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ABSTRACT

This year-long study on education of students with disabilities, funded by the United States Congress, reviewed and analyzed recent studies and articles; consulted with parents, students, professionals, and leaders in the public and private sectors; and received testimony from over 50 witnesses. Following an introductory chapter, a profile of the Education for All Handicapped Children Act (Public Law 94-142) is offered. Study findings are then organized around the following topic areas: parental and student satisfaction with educational services; the unique needs of minority, rural, native American and military families; effective parent-school partnerships; resolving differences through due process procedures; the education reform movement; federal leadership; the federal-state partnership; the relationship between general education and special education; the role of separate schools; transition from school to adult life; employment; and international issues. The report recommends that a 2-year National Commission on Excellence in the Education of Students with Disabilities be established, involving public organizations, professionals, government entities, parents, students, and private sector representatives. The report includes a statement of the mission of the National Council on Disability, a list of Council members and biographical information, a minority viewpoint concerning report issues and recommendations, and a list of witnesses who provided testimony. Contains 45 references. (JDD)

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A Report
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National Council on Disability
September 1989

The Education of Students with Disabilities:
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800 Independence Avenue, S.W.
Suite 814
Washington, DC 20591

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National Council on Disability
800 Independence Avenue, S.W.
Suite 814
Washington, DC 20591

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The views contained in this report do not necessarily represent those of the Administration, as this document has not been subject to the A-19 Executive Branch review process.

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Letter of Transmittal

September 15, 1989

The President
The White House
Washington, D.C. 20500

Dear Mr. President:

On behalf of all members of The National Council on Disability, I submit to you a special report, *The Education of Students with Disabilities: Where Do We Stand?*

This report is in accordance with the statutory mandate of the National Council which authorizes special reports to the President and the Congress regarding the progress of implementing recommendations contained in the Council's 1986 report, *Toward Independence.*

The Council views the education of students with disabilities as a critical priority. Success in education is a predictor of success in adult life. For students with disabilities, a good education can be the difference between a life of dependence and nonproductivity and a life of independence and productivity.

It is our belief that while significant gains have been made in recent years in educating students with disabilities, much remains to be done. For this reason, the key recommendation of this report is that a two year *National Commission on Excellence in the Education of Students with Disabilities* be established. The Commission would further assess the education of students with disabilities and make recommendations for improvement.

The National Council has been impressed with the eagerness of Americans from a wide range of perspectives to participate in this study. Parents, students, educators, advocates, local, State, and Federal leaders and employers were all willing to work with us to begin exploring how our nation might improve the education of students with disabilities.

The National Council on Disability looks forward to your continued leadership on behalf of Americans with disabilities. We are eager to work with you as we seek high-quality appropriate educational services for all students with disabilities.

Sincerely,

Sandra Swift Parrino

Sandra Swift Parrino
Chairperson

(The same letter of transmittal was sent to the Senate President pro tempore and the Speaker of the House of Representatives).

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Joni E. Tada

Phyllis Zlotnick

Staff

The Education of Students With Disabilities: Where Do We Stand?

Study Director
Jane West, Ph.D.
Jane West and Associates

Research Associates
Elizabeth Defay, M.PA.
Richard J. Sawyer, M.A. Ed.

Consultants
Lani D. Florian, Ph.D.
University of Maryland

Michael L. Hardman, Ph.D.
University of Utah

Administrative Assistant
Sandra Cawley

National Council on Disability

Acting Executive Director
Ethel D. Briggs

Program Specialist
Kathy Roy Johnson

Executive Secretary
Brenda Bratton

Administrative Officer
B.E. Villanueva

Staff Assistant
Stacey Brown

Student Assistant
Lorraine Graham

The Mission of the National Council on Disability

The National Council on Disability is an independent Federal agency comprised of 15 members appointed by the President of the United States and confirmed by the Senate.

The Council is charged with reviewing all laws, programs, and policies of the Federal Government affecting individuals with disabilities, and making such recommendations as it deems necessary to the President, the Congress, the Secretary of the Department of Education, the Commissioner of the Rehabilitation Services Administration, and the Director of the National Institute of Disability and Rehabilitation Research. Whereas many government agencies deal with issues and programs affecting people with disabilities, the National Council on Disability is the only Federal agency with the mandated responsibility to address, analyze, and make recommendations on issues of public policy which affect people with disabilities regardless of age, disability type, perceived employment potential, perceived economic need, specific functional ability, status as a veteran, or other individual circumstances. The Council recognizes its unique opportunity to facilitate independent living, community integration, and employment opportunities for people with disabilities by assuring a coordinated approach to addressing the concerns of persons with disabilities and eliminating barriers to their active participation in community and family life.

Statement of the Chairperson

The progress our nation has made in the education of students with disabilities in the past 15 years is remarkable and significant. The fact that a major debate in the field of special education is the role of separate schools and the nature and extent to which integration into general education classrooms should take place is a sign of significant growth and development. Just two decades ago the major debate was whether or not students with disabilities should have access to public education programs. The Council is encouraged by the evolution of our nation's efforts to educate students with disabilities and is optimistic about our nation's ability to face the challenges of the future.

Sandra Swift Parrino
Chairperson
National Council on Disability

CHAPTER ONE

Introduction

A good education is a ticket to success in our society; it is a predictor of success in later life, in terms of employment, income, and independence. When we examine the educational status of a group of individuals, we are also, in most cases, examining predictors of their future.

There is perhaps no group of students for whom education is more significant than students with mental and physical disabilities. A good education can mean the difference between a life of dependence and unemployment and a life of independence and productivity. In a society too frequently preoccupied with defining people in terms of their *disabilities*, a good education offers people an opportunity to define themselves in terms of their *abilities*.

Fourteen years ago the U.S. Congress enacted legislation that has been revolutionary for students with disabilities. The Education for All Handicapped Children Act, P.L. 94–142, guarantees a free appropriate public education to all students with disabilities. Students with disabilities are entitled to special education, or specially designed instruction, at no cost to parents, to meet the unique needs of the child. The effect of this legislation has been significant. It has opened doors that were once closed and created opportunities where once there were none. It has provided a beacon which has shown the way for over 4.4 million elementary and secondary aged students with disabilities and their families to enter through school house doors.

We are at a point in time where we might say that the foot of students with disabilities is clearly in the door. Wholesale segregation and denial of participation to students with disabilities are for the most part behind us. Where they continue, the mechanisms to oppose those practices are well established and being utilized. America's commitment to the right to education for students with disabilities is known throughout the world.

Today the education of students with disabilities is at a crossroads. The focus over the past 14 years in educating students with disabilities has been on processes and procedures related to special education with access to a public education as the goal. The time has come to shift the focus to quality and student outcomes. Simply assuring that services are present or placing students with disabilities into general classrooms is no longer good enough.

The National Council on Disability undertook this preliminary study of the education of students with disabilities in order to begin an examination of what happens to students with disabilities once they go through the doors into the school house. The time has come to ask the same questions for students with disabilities that we have been asking about students without disabilities:

- Are they achieving?
- Are they staying in school?
- Are they prepared to enter the work force when they finish school?
- Are they going on to participate in postsecondary education and training?
- Are they prepared for adult life?

Six years ago, in April 1983, a report was issued that set the stage for educational reforms which continue to this day. This report, *A Nation at Risk* (National Commission on Excellence in Education, 1983) was a report card on American schools that no parent would want to receive from their child at the end of a grading period. It was a report card that said in bold letters "NEEDS IMPROVEMENT."

Since the issuance of that report, educational reform initiatives have been developed and implemented across the country. There are magnet schools, increased graduation requirements, and merit pay programs. Students take more achievement tests than ever before. Schools are being held accountable for student learning. These efforts are important and are making a difference. But what about students with disabilities?

