school day.

3.3.4 As a result of 94-142 and the concepts of least restrictive environment and mainstreaming, the concept of special education has begun to move from a place-oriented to a service-oriented focus. In the past, if a student was labeled as mentally retarded, it was assumed that the student should be placed in a class or school for the retarded. Similar assumptions were made for deaf, blind, and learning disabled students. The type of label assigned to the student often dictated what services would be available to that student, as well as the location of those services (i.e., state residential schools, special day schools, etc.). Today, many special educators view labels as merely "tickets" through the "door" of special education. Once through that door, labels should be discarded and decisions made on the basis of the particular services needed by that student. As a result, we now see students labeled as "mentally retarded," "learning disabled," or "behaviorally disordered" being served, at the same time in the same resource room, on the basis of the particular skills in need of remediation.

Assumptions regarding services and placement, made strictly on the basis of a label, are no longer valid special education practices.

3.3.5 An important component in the movement from a place-oriented concept to a service-oriented concept, and from the more restricted setting to the less restricted one, is the provision of related services. Under 94-142, districts are required to provide the related services that are necessary for a handicapped student to benefit from his/her specially designed educational program.

The area of related services has been a hot issue since the publishing of the 94-142 implementing regulations. As we have mentioned, several major law suits have resulted and the first 94-142 case to be heard by the Supreme Court involved related services issues. Related services can include, but are not limited to: speech therapy; physical or occupational therapy; transportation to and from services; counseling or guidance services; psychological services; family counseling; medical evaluations required for diagnostic purposes; interpreter services; catheterization; adaptive physical education; etc. The key requirement is that the service be required in order for a student to benefit from their special education. In the Tatro case, clean intermittent catheterization was required in order for the student to remain in school during the day and thereby profit from her special education program. As a result, the court ruled this was a legitimate related service and required that it be provided.

The law, however, does not require that the school district pay all costs, only that these services be provided at no cost to the parents. Sometimes, parents may have insurance policies that pay part of the costs of such services, and when they do it is very appropriate for the insurance companies to do so. Another option for the provision of services is through interagency agreements whereby some of the costs are absorbed in other agency's budgets (i.e., Mental Health, Public Health, etc.).

4.0 CURRENT ISSUES IN SPECIAL AND CORRECTIONAL EDUCATION

4.1 Labeling

1.1.1 Advantages

4.1.1.1 Enables school aged children and youth access to special education services.

4.1.1.2 Permits adults eligibility for government assistance programs (e.g., rent subsidy, vocational rehabilitation, medical services.

4.1.1.3 Identifies students with similar characteristics for the purposes of instruction.

4.1.1.4 Provides a focal point of advocacy.

4.1.1.5 Develops a target group for research.

4.1.1.6 Facilitates research into etiology which could result in preventive measures.

4.1.2 Disadvantages

4.1.2.1 Negative effect on teachers' expectations of a student's academic performance.

4.1.2.2 Focuses on students' deficits rather than strengths.

4.1.2.3 Labels are difficult to remove.

4.1.2.4 Implies that the problem is internal to the student rather than external.

4.1.2.5 May produce limits on behavior that is considered acceptable.

4.1.2.6 Detrimental effects on a person's self-perception.

4.2 Categorical vs. Non-categorical Special Education

This issue is closely related to the issue of labeling. The focal point of debate is whether handicapped students should be grouped for instruction according to their diagnostic category or according to their needs.

4.2.1 Rationale for categorical approaches

4.2.1.1 In some cases categories do differentiate students with different needs (e.g., mild and severe).

4.2.1.2 Funding of special education programs is focused on traditional categorical labels.

4.2.1.3 Labels provide a basis for communication.

4.2.1.4 Training programs and certification practices are often structured around traditional categories.

4.2.1.5 They highlight problems as a means of servicing support.

4.2.2 Rationale for non-categorical approaches

4.2.2.1 Diagnostic classification represents a medical disease or pathology focus rather than an educational focus.

4.2.2.2 Students assigned to one category of disability are not homogeneous and exclusive of students assigned to other disability categories.

4.2.2.3 It offers little if any assistance in the selection of instructional programs.

4.2.2.4 It fails to identify many students in need of special education services.

4.2.2.5 Negative effects on students, teachers, and family.

4.2.2.6 Category membership results in overgeneralizations.

4.2.2.7 Results in overrepresentation of minorities.

4.3 Transitioning Youth into the Community

4.3.1 Problems and concerns

4.3.1.1 Handicapped youth often drop out of school.

4.3.1.2 Handicapped youth are frequently underemployed.

4.3.1.3 Handicapped youth are frequently unemployed.

4.3.1.4 Service delivery systems to youth outside of school are fragmented and disorganized.

4.3.1.5 Incarcerated youth have additional problems transitioning into the community because of their status.

4.3.2 Recommended directions

4.3.2.1 Development of transitional plans.

4.3.2.2 Interagency collaboration.

4.3.2.3 Development of effective vocational programs.

4.3.2.4 Development of educational programs that effectively teach functional skills.

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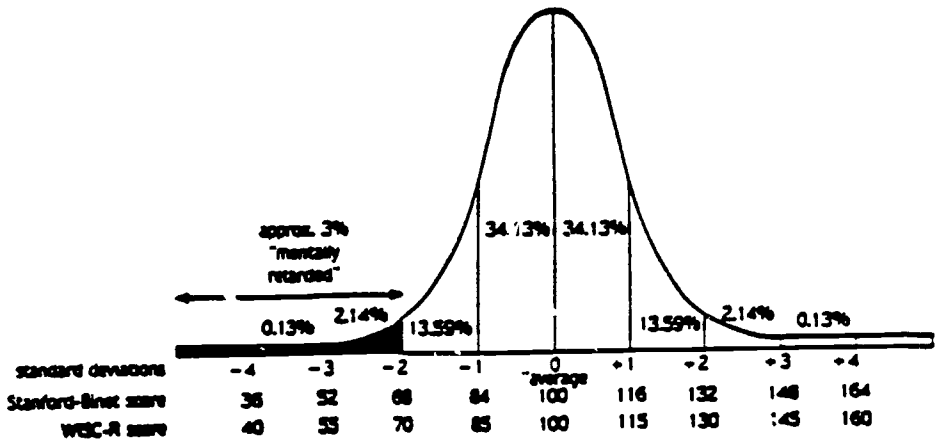
CONCEPTS OF NORMALITY

STATISTICAL: represented by 'normal' or Gaussian Curve; variability from the average is expressed in standard deviation units.



MEDICAL: measurements of bodily functions; range of average scores.

SOCIAL: more relative to the context in which it is being measured.

T-1.1.2

SPECIAL EDUCATION TERMINOLOGY

EXCEPTIONAL: encompasses any student whose performance deviates from normal; includes the range from gifted and talented to severely mentally retarded.

HANDICAPPED: refers to problems or differences encountered as a result of a physical disability or behavioral characteristic.

DISABLED: when a person's ability to perform normal tasks is limited by a physical problem.

IMPAIRMENT: synomous with disability.

T-1.2

AREAS OF EXCEPTIONALITY

VISUAL IMPAIRMENT:	20/200 or restricted field of vision with widest angle less than 20 degrees is considered blind; 20/70 or less with correction is considered visually impaired
HEARING IMPAIRMENT:	hearing acuity is measured in decibels (levels of loudness) and hertz (frequencies of sound)
PHYSICAL / HEALTH IMPAIRMENTS:	includes chronic or acute health problems; neurological impairments; congenital anomalies.
COMMUNICATION DISORDERS:	includes expressive and/or receptive language disorders; speech impairments
SOCIAL / EMOTIONAL:	must be demonstrated over a long period of time and to a marked degree; adversely affects academic performance; does not include socially maladjusted

AREAS OF EXCEPTIONALITY

INTELLIGENCE:

either end of the continuum; top 3-5% constitutes GT, which are not included under 94-142.

bottom 3% of school age considered mentally retarded; must demonstrate significantly subaverage intelligence concurrently with adaptive behavior deficits.

Level	Intelligence Test	
	Stanford-Binet	Weschsler
Mild	68-52	70-55
Moderate	51-36	54-40
Severe	35-20	39-25
Profound	19-below	24-below

learning disabled fall within the normal range of intelligence; do not achieve commensurate with their age and ability levels in one or more areas, when provided with appropriate learning experiences.

discrepancies can be in the following areas: oral expression, listening comprehension, written comprehension, basic reading skill, reading comprehension, mathematics calculation, or mathematical reasoning skill.

MULTIPLE IMPAIRMENTS:

significant number with chromosomal abnormalities; genetic or metabolic disorders; two or more impairments concurrently affecting education.

PROBLEMS IN THE EDUCATIONAL SYSTEM

SCHOOL ATTENDANCE:

8% of the total student body nationwide are absent from school daily;

in larger districts absenteeism can range from 14% - 25%

DROP OUT RATE:

1970 Census figures showed two million students between 7-17 were not in school;

figures do not include: those suspended or expelled, handicapped or pregnant teenagers on homebound instruction, or those functionally out of school

DECLINING ACHIEVEMENT SCORES:

in 1975, 40% of the adult population still had less than eleven years of schooling;

85% of the 4 million handicapped students were not performing adequately;

5 million students were enrolled in compensatory education programs

FAILURE RATES:

10% of the total student body drops out each year;

however, 22% of all American Indians drop out, 28% of the Hispanic students drop out, and 15% of [illegible] students drop out;

minorities perform lower on standardized achievement scores;

with the exception of Oriental Americans, minorities typically score one standard deviation below white students in the first grade; they are even further behind white students in the 12th grade.