For the most part school reform efforts have not been directed toward addressing the special challenges that students with disabilities face. There is a perception that students with disabilities have a separate system, called special education, that will address all their needs. There is a separate funding stream for them, separate classes for them, separate teachers for them, special rights for them, etc. Many believe that they are well provided for in their separate system, and in fact better provided for than many other groups of students.

But when we pause and compare the outcome indicators for students with disabilities and indicators for students without disabilities, a different picture emerges. In all cases, it appears that students with disabilities are significantly lagging behind their peers without disabilities.

—Where only 15% of all adults aged 18 and over have less than a high school education, 40% of all persons with disabilities aged 16 and over did not finish high school (Harris and Associates, 1986).

—Where the dropout rate is 25% for all students, it is 36% for students with disabilities (Wagner, 1989).

—Where 56% of all students participate in postsecondary education programs, only 15% of students with disabilities do (Wagner, 1989).

—While the unemployment rate is about 5% nationally, a full 66% of all Americans with disabilities between the age of 16 and 64 are not working (Harris and Associates, 1986). According to a recent Census Bureau report (U.S. Department of Commerce, Bureau of the Census, 1989) the unemployment rate of people with disabilities is 14.2%.

By any standards, these statistics are not acceptable. They indicate that access to education is simply not enough and that we have a lot of work to do.

Background of the Study

This report is the culmination of a year-long study by The National Council on Disability. The study was funded by the U.S. Congress, which directed the Council to begin studying priority issues related to the education of students with disabilities.

The status of education for students with disabilities has long been a priority for the National Council. For years, the Council has repeatedly heard from parents, students and service providers across the country regarding concerns related to the education of students with disabilities. Moreover, education is a strong personal priority for many Council members, as many are either parents of children with disabilities or persons with disabilities themselves who have vivid memories of their own educational challenges.

In 1986, with the issuance of *Toward Independence*, and again in 1988 with the issuance of *On the Threshold of Independence*, the National Council on Disability called for the establishment of a national commission to examine the quality of the education of students with disabilities in America. The Council was concerned that no independent national assessment of the education of students with disabilities had taken place since the 1975 enactment of P.L. 94-142, The Education for All Handicapped Children Act. In addition, the Council was concerned that school reform efforts sweeping the nation were not addressing the special challenges faced by students with disabilities. While a full-fledged commission was not established, funds were made available for this preliminary study.

This report is the outcome of several activities of the year-long study *The Education of Students with Disabilities: Where Do We Stand?* including a review and analysis of recent studies and articles related to the education of students with disabilities, consultations and interviews with parents, students, professionals and leaders in the public and private sectors, the development of issue papers, and four days of formal hearings with over 50 witnesses providing testimony. (See Appendix A for a list of all witnesses).

Testimony from witnesses provided a base of information from which the findings in Chapter Three are drawn. Hearings were organized around key topic areas of national significance related to the education of students with disabilities. The topic areas included parental and student satisfaction with educational services; the unique needs of minority, rural, native American and military families; effective parent-school partnerships; resolving differences through due process procedures; the education reform movement and students with disabilities; Federal leadership, the Federal-State partnership, the relationship between general education and special education; the role of separate schools, transition from school to adult life, employment; and international issues.

Witnesses for the hearings came from across the nation and were representative of a range of disabilities and a range of perspectives. The Council heard testimony from parents and students, general educators and special educators, researchers and teacher trainers, Federal leaders and State leaders, school principals and local school board members, State and local directors of special education, providers of related services and adult services, administrators of private schools, college teachers, employers and international researchers and leaders.

Testimony provided by witnesses, as well as other activities of this study, reinforced the Council's view that a continued effort to independently assess the nation's efforts to educate students with disabilities and make recommendations for improvements is needed. The Council envisions this study as a foundation for a National Commission on Excellence in the Education of Students with Disabilities.

National Commission on Excellence in the Education of Students with Disabilities

The National Council on Disability recommends that a two-year National Commission on Excellence in the Education of Students with Disabilities be funded by the U.S. Congress. This recommendation is a reaffirmation of a similar recommendation made by the Council in its reports to the President and the Congress in 1986 in *Toward Independence* and in 1988 in *On the Threshold of Independence*.

The National Council believes that the challenge of improving the education of students with disabilities is one that can only be successfully met when a range of public organizations, professionals, government entities, parents and students, and representatives of the private sector join in partnership to respond. The National Commission on Excellence in Education of Students with Disabilities would consider the areas of inquiry outlined in Chapter Four of this report. The Commission would continue assessing the nation's efforts to educate students with disabilities and would provide stakeholders from a wide range of perspectives an opportunity to participate in developing a vision and strategies for the future (See Chapter Four of this report for a further discussion of the Commission). The Council believes that a National Commission on Excellence in Education of Students with Disabilities will make a significant contribution in ensuring that our nation is providing the best education possible for these exceptional students, and thus ensuring them opportunities to be adults who are contributing members of society.

CHAPTER TWO

The Education for All Handicapped Children Act (Public Law 94-142): A Profile

Introduction

In 1975 the U.S. Congress passed one of the most comprehensive education laws in the history of this country: the Education for All Handicapped Children Act P.L. 94-142. The Act brought together various pieces of State and Federal legislation into one national public law, which makes available to every eligible student with a disability a free and appropriate public education.

The law provides for

- Nondiscriminatory and multidisciplinary assessment of educational needs.
- Parent involvement in the development of each child's educational program.
- Education in the least restrictive environment.
- An individualized educational program (commonly referred to as an IEP).

Nondiscriminatory and multidisciplinary assessment. Public Law 94-142 incorporates several provisions related to the use of nondiscriminatory testing procedures in the labeling and placement of students with disabilities. These provisions include testing children in their native or primary language whenever possible, using evaluation procedures selected and administered by a multidisciplinary team to prevent cultu[illegible]acial discrimination, and using assessment tools validated for the purpose for which they are being used.

Parent involvement. According to the procedural safeguards mandated in P.L. 94-142, parents of students with disabilities have the right to consent in writing before the student is initially evaluated and receives specialized services. Parents may request an independent education evaluation if they feel the school's evaluation is inappropriate. This independent evaluation is at public expense if a due process hearing decision concludes that the school's evaluation was inappropriate.

The law mandates parent participation on the multidisciplinary team that develops the IEP and eventually places the student. Parents may inspect and review educational records and challenge information believed to be inaccurate, misleading, or in violation of the student's privacy. A copy of the information contained in their child's educational record must be provided to parents on request. Finally, parents can request a due process hearing when there is disagreement between the school's proposed education program and the views of the family.

The least restrictive environment. P.L. 94–142 mandates that students with disabilities receive their education with nonhandicapped peers to the maximum extent possible. The law also requires schools to offer a range of placements consistent with the individual needs of each student. In order to meet this requirement, schools have developed services ranging from placement in a general education classroom with support services to homebound and residential programs. A student may remain in the regular classroom with consultive services. These services may range from assisting a regular classroom teacher in the use of tests or modification of curriculum to direct instruction with students in the classroom setting.

Another option is for the student to be served in the regular classroom for a majority of the school day, but attend a "resource room" for specialized instruction. A resource-room program is under the direction of a qualified special educator, and the amount of time a student spends in the resource room varies according to student need.

Placement for a student with a disability may also involve full- or part-time participation in a special education classroom. Some interaction with nonhandicapped peers may take place for at least part of the school day, either in a formal instructional setting or during recess periods, lunch, assemblies, field trips, or during tutoring experiences. It is also possible for a student to be removed from the regular education facility to a classroom in a separate facility specifically for students with disabilities. These facilities include special day schools where the educational program is one aspect of a comprehensive treatment program. Some students, because of the severity of their disabilities, do not attend any school program and receive service through a homebound or hospital program. If a public school program is not available to meet the unique needs of a youngster with a disability, the public school system may pay for the youngster to go to an appropriate private school.

The Individualized Educational Program. The Individualized Educational Program (IEP) is developed from assessments conducted by the multidisciplinary team, and is designed to meet the individual needs of each student with a disability. The IEP is intended to provide more continuity in the delivery of educational services on a daily as well as an annual basis. All IEPs contain some common elements: (1) a child's present level of performance, (2) statement of annual goals, (3) short-term instructional objectives, (4) related services, (5) percent of time in regular education, (6) beginning and ending dates for special education services, and (7) annual evaluation.

The 1986 Amendments to the Education of the Handicapped Act (P.L. 99-457)

It is important to note that the Education of the Handicapped Act was extended under The 1986 Amendments to the Education of the Handicapped Act (P.L. 99-457). This legislation, signed into law on October 8, 1986, establishes: (1) a new mandate to provide a free and appropriate education for all handicapped children ages three through five; and (2) a new early intervention program for infants and toddlers ages birth through two.

Under P.L. 99-457 the rights and protection extended to school-age children (ages 5 through 21) are extended to three- and four-year-olds as well. All States receiving funds under P.L. 94-142 must assure that these preschool-age children are receiving a free appropriate public education by the 1990-1991 school year. P.L. 99-457 also established a State grant program for handicapped infants and toddlers ages birth through two years. Infants and toddlers who are developmentally delayed as defined by each State are eligible for services that include a multidisciplinary assessment, an individual family service plan (IFSP), and case management services

Evaluating the Effectiveness of P.L. 94-142

One of the most unique features of P.L. 94-142 is that, unlike other Federal education programs, it is permanently authorized by the U.S. Congress. It never expires and there is no requirement for periodic congressional review. *In the 14 years since its passage, there has never been a comprehensive evaluation of the effectiveness of P.L. 94-142, either by Congress or an independent agency of the Federal government.* The only ongoing review of the law is the U.S. Department of Education's *Annual Report to Congress*, as mandated in Section 618(f)(12), Part B of the statute. This section requires the Secretary of Education to transmit to Congress "an annual report that describes the progress being made in implementing the act."

This annual report is primarily a demographic profile containing information submitted by the States, results of Federal monitoring practices, and descriptions and findings from research conducted under the auspices of the U.S. Department of Education's discretionary grant programs. National statistics on the number of students with disabilities who receive special education and related services are presented with respect to type of handicapping condition and various age groups. The *Eleventh Annual Report* (U.S. Department of Education, 1989) also contains information on placement settings and their relationship to the least restrictive environment provision of the law.

The remaining sections in this chapter highlight selected demographic information from both the *Tenth and Eleventh Annual Reports to Congress* (U.S. Department of Education, 1988, 1989), as well as testimony provided to the National Council on Disability and other published sources. The purpose is to provide a basic profile on selected issues relative to the implementation of P.L. 94–142, including the Federal-State partnership, funding number and type of students served under P.L. 94–142, student graduation rates, post-school outcomes, variations in educational placement, and due process procedural safeguards.

The Federal-State partnership in the education of students with disabilities. The foundation of this partnership is the conviction that local autonomy is essential and that an informed citizenry is central to democracy. Although education is primarily a State responsibility, the process of education and its outcomes have always been a part of the national interest. The role of the Federal government in contemporary education has been characterized as encompassing three areas of concern: equal opportunity, advancement of knowledge, and capacity building (Evans, 1989). P.L. 94–142 represents the national policy regarding access to equal educational opportunity for students with disabilities.

The quality of education has emerged as an additional area of Federal concern since the 1983 publication of *A Nation at Risk* (Schenet & Irwin, 1988). National reform efforts designed to improve the quality of education have rekindled the Federal-State relationship debate because of the conflict inherent in any national effort to improve an enterprise whose quality is in large measure considered to be derived from local autonomy. The challenge for the Federal government is to develop policies that encourage educational excellence without sacrificing the commitment to equal opportunity, the advancement of knowledge, or capacity building.

Access to educational services for students with disabilities. As reported in the *Eleventh Annual Report to Congress* approximately 4.5 million students with disabilities received specialized educational services in the 1987–88 school year, or 11% of the total school population. This number represents a 21.2% increase over the figure reported in 1976–77. The largest single population of eligible handicapped students is labeled learning disabled (47%), followed by speech impaired (23.2%), mentally retarded (14.6%), and emotionally disturbed (9.1 %) (U.S. Department of Education, 1989).

Funding. An estimated total of $16 billion in public funds was expended on special education during the 1985–86 academic year, approximately a 10% increase in expenditures (when adjusted for inflation) for special education since 1977–78 (Eleventh Annual Report, 1989, pp. 118–119). The $16 billion figure represents about 12% of all expenditures on elementary and secondary education in the United States.

Federal support from the State grant program of P.L. 94–142 reached approximately $1.5 billiion in 1989. Although Federal funding has now reached approximately 9% of the total outlay of public funds for special education services (Irwin, 1989), the figure is well under the government's 40% commitment of the annual per pupil expenditure for students with disabilities.

Student graduation rates. Students with disabilities have significantly lower graduation rates than their nondisabled counterparts. The recently released National Longitudinal Transition Study reported that among students with disabilities who take graduation competency tests, almost one in four failed to pass any part of the exam, a third passed some of the test, and four students in ten passed the entire test (Wagner & Shaver, 1989, Table 9, p. 18).

The *Eleventh Annual Report to Congress* indicates that 41% of all students with disabilities fail to graduate from high school with either a diploma or certificate of completion. This figure is comparable to data reported in The National Longitudinal Study (Wagner & Shaver, 1989). This study indicated that over a two-year period 44% of students with disabilities failed to graduate from high school. Approximately 3% of all students with disabilities "age out" of the public schools by reaching the maximum age for eligibility (21 years old).

Post-school outcomes. Substantial numbers of students with disabilities are unemployed, live at home, and have few friends following their school experience. According to the National Longitudinal Transition Study, fewer than half of students with disabilities who had been out of school for more than one year had found paid employment. Among those employed, less than 30% had full-time jobs, as compared to about 40% of all noncollege high school graduates. Fewer than 15% of youth with disabilities enroll in postsecondary courses in their first year out of high school, as compared to 56% of nondisabled youth (Wagner, 1989).

Approximately 31% of youth with disabilities who had been out of school for more than 12 months had not engaged in any productive activity such as postsecondary education, employment, job training, volunteer work, or child care during the previous year (Wagner, 1989). Despite these data, students with disabilities are capable of learning and of becoming active, productive members of our society. Susan Hasazi, a Professor at the University of Vermont, told the Council that in a study of postschool outcomes of students with disabilities, those who have employment experience while in high school are more likely to be employed during the adult years. Students who participated in integrated vocational education experiences were more likely to be employed with better wages following high school.

Variations in the placement of students with disabilities. According to the *Eleventh Annual Report to Congress* (1989) approximately 27% of students with disabilities received special education in regular classes, while 43% were served primarily in resource rooms and 24% were served in separate classes in regular education buildings. About 6% of special education students received their education in segregated day or residential schools.

In a study on State variation in placement, Danielson and Bellamy (1989) reported the overall rate of placement of students with disabilities in segregated schools has changed little since 1975. However, States vary greatly in their placement of students in segregated schools, from a rate of nearly 15,000 per million in the District of Columbia to 600 per million in Oregon. Placement patterns also vary by disability category. Students served in regular classrooms or resource rooms were primarily those with learning disabilities (77%) or speech impairments (92%). Nationally, 56% of mentally retarded students were placed in separate classes.

The due process procedural safeguards. Due process procedures were included in P.L. 94–142 as a way of ensuring that the educational rights of students with disabilities and their parents would be protected. The due process procedural safeguards contained in the law are based on the Fifth and Fourteenth Amendments to the Constitution, which state that no person shall "be deprived of life, liberty, or property without due process of law" and that "no state shall make or enforce any law which shall abridge the privileges or immunities of Citizens of the United States; nor shall any state deprive any person of life, liberty, or property without due process of law." The specific due process procedures available to parents and children in any matter concerning a child's identification, evaluation, or placement must include:

1. Written prior notice to parents of any change in their child's program (such notice must be in the parent's native language).
2. Access to school records.
3. An opportunity to obtain an independent evaluation.