T-2.2

T-2.3.1

EMERGENCE OF SPECIAL & REMEDIAL PROGRAMS

Special Education	Regular Education
clearning-house for students or their way to institutional care	students on their wa) to higher education, vocational training, etc.

ELEMENTARY & SECONDARY EDUCATION ACT:

Title I funds providing compensatory education for the economically disadvantaged;

in the 1978-79 school year:
--67% of all schools in US receive funds
--5 million students enrolled annually
--most in grades 1 - 6
--11% of all US students required compensatory education

1963 VOCATIONAL EDUCATION ACT:

provided for vocational job training programs;

followed recently by P.L. 98-524, the Carl Perkins Vocational Education Act which places a new emphasis on vocational training for the handicapped

T-2.3.3 A

RIGHT TO EDUCATION FOR THE HANDICAPPED MOVEMENT

Three important principles of constitutional law:

1) the federal goverment only has those powers that are specifically granted by the Constitution; all others are reserved to the states;

2) the 5th and 14th amendments guarantee due process rights

3) the 5th and 14th amendments guarantee equal protection under the law

How do the feds get into education?

-- CERTAIN STATUTORY LAWS

-- EQUAL PROTECTION CLAUSE

-- DUE PROCESS CLAUSE

-- ARTICLE I, SECTION 8

LEGISLATION AND LITIGATION IN RIGHT TO EDUCATION FOR THE HANDICAPPED MOVEMENT

BROWN v. BOARD OF EDUCATION:	1954 Supreme Ct decision ruled segregated schools violated the equal protection clause of the 14th amendment
HANSEN v. HOBSON:	1967 Washington, D.C. court declared tracking system violated equal protection clause
DIANA v. STATE BOARD OF EDUCATION:	1970 California case ruled that minority students must be tested in their native language
PARC v. PENNSYLVAINA:	1971 retarded should be provided FAPE, in the LRE; stipulated automatic reevaluation and due process procedures
MILLS v. BOARD OF EDUCATION OF THE DISTRICT OF COLUMBIA:	1972 concept that equal was not "equitable"; ruled that exclusion of emotionally disturbed students violated the equal protection clause; introduced the concept of due process hearing officers
THE VOCATIONAL REHABILITATION ACT OF 1973:	Section 504 prohibits discriminationon basis of handicap; regs published on May 4, 1977.
THE EDUCATION FOR ALL HANDICAPPED CHILDREN ACT:	passed in 1975; regs published in Oct, 1977; provides discretionary funding of excess costs for educating handicapped students

T-2,3,3 B

T-2.3.4.1

SECTION 504 OF THE
REHABILITATION ACT OF 1973

"no otherwise qualified handicapped individual ....shall solel, by reason of his handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance"

Provisions of Section 504

-- defines & forbids acts of discrimination

-- requires recipients to make reasonable accommodations to the handicaps of applicants and employees

-- requires recipients to make their programs accessible

-- stipulates that programs must be operated in a nondiscriminatory manner

-- mandates a free appropriate public education for all handicapped students

T-2.3.4.2

THE EDUCATION FOR ALL
HANDICAPPED CHILDREN ACT:

implemented in 1977 to fund the excess costs of educating handicapped students

mandated services for 3-18 year olds by 1978 and 3-21 year olds by Sept, 1980

Major Provisions of P.L. 94-142

-- guarantees that to the maximum extent appropriate handicapped are to be educated with nonhandicapped and in the LRE

-- instituted evaluation and placement procedures that guard against racial or cultural bias

-- all handicapped students must have IEPs

-- due process procedures of prior notice, consent, and right to be heard

T-2.3.4.3

EDUCATION FOR THE HANDICAPPED ACT

AMENDMENTS OF 1983

These amendments provide for discetionary grants for secondary education and transitional services:

funding priorities:

- -- transitional strategies and techniques
- -- model vocational programs
- -- cooperative models for transitions
- -- research projects in secondary education

CARL PERKINS VOCATIONAL EDUCATION ACT

P.L. 98-524

Regulations were published on June 15, 1985 to be implemented the following school year.

- -- 10% set aside funds for special education with stronger matching and excess costs provisions
- -- many new assurances guaranteeing equal access and recruitment of handicapped students to a full range of programs.

WHO IS BEING SERVED IN SPECIAL EDUCATION?