4. The designation of a surrogate parent to advocate on behalf of children who are wards of the State or whose parents or guardians are unknown or unavailable.
5. The opportunity to present complaints (request a due process hearing) before an impartial hearing officer in any matter relating to the identification, evaluation, or placement of a child, or the provision of a free appropriate public education.
6. The right of the child to remain in his or her current placement until the due process proceedings are completed.
7. The right to bring a civil action (appeal to court) if any party is aggrieved by the outcome of the due process hearing.
8. The opportunity for parents who prevail in an administrative proceeding (hearing) or civil action (court) to recover their attorney's fees and related expenses. (This is a 1986 amendment to P.L. 94–142).
9. Notification (in the parent's native language) of all due process procedures.

When parents and the education agency disagree about a child's disability, placement, program, needs, or related services, a due process hearing may be initiated to resolve the disagreement. Either side may be accompanied and advised by an attorney, and by individuals with special knowledge or training with respect to the child's disability. At the hearing both sides present evidence by calling witnesses and an independent hearing officer decides which side is correct and what relief is necessary. The entire process from the time a written complaint is filed to the time a decision is issued should not exceed 45 days unless a continuance for good cause is granted. The hearing process varies by State. For example, some States have a two-tiered hearing process resulting in hearings at the local and State level. Other conduct hearings only at the State level. In either case both sides have the right to appeal the decision of the hearing officer in court. Appeals may be made all the way to the Supreme Court if necessary.

Since the enactment of P.L. 94–142 almost 15 years ago, less than 1% of parents of children with disabilities have requested due process hearings, according to the National Association of State Directors of Special Education (NASDSE, 1985). Witnesses who appeared before the Council suggested that this may result in part from a lack of affordable and/or trained attorneys available to represent parents. They testified also that parents are not uniformly aware of the safeguards under the law, nor do they always understand their rights.

CHAPTER THREE

Findings

The findings that follow are the result of the National Council's analysis of testimony presented by over 50 witnesses in four days of formal hearings, a review of recent studies and articles related to the education of students with disabilities, consultations with parents and professionals throughout the country, and the development of issue papers on selected topics.

A Student and Parent Perspective

Providing a platform for the perspective of parents has always been a strong priority of the National Council on Disability. Some Council members have disabilities; others are parents of children with disabilities. All Council members are acutely aware of the important role played by parents in the education of their children. Furthermore, the Council understands that P L. 94–142 established parents as important agents of accountability and that parents provide much of the energy and enthusiasm behind the scores of parent support and disability awareness groups around the country that have helped to increase awareness and support for appropriate educational services in our nation's schools.

Finding 1:

Parent-professional relationships too often are strained and difficult, and parents and professionals frequently view one another as adversaries rather than as partners.

In testimony before the Council, parents indicated that in far too many communities the interactions with school personnel on behalf of their children with disabilities is adversarial. Mrs. Kathy Mitten, a parent from Georgia, testified before the Council that when she asked to be part of the decision-making process at her daughter's Individualized Educational Program (IEP) meeting, the response was:

> "It is nice you are here. We would like you to be here, but we are the professionals. We make the decisions." . . . When I pointed out that I am the professional, since I had spent 11 years with this child in the severe/profound field, and the teacher had only spent one year, they kind of backed away and said, "All right, Mrs. Mitten, we will listen to what you would like to say."

Research findings indicate that strong parent involvement in their children's education results in students who perform better. In describing for the Council a review of over 50 studies of student achievement, Anne Henderson, Executive Director of the National Committee for Citizens in Education, reported a remarkable consensus that parent involvement *of any kind* results in children who achieve more in school than do the children of parents who are not involved. These findings hold true for children and parents in every social and economic class. In fact, research documents that parent involvement is most effective when it continues in a variety of ways throughout the schooling years. Furthermore, children whose background places them "at risk" of failing or falling far behind will outperform their peers for years if their parents are given training in home teaching techniques (Henderson, 1988).

Many observers argue that the adversarial nature of the special education process, including the due process procedures, unnecessarily pits the parent and the professional against one another. Parents report that they must remain vigilant to ensure that the protections afforded by P.L. 94-142 are honored and retained. According to Mrs. Jamie Ruppmann, a parent who testified before the Council:

> We began to realize that the special education process—that is the regulatory, the procedural requirements built up around the education of handicapped students— was beginning to take on a formidable construct of its own. In the words of one respected professional educator. . . "Special education is becoming big business with a vested interest in perpetuating itself." It was not unusual for us and other parents to find 10 or 12 educators and administrators around the table as we met, presumably to discuss the needs of our child. We often felt outnumbered and overwhelmed by the process. There was then, and remains to this day, a huge edifice built around the public school education of students with disabilities. It is a system that is hard to access and it is a system that often fails to provide an effective mechanism for assuring that children like Daniel and Stefan receive competent teaching.

Finding 2:

Some parents have difficulty finding appropriate services for their children.

Information provided to the Council from parents and parent advocates from around the country indicates that it sometimes is difficult or impossible to obtain the services parents believe are needed by their children. In a letter to the Council, Lynda Marshall of Pasco, Washington, who works as a community liaison with a parent training and information center (PAVE), summarized her experiences:

> Parents frequently call me very frustrated with the education system in this country for one reason or another. Most of the time

> they feel their children are not receiving the services or the education they are supposed to be receiving under P.L 94–142. They have to "fall behind" before getting help . . . Part of the problem for our children is motivation, lack of goals, and lack of training for jobs at the high school level. If 50 percent or more of the kids who graduate do not go to college, who is preparing them for jobs? The answer is nobody. There are a fortunate few who enter some job training, but most of our kids receive very little in that respect.

When parents must work hard to secure the services they believe their children need, they often do so at the cost of becoming "professional parents." In testimony and written accounts of the period before the Congress enacted P.L. 94–142, and in recent reauthorization hearings before the Congress and the Council's own hearings, a recurring pattern appeared. Parents of children with disabilities, who already have extensive parenting responsibilities, all too often devote many hours, day in and day out, to assure that their children receive a free and appropriate education. In fact, a recent Harris poll indicated that more than half of the parents surveyed (56%) reported that they had to work hard to obtain services for their children (Harris and Associates, 1989).

According to this poll, the majority of students with disabilities need and obtain related services, however, sizable numbers do not receive the services they need. Of classroom teachers surveyed, 38% reported that there are students with disabilities who either have not been identified or are not receiving services (Harris and Associates, 1989). Mrs. Kathy Mitten, who works in the Georgia office of Specialized Training of Military Parents, told the Council:

> . . . the states are "evaluating" children to deny them service. "I don't have this service, and I don't have this service. We don't have the money for this service. We will need to re-evaluate." And when they finish their evaluation, the child is no longer in need of the service. And this is going on again and again, and again. And it is not just in the South...I deal with parents all over the United States.

Few school systems can make available all of the options desired by different parents. Service availability may be such a major problem for low-incidence disabilities such as hearing and vision impairments that students are sometimes placed in general classrooms with inadequate services, with the "least restrictive environment provision" of P.L. 94–142 cited as a rationale. Some parents believe they have two service options: full service in a segregated setting, or few if any services in a general classroom setting.

Students who are emotionally disturbed may receive inadequate, fragmented services. Testimony mailed to the Council by Joyce Robin

Borden, the mother of a student with emotional disabilities, illustrates a common problem across the country: "No one program has ever met my son's needs because no program from any one system was able to look at the whole child. Both my child and I were identified by labels and received services according to the designated label."

Recent testimony before Congress (Forness, 1989) suggests that students with emotional disabilities are one of the most underserved and inappropriately served disability groups. Comprehensive and coordinated services frequently are not available in the community, so students often are placed in residential settings.

In some cases State funding formulas contribute to the problem of unavailable services. Mrs. Joyce Altizer, a parent from a rural area of West Virginia, told the Council that many people in West Virginia believe that "special ed. is draining resources from regular education." She went on to explain:

> We have a very complicated state formula mechanism [in West Virginia] where special needs students are triple-weighted. And that means that for every dollar appropriated for a regular education student, special needs students are given three dollars. Sounds good, doesn't it? There is a catch. The catch is that those funds are not earmarked and that the county superintendent and his board may spend it on whatever they please. It can be spent on salary increases for the administrators; it can be spent on football helmets; it can be spent on regular ed teachers who never see a disabled child during the course of a day. The truth is, as I see it, special education is propping up general ed at the same time we are accused of robbing it.

Some parents testified that some of these problems could be resolved with a better Federal monitoring process. They told the Council that the current process does not adequately track how funds are spent, does not focus on quality issues, results in extensive delays in the issuance of reports, and excludes parents from parts of the review process. In West Virginia there was a two-year delay in issuing a compliance report that documented serious problems with least restrictive environments, shortages of related services, and children not being served. Ms. Altizer described the plight of parents in West Virginia:

> Parents are drowning in despair. We are fighting case-by-case. We are moving that mountain a teaspoon at a time. We need the CAP, that Corrective Action Plan, to be able to start making these needed, positive changes.

Cutting off Federal funds hardly solves the problem in a State or community that needs improvement in providing services. Ms. Altizer believes that accountability is such a great problem in West Virginia that Federal funding for special education should be increased only *after* improved monitoring procedures ensure greater compliance with the law.

Finding 3:

Parents and students report that some schools have low expectations for students with disabilities and establish inappropriate learning objectives and goals.

Testifying before the Council, Mrs. Ruppmann, a parent of two students with disabilities, addressed the problem of inappropriate educational objectives and goals:

> What is lacking is a respect for the kinds of things that it is necessary for students with disabilities to learn. Our youngsters get very few governor seals on their high school diplomas, and that appears to be what we value in this country right now in the midst of educational reform. And I suggest we have hundreds and thousands of students who somehow have been left along the way, despite the edifice, despite the cost, despite the busing, despite the research, despite the rhetoric, teaching and learning.

The absence of high expectations for students with disabilities is both insidious and damaging. Mr. Fred Schroeder, who is Executive Director of the New Mexico Commission for the Blind, and who is himself blind, described being excluded from spelling, reading, and algebra assignments, yet receiving a graduation diploma in good standing:

> . . . I never was obliged to take spelling, because it was presumed that I would spend my life listening to tapes, so why bother having me do spelling? I was exempt from all homework assignments, virtually all of them as I went through school, virtually all reading assignments in class . . . I graduated with a high school education without ever taking algebra, although it's on my transcript. The teacher said to me, "if you show up every day, I'll give you a C." . . . [I also went through] without ever taking biology, without ever taking physical education. So, I was successfully mainstreamed and have a high school diploma with a 3.0 grade point average on it. What in the world did that mean? What it means is, I had a very, very inadequate education, and the worst thing that it meant for me is as a young child going through the program, I felt inferior to sighted kids, and I felt inferior, I thought, because of blindness. It never dawned on me that if I had some other kinds of training that I'd be able to compete.

Although a different kind of training was needed, Mr. Schroeder clearly was not expected to excel. In fact, Mr. Schroeder told the

Council that a blind child is almost incapable of failing, because "expectations are adjusted down." Mrs. Ruppmann, the mother of two sons with disabilities, shared with the Council that one of her sons told her: "People think you are stupid if you are in special education." Kathy Mitten, the aforementioned parent of a child with multiple disabilities from Georgia, asked for a report card for her child with an indication of achieved goals. The teacher refused: "These kids almost never achieve their goals," she told Mrs. Mitten. The downward adjustment of expectations is a common problem; successful students report that their parents often are responsible for setting high standards for academic achievement.

Mrs. Ruppmann told the Council that the grades of one of her sons went up after he left special education. Ms. Premo, a Council member with a vision impairment, commented that she had the same experience: "I wanted to achieve to the level of the students around me. And in special ed. there was no requirement to achie

Mr. Michael Snyder of Massachusetts Bay Community College, a former special education student with a learning disability, gave the Council this suggestion for resource room teachers:

> I still feel that there needs to be extra assistance from, say, the resource room, but the emphasis needs to be different. Instead of concentrating on teaching remedial skills, they should take time aside and teach learning strategies, . . . work on teaching independence, . . . and raising students' self-esteem. I think so many students have such a low self-esteem . . .

During his testimony, Mr. Snyder described peer tutoring as a means both of learning and of bolstering self-confidence and self-esteem.

The Council also heard about the success of many students with disabilities. In addition to the strong involvement of parents, students respond to the involvement of caring and skilled teachers who make an enormous difference in their lives. For example, David Shawhan, a student from Columbia, Maryland who has visual and gait impairments, told the Council that a speech teacher persisted in enrolling him in speech class. The training obviously had a major impact on the self-confident young man, who convinced school administrators to install stair railings in his high school auditorium so that he could claim his high school diploma by walking up the steps and across the platform with his peers.

Finding 4:

Services often are not available to meet the needs of disadvantaged, minority, and rural families who have children with disabilities.

The absence of accessible and culturally relevant information about parents' rights and service systems is often an obstacle to full parental involvement. Many parents who are disadvantaged, are members of minority groups, or reside in rural areas face the dual challenge of providing for a child with a disability and meeting the challenge presented by their unique circumstances. Communication between school personnel and families may be flawed by language difficulties and cultural differences that affect the manner in which information is received and understood. As a result, the school may not be perceived by families as offering a meaningful service.

Some rural communities are difficult to serve because of their diversity as well as their relatively small populations and the often large distances between communities. Rural communities exist in all climates, encompass a wide range of ethnic and cultural groups, and are characterized by a spirit of independence and ingenuity. Some are close to major population centers; others are many miles from the nearest city and isolated by impassable roads or waterways during winter months.

Several trends have emerged in recent years that indicate the need for a focus on minority students with disabilities. These trends include (1) an increase in the number of minority children attending school, (2) the persistence of poverty in minority communities, (3) the vulnerability of minority children to developing disabilities early in life and (4) the overrepresentation of minority students in special education classes (National Information Center for Children and Youth with Handicaps, 1987). Projected increases of the number of minority children and the number of children in poverty combined with the vulnerably of minority populations to factors that increase the risk of developing disabilities (such as poor maternal nutrition and low birth weight) indicate that the need for special education services among minority children will likely increase (National Information Center for Children and Youth with Handicaps, 1987). Recent testimony before Congress (Simon, 1989) cited the need for consistent Federal, State, and local attention to the diverse issues confronting minority and culturally diverse children and youth with disabilities and their families.

Although culturally relevant materials and outreach strategies have become code words among information providers, few people know what the words mean in practice. Different outreach strategies work in different communities. Latin-American communities are varied, as are the cultures of Native American and other ethnic groups. Different approaches are needed in the American South than in New York City, and different ones in the Midwest than in the Far West or Appalachia.

The challenges experienced by disadvantaged, minority, and rural families are many and varied. According to witnesses who spoke before the Council, they can be summarized as follows:

- Funding inadequacies top the list, especially with the high cost of transportation in rural areas. It is costly to move specialized personnel across large distances to serve individual students. Much of specialists' time is devoted to traveling. American Indians often lack funds to pay the transportation costs of sending their children to a school off the reservation. For the same reason—the cost and difficulty of arranging transportation—it is difficult to organize or train parents or to involve them in their children's education. Low budgets, transportation costs, and time requirements may also make it difficult to provide enough services (staff must spend considerable time traveling) or to arrange staff development and training sessions.
- According to witnesses who testified before the Council, conditions among many low-income families in the inner city and elsewhere (such as substance abuse, poor nutrition and substandard sanitary living conditions, children bearing children, and inadequate health care) are associated with high rates of disability.
- Parents who focus their energies on basic survival may find it very difficult to provide the extra attention needed by a child with a disability. They may lack the skills and energy needed to push the school to provide needed services. Few parents in these low-income communities have the time and energy to devote to volunteering in the schools or advocating for better services, activities that have resulted in better services in middle-income communities.
- Recruiting and retaining qualified staff is difficult. Salaries tend to be low in rural and disadvantaged areas, and professionals may feel isolated and miss the stimulation of working with professional colleagues and adequate resources.

Finding 5:

Families in the military are not universally entitled to the services or the protections guaranteed under P.L. 94-142.

Military families face an unusual set of circumstances. First, service members are frequently reassigned both within the continental United States and overseas, meaning that family members must move frequently.

For a number of reasons the difficulty of frequent moves is increased if a child in the family has a disability.

The 18 schools on military bases in the United States funded by the Department of Defense, "Section 6 Schools," do not come under the jurisdiction of P.L. 94–142. Rather, a military directive states that the services provided by military schools must be consistent with those provided by schools in neighboring communities. Military parents do not have due process rights established under P.L. 94–142; instead they use Directive 1020.1, an Equal Employment Opportunity process.

Problems in using the Equal Employment Opportunity process have been reported. For example, the school system at West Point has refused to evaluate a child with cerebral palsy and does not provide special services to the child. The family went through the Equal Employment Opportunity process, which, according to Mrs. Mitten's testimony, found "West Point Elementary in noncompliance with Public Law 94–142 and New York State Law. The staff judge advocate, in agreement with the Garrison Commander, then reversed the determination of the investigators."

Apparently military families in the United States are not obtaining recourse under Section 504 of the Rehabilitation Act, either. According to Mrs. Mitten:

> The Office of Civil Rights refuses to set foot on the installation, and to find noncompliance under 504. The regional hearing officers have absolutely said they will not come onto the installation and find discrimination. So, you've got a whole group of military people, citizens of the United States of America, that will go die, they will die for these rights, and yet they are told they don't have these rights because the military has decided to write up their own directives, decided how to read this law.

Mrs. Mitten added that military personnel are in a difficult position when it comes to questioning authorities about their children's education: "You will not find too many military folks who are going to take on a school system, such as the Department of Defense system, because they are suing their boss, or they are causing a problem for their boss and they are very concerned about their careers."

Parents report that a school in one State is not required to accept an IEP prepared by a school district in another State. This situation can mean that children of military parents go through repeated evaluation processes. When children move in the middle of the school year, this delay may mean that no services are received for several months.

In recent years the military organized an Exceptional Family Member Program, which requires employees to identify all family members with a disability. Although the program was designed to reduce costs by assuring that services would be available only as needed, many military family members report that the service member may be ordered overseas alone if appropriate services are not available for the child with a disability. Some families have reported that Exceptional Family Membership is interpreted as problematic by military superiors, and membership could reduce a service person's career potential.

Safeguarding the Right to Education: Due Process at Work

Finding 6:

There is a perception that the outcomes of due process hearings are biased in favor of the schools.

Parents who testified before the Council reported feelings of intimidation with respect to actually utilizing due process procedures. They described feeling vulnerable and a perception that they do not have an equal chance when up against a school system with an array of professionals and a seemingly endless supply of resources. There is some research that supports the parents' position. For example, less than 1% of parents of students with disabilities have actually been involved in litigation at the State level according to the National Association of State Directors of Special Education (1985). This may be due to the perception that they would not have an equal chance against the school system, or it may be because many parents do not know their rights or are satisfied with the outcome of the process. Moreover, the most frequently cited figure for parent success regarding hearing outcomes is 33% (Sacken, 1988).

Finding 7:

Many parents are uninformed about their rights under the law.

Although school districts are required to inform parents of their rights under the law, witnesses testified that parents frequently report that they are not informed. Studies of the implementation of P.L. 94–142 show that, although procedural compliance with the law has been achieved (for example, notice of parental rights is routinely sent to parents), obstacles to full implementation remain (David & Greene, 1983). Very few school personnel take the time to assure that parents of students with disabilities understand their rights. Deborah Mattison, an attorney with the Michigan Protection and Advocacy System, testified before the Council that:

> The right to an independent evaluation at public expense is something that we are finding school districts often do not notify parents about. We think that there need to be some recommendations either in a policy or an interpretation, or something from the Department of Education that notification to the parents has got to be meaningful. Oftentimes parents are told that they have the right to an independent evaluation, but they are not told that it can be at public expense. Sometimes they are and that is critical . . . parents know that they can bring in evaluators, but many times they don't have the money to do so, and it would be very different if they know that they could do that at public expense.

Finding 8:

Due process hearings are costly.

Although parents and school officials report that legal or advocate representation is essential from both their viewpoints, the result is costly. Mary Tatro, from Irving, Texas, testified that it cost $200,000 to defend her daughter's right to a free and appropriate public education. Parents who cannot afford representation may not request a due process hearing even though they may recover their costs if they prevail. Martha Ziegler, Executive Director of the Federation for Children with Special Needs in Boston points out that hearings have an emotional toll as well.

Mediation, a voluntary process to resolve special education disputes, has been adopted by a number of States in part because of the high cost associated with due process. In her written testimony, Kristen Reasoner Apgar, Director of the Bureau of Special Education Appeals for the Massachusetts Department of Education stated:

> Mediation is successful in resolving disputes, because it provides a relatively informal forum, voluntarily chosen by each party. The parties themselves determine the outcome, and the proceedings are confidential, permitting free and open discussion and evaluation of offers of settlement. A substantial number of disputes over the provision of special education are resolved through mediation or through the assistance of a mediator.

Finding 9:

There is a paucity of attorneys with expertise in special education law available to represent parents.

Witnesses who appeared before the Council decried what they described as the absence of a sufficient number of attorneys with expertise in special education law available to assist them. Deborah Mattison of the Michigan Protection and Advocacy System reported that 40% of the annual requests for assistance to the Michigan Protection and Advocacy

System are from those seeking assistance in the special education arena. Mary Tatro reported that in Texas the Protection and Advocacy System only takes cases that will affect a large number of children. "Right now," Mrs. Tatro said, "when parents call me and say 'Who was your attorney? We need an attorney.' I say, "there aren't any."

Finding 10:

There are no standard qualification or training requirements for hearing officers.

The law specifies that hearing officers must be impartial. This requirement means that the hearing officer may not be an employee of the agency or unit involved in the education or care of the child. There is substantial variation in hearing officers' backgrounds; over half are lawyers or university personnel (Sacken, 1988). Testimony received by the Council underscores the need for some kind of standardized training or minimum competencies for hearing officers. Attorney Mattison noted:

> Standards regarding hearing officers and hearing officer training are very much lacking. There is really no standardized curriculum for hearing officers. There is no standardized way to collect the data. The hearing officer decisions are all over the map, and I don't believe you have to be an attorney to be a hearing officer, but many of them don't even have the slightest awareness of procedure. Many times, hearing officers have no sense of the difference between a Supreme Court decision and an SEA [State education agency] decision.

Finding 11:

There is no national database that includes the routine collection of data regarding due process hearings.

Although descriptive data have been collected on the outcome of special education hearings, these data are reported in small, inconsistent segments. For example, Sacken (1988) reviewed studies on parental success rates and found a range of 30% to 60%, depending on the criteria used to determine parental success. It is also unclear whether decisions from hearings are considered by State and local education agencies as they create and refine policies.

The General Accounting Office has completed data collection for a congressionally mandated study of hearings under P.L. 94–142 to examine the total number of written decisions, civil actions, number, and types of complaints and prevailing parties. This important national study has examined data from 1984 to 1988 and is expected to provide information that has not been readily available to date. The Council is not aware of any similar, ongoing efforts.

School Reform and Students With Disabilities

Finding 12:

There are several commonly agreed upon characteristics to describe what constitutes an effective school.

Through a review of the literature, the Council found common threads contained in the characteristics of an effective school. These include the following:

- High expectations for success are needed that are linked with a clear and focused mission.
- Strong instructional leadership is essential, with frequent monitoring of student progress.
- Effective schools reinforce positive home-school relations.
- Students should be removed from their regular classrooms only under circumstances in which their instructional program is fragmented; student removal from the classroom does not result in lower expectations; and such removal does not interfere with maximal use of instructional time (Purky & Smith, 1983; Rosenshine, 1979; Stevens & Rosenshine, 1981).

The Council learned that schools with the above characteristics produce positive outcomes for all students, including those with disabilities. In her testimony before the Council, Ms. Ingrid Draper, Executive Director of Special Education for the Detroit Public Schools, addressed this issue: "I choose to think of reforms both in regular and special education as information and knowledge gained from the growing body of research on effective schools which will help us raise the performance of our teachers and our students."

Finding 13:

Most school reform initiatives appear to be a response to declining academic achievement rather than efforts to find ways for schools to meet the diverse needs of all students.

In testimony from Dr. Arthur E. Wise of The Rand Corporation, the Council learned of two distinct strands of school reform: State-oriented (top-down) reform, and client-oriented (school-based) reform. State-oriented reform is a response to the declining academic performance of students in our nation's schools, and proposes a standardization of testing, teaching, and curriculum for all students. In contrast, client-oriented, or school-based, reform focuses on (1) local school-based management, (2) empowering teachers in the decision making process, (3) a high degree of parental access, and (4) individualization of instruction.

Much of the discussion on excellence in the schools is centered around State-oriented reform, the need to establish more rigorous academic and curricular requirements, and increased student testing and evaluation. One primary outcome of State-oriented school reform is more attention to academic rigor, including increased requirements for graduation. Some States are even currently considering the idea of testing for promotion from each grade to the next.

Finding 14:

An essential aspect of school reform is the professionalization of teaching.

Many school reform initiatives propose that university teacher-education programs prepare prospective teachers to work with students representing a wide range of ability, skills, and talents. In fact, much of the effective schools literature suggests that a number of instructional methodologies and techniques (e.g., direct instruction, peer tutoring, cognitive and metacognitive strategies, cooperative learning) are effective for all students. In her testimony before the Council, Mary Dean Barringer from Michigan State University stressed that school reformers are seeking new methods of preparing teachers to "competently work with the most challenging students in situations where they can be professionally and financially rewarded." New teaching models are being implemented that emphasize the breakup of the conventional age grade/structure, the importance of small groups working together with the assistance of the classroom teacher, students taking responsibility for other students, and collaborative rather than competitive learning. Within these new models, effective teachers are characterized as:

- Taking an active, direct role in the instruction of students.
- Providing detailed explanations and instructions.
- Offering ample opportunity for guided practice and review.
- Monitoring student progress closely.
- Consistently providing meaningful feedback to students.
- Creating a positive, expectant, and orderly classroom environment.
- Engineering a high rate of learning time and student success.

Finding 15:

School reform efforts have not specifically addressed the diverse needs of students with disabilities.

The national reports on school reform such as *A Nation at Risk* (National Commission on Excellence in Education, 1983), *High School* (Boyer, 1983) and *A Place Called School* (Goodlad, 1984) have not, for the most part, specifically addressed issues of quality educational services for students with disabilities. The Council learned that this omission has occurred primarily for two reasons. First, special education is primarily viewed nationally as a separate educational system that is disconnected from the regular education reform movement. The special education system has evolved as a separate system with its own set of distinct organizational, educational, and teaching practices. Second, attention to the needs of students with disabilities may be perceived as running counter to the emphasis on a more rigorous academic curricula and higher performance standards. This perception may serve to reinforce stereotypes of students with disabilities as low-achieving, resulting in low expectations for students with disabilities.

Special Education Practices

Finding 16:

Evaluation procedures, disability classifications, and resulting placement decisions vary greatly among school districts and States, and they often are not related to students' learning characteristics.

In her testimony Professor Margaret Wang, Director of the Temple University Center for Research in Human Development and Education, stated that research indicates most procedures for classifying children in disability categories are unreliable, invalid, time-consuming, and costly. She also pointed out that classifications often result in labeling and stereotyping, and that children labeled as having a disability are often isolated in special classes. Furthermore, once children acquire a label, it is rarely lost: throughout the nation, only a very small percentage of children labeled as disabled are returned to the regular classroom each year. Although this research has been challenged (e.g., Kauffman, Gerber, & Semmel, 1988), an important discussion about the validity of evaluation and placement procedures has been initiated.

Mr. Michael Snyder, a student with learning disabilities at Massachusetts Bay Community College, clearly explained his perceptions about labeling during his testimony before the Council:

> The problem with labeling is, once you label somebody, you then categorize them and separate them from others. . . [At a meeting I attended,] specialists went around in circles discussing what tests should be used for admission purposes, and how to use them, but not once did they mention how they should evaluate the students themselves. . . I know that I do not want to be known just as a label and just as a number. I feel there's a lot more to me than that.

Clearly, fundamental questions are being raised about the accuracy of procedures used for student referral and evaluation. According to a study by Ysseldyke (1987), more than 80% of the student population could be classified as learning disabled by one or more of the definitions presently in use.

Data from 28 large cities indicate that referral rates vary from 6% to 11% as a percentage of total enrollment. The percentage of students who are referred and then placed in special education varies even more, from 7.8% to 91.8% (Council of Great City Schools, 1986). In addition, Walker (1987, p.110) has pointed out that an examination of "the variation in statistics between general classroom placements at the state level and state funding formulas [indicate that] states that provide financial incentives for separate placements, or which traditionally have had dual systems of services, place students disproportionately in more restrictive placements."

Concerns have also been raised about the nearly two million students identified as learning disabled (47% of all students with disabilities served in FY 1986–87), and the disproportionate identification of minority students as disabled:

> Although minority students comprise 30 percent of all public school students, they accounted for 42 percent of all students classified as educable mentally retarded [EMR], 40 percent of those classified as trainable mentally retarded [TMR] and 35 percent of those classified as seriously emotionally disturbed [SED]. The disproportion is greatest among Black students who comprised 16 percent of the student body but 35 percent of the EMR students, 27 percent of the TMR students and 27 percent of the SED students. (Lipsky & Gartner, 1989).

The Council is concerned about the overrepresentation of minority students in special education, insofar as some of these students may be improperly labeled and placed in separate settings.

Over and over again, parents and students expressed frustration with the impact of labels on their lives. A witness before the Council, Mrs. Cory Moore, a parent and Information and Education Coordinator of Montgomery County Association of Retarded Citizens and the Community Organizer for the Maryland Coalition for Integrated Education, expressed her contempt for labels this way:

> . . . my middle child. . . carries a number of labels, "mentally retarded," "physically handicapped," "speech impaired," developmentally disabled." In our house we call her Leslie.

Another witness, Mrs. Jamie Ruppmann, a parent of two young adults with disabilities, considers labeling to be a major problem:

> We have always believed that Daniel and Stefan were more like other children than they were different. One of our major concerns is that somehow it seems counter-productive to us, and to other families, that the public schools have assimilated the language and attitudes of what used to be called "the medical model" as they have developed special education procedures and programs. We have routinely encountered the following terms and phrases, and so have you: emotionally disturbed, learning disabled, mentally retarded, physically or orthopedically handicapped, hearing or vision impaired, and inexplicably borderline, or even worse, severe and profound . . . Who could, or would accept these labels and characterizations for themselves, or for their children? . . . Why must we trade our dignity and that of our children for the special supports and resources provided by the public schools? It seems to us, and certainly I think a very real concern of teachers and therapists who work directly with children in the schools, that the act of diagnosing and labeling students places both of us, educators and families, in a very difficult and, we believe, distorted relationship, just at a time when we need to begin to develop trust and effective working relationships.

Dr. Margaret Wang testified that specific labels have not been shown to be related to instruction and that the learning characteristics of many students with mild and moderate disabilities can be accommodated without the use of extensive and expensive assessment procedures. This assertion challenges conventional wisdom, which states that learning problems must be diagnosed through assessment procedures in order to assure proper remediation.

Finding 17:

A highly emotional discussion is taking place about the role of separate schools and the unique instructional needs of students with specific disabilities such as deafness.

During the hearings and review of the literature, the Council heard a clarion call from some witnesses for the full integration of all students into general classrooms. Calls for full integration are based on an equal rights principle, a strong distaste for segregation and all it implies, and evidence of poor outcomes for students with disabilities who have been educated in segregated classrooms and facilities.

The Council also heard articulate arguments that separate schools have an important place in educating students with disabilities. The demand for a continuation of special schools is based on the facts that appropriate services for low-incidence populations such as blind and deaf students are unavailable in many regular classrooms, that many students with disabilities fail in regular classrooms, and that, for deaf children, adequate language and psychological development and cultural and socialization opportunities can only be found in special schools.

Mr. Fred Schroeder, Executive Director of the New Mexico Commission for the Blind and former director of the Albuquerque public school program for blind and deaf children, testified that blind children often need highly specialized training in special schools to prepare them to compete on terms of equality with their sighted peers in a mainstreamed environment. Mr. Schroeder maintains that young blind students require specialized and intensive instruction in Braille for literacy, in white cane traveling for mobility, and in typing skills to enable them to prepare assignments and express themselves in writing. He emphasizes that these skills are important to the development of self-esteem:

> For a young blind child to really develop a self-concept so that he or she can compete, that child has to have the tools to compete. . . If you put a young blind child in a classroom with sighted kids, and the young blind child does not have the skills to compete, then the child will be at a disadvantage and will come away feeling inferior. . . that "I can't compete because I am blind."

Mr. Schroeder stated that the least restrictive environment for the blind child—the most appropriate placement—often is a residential school for the blind so that child will "acquire the skills he'll need to go and truly be integrated in a meaningful way later in his educational pursuit."

Ms. Roberta Thomas, Executive Director of the American Society for Deaf Children and the parent of a teenager who is deaf, told the Council that the "critical issues for deaf children are communication, language acquisition, and identity":

> Deaf children need to acquire language visually through the same natural interaction, exposure and language inundation available to all hearing children every day of their lives. Deaf children also need to feel that it is all right to be deaf.

Most deaf children live in households where no one communicates in sign language. As a consequence, many deaf children have little or no language skill before they reach school. Furthermore, they live isolated lives at home and at school. According to Ms. Thomas:

> Everywhere in this country there are deaf children with neither speech nor sign, placed in regular classrooms with almost no support services. No communication, no language, no socialization, no

> education, no opportunity to acquire even the most basic life skills. These children often become emotionally disturbed. Their desperately depraved condition is consistently blamed on their deafness and not the program.

Ms. Thomas maintains that even a child such as her son, who is completely fluent in both English and American sign language, is inadequately served when placed in a mainstreamed environment:

> I know that mainstreaming is intended to normalize deaf children, but the opposite can more easily happen. Mainstreaming does not usually support deaf children's identity, and puts them at such a disadvantage socially and educationally that they often cannot reach their potential. Their poor performance reinforces the stigma of deafness in the world's view that deafness is something wrong with the people that have it.

Jesse Thomas and Anna Scott, deaf students who testified before the Council on different panels, both told the Council that obtaining an education by focusing all day on an interpreter when in a mainstreamed classroom is extremely difficult. Interpreters often are poorly qualified and may not sign English well, and students find that focusing on a single person all day is both tiring and boring.

According to Ms. Thomas, even if special classes are provided in a collaborative program, deaf children end up in pockets of isolation called "self-contained classrooms," because

> Proximity is not integration. . . deaf children cannot communicate with their hearing peers—they cannot chat in the halls, hang out in the locker room, tell dirty jokes, talk to another teacher, the dietician, the secretaries, the janitor, anyone. Most critically important, they have no deaf adults to look up to.

Ms. Thomas and many advocates for persons who are deaf maintain that access to deaf culture is absolutely essential to the development of self-esteem in the deaf child:

> . . . deaf language and culture provide deaf human beings with a powerful, positive identity, and a self-image as adequate people, rather than as imperfect hearing people, and this self-image makes it possible for them eventually to function better in the hearing world. The unconscious, but terribly destructive message that a deaf person often receives in the mainstream is that his adequacy and success depends upon resembling hearing people.

Quality remains a primary concern in deaf education. The Commission on Education of the Deaf began its report with this statement: "The present status of education of persons who are deaf in the United

States is unsatisfactory. Unacceptably so" (Commission on Education of the Deaf, 1988, p. viii). However, despite the deaf community's dissatisfaction with the quality of education received in deaf schools, these schools are strongly supported because they are believed to be essential components of deaf culture. In fact, Ms. Thomas told the Council that 95% of the testimony before the Commission on Education of the Deaf had to do with the interpretation of least restrictive environment and mainstreaming, "with parents, educators and deaf persons testifying that least restrictive environment was used as a terrible basis for an inadequate education for deaf children, causing deprivation everywhere."

Parents and educators of students with learning disabilities have also written and spoken at length about the devastating patterns of failure and loss of self-concept experienced by these students when placed in general education classrooms without special services. Many students with learning disabilities suffer the frustration of low achievement and the teasing and poor self-image that comes with both poor performance in the regular classroom and the social isolation and stigma of being pulled out for special services.

The nature and quality of services was a critical issue raised by witnesses who spoke about the necessity for special schools. In addition, the unavailability of services—the absence of Braille instructors, for example, or teachers who sign or teachers with the ability to help students compensate for a learning disability or change a behavior pattern—combined with a preference for service delivery within public schools, has too often resulted in integration without services.

Finding 18:

Special education is a relatively separate system of service delivery.

P.L. 94–142 requires that each student with a disability receive an appropriate placement in the least restrictive environment. Although the law emphasizes identification and classification, the prescribed evaluation process does not demand separate categorical programs. In considering placement for an individual student, standards of both appropriateness and least restrictive environment should be met. A standard was established by an 1983 Sixth Circuit Court of Appeals decision, *Roncker* v. *Walker:*

> Where a segregated facility is considered superior, the court should determine whether the services which make that placement superior could feasibly be provided in a non-segregated setting. If they can, the placement in the segregated school would be inappropriate under the Act. (*Roncker* v. *Walker*, 700 F.2nd, 1058, cert. denied, 104 S.Ct. 196).

In their analysis of the factors that produced the current separate system of special education, Gartner and Lipsky (1989) noted that the law has had a strong impact. For example:

> . . . partly as a result of a narrow reading of the stricture that federal aid supplement and not supplant local efforts, school practices in remedial education, so-called bilingual education, and special education have favored separate, "pull-out" programs . . . Teacher training programs in general and in special education, the absence of alternative models and paradigms of integration, made unlikely any other outcome. Additionally, given the reduction in support for remedial education programs in their period, school systems had limited resources with which to support options within general education. McGill-Franzen (1987) points out that the increase in the number of students identified as learning disabled neatly matches the decline in Chapter I participants over the past decade.

Past discrimination and exclusion of students with disabilities from educational services led to provisions in the law that support separate systems:

> While underscoring that it intended to remove the medical treatment model as the basis on which public policy should be set, P.L. 94–142 established the right of students with handicapping conditions to be treated equally and on an individual basis in determining their school needs. But without adjusting the organization of services within schools, changing attitudes toward disability, altering the substantial state and local funding streams that make it difficult to treat disabled students as part of the mainstream, nor collapsing the categorical definitions that define the population as being different, P.L. 94-142 may have served to reinforce a hybrid structure—one with