The Percentage of Children 3-21 Served During the 1980-81 School Year & Estimated Prevalence of Handicapping Conditions

HANDICAPPING CONDITION	PERCENTAGE OF CHILDREN SERVED	RANGE OF PREVALENCE ESTIMATES	
		LOW	HIGH
Mentally retarded	1.74%	1.3%	2.3%
Hard of hearing	0.08	0.3	0.5
Deaf	0.08	0.075	0.19
Speech impaired	2.40	2.4	4.0
Visually handicapped	0.06	0.05	0.16
Emotionally disturbed	0.72	1.2	2.0
Orthopedically impaired	0.13	0.1	0.75
Other health impaired	0.21	0.1	0.75
Specific learning disabled	2.93	1.0	3.0
Total	8.35	6.525	13.65

Source: Disparities still exist in who gets special education. Report to the Chairman, Subcommittee on Select Education, Committee on Education and Labor, House of Representatives of the United States. September 30, 1981. Gaithersburg, Md.: U.S. General Accounting Office, p. 54

(KNEEDLER, 1984, PG. 11)

Comparison of Prevalences of Handicapping Conditions Among Juvenile Offenders & Among the General Student Population

Handicap	% Among Juvenile Offenders *	% In General Population**
Emotionally Handicapped	16.1	2.0
Specific Learning Disabled	10.6	3.0 Mentally
Retarded	9.5 (a)	2.3 (b)
Speech Impaired	1.7	4.0
Visually Handicapped	1.6	0.16
Hard of Hearing	1.4	.5
Other	1.1	.75
Orthopedically Impaired		.75
TOTAL	42.1	13.65

* From Morgan (1979)
** From the GAO Report (1981)

(a) these figures reflect only the mild - moderate range
(b) these figures reflect entire range of mental retardation

T-3.1.1

T-3.2

IEP DEVELOPMENT:

---contains a written statement of the goals and objectives that are to be met in providing an appropriate education for the student

---must be developed within 30 days of the date eligibility was determined

---parent participation

---statement of specific special education and related services to be provided and the extent to which the student will participate in regualar classes

T-3.3.1

CONTINUUM OF EDUCATION SERVICES

MOST Number of Students		LEAST Restrictive
1.	Regular Class Placement	
2.	Regular Class With Consultation	
3.	Regular Class with Supplementary Instruction and Services	
4.	Regular Class and Resource Room	
5.	Full-time Special Class	
6.	Special School	
7.	Homebound Instruction	
8.	Specialized Facility	
LEAST Number of Students		MOST Restrictive

T-3.3.3

MAINSTREAMING:

Mainstreaming refers to the practice of placing handicapped students with nonhandicapped peers for all or part of the school day, as opposed to educating them in self-contained classrooms.

LEAST RESTRICTIVE ENVIRONMENT:

The LRE is the educational environment that is as normal as possible, given the student's individual educational needs. For some students the LRE is a residential facility, while for others it may be the regular classroom, or a resource room with support services.

C/SET MODULE: _____ DATE: _____

TRAINER: _____

Please answer the following questions as honestly as you can. Your responses will be used for the following purposes:

1. To assist trainers in evaluating training effectiveness.
2. To assist in planning future training sessions.
3. To assist in revising C/SET training modules.

General Questions (Check One)

1. Was your attendance at the session(s):

___ a. by your own initiative to gain information on the topical areas?

___ b. by your own initiative as respite from the classroom?

___ c. a requirement you felt good about?

___ d. a requirement you would rather not have had?

Comment (Optional): _____

2. Training session(s) were:

___ a. held at a convenient time and day of the week.

___ b. held at a convenient time but not a convenient day of the week.

___ c. held at a poor time but on an appropriate day of the week.

___ d. neither convenient as to time or day of the week.

Comment (Optional) _____

Suggestions for better time and/or day (optional): _____

3. How appropriate was the length of the training session(s)?

___ much too long
___ somewhat long
___ just right
___ somewhat short
___ much too short

Comment (Optional): _____

Specific Questions (Check One)

1. What is your overall reaction to the information presented in the session(s):

___ I see little or no application
___ I might apply it, but first I need more information
___ I might apply it, but first I need more in-situation feedback and support
___ I will apply it; it could result in an increased effectiveness
___ I have applied it and have found it useful
___ I have applied it and have found it to be ineffective

Comment (Optional): _____

2. The information presented was:

___ new and exciting
___ the same old stuff with a different bend
___ nothing new

Comment (Optional): _____

3. The presentor was:

___ knowledgeable and interesting
___ knowledgeable yet boring
___ unsure about the content, yet interesting
___ unsure about the content and boring

Comment: _____

4. Media used in the session(s) was:

___ very effective
___ adequate
___ poor

Comment: _____

_____

Please send completed evaluations to:

C. Michael Nelson, Ed.D.
Department of Special Education
University of Kentucky
Lexington, KY 40506

5. What was the most important learning that resulted from the session(s)?

6. What was disappointing about the session(s)? What did you need or expect to learn that you didn't?

7. What will you do differently in your classes as a result of the training session(s)?

8. Other comments or suggestions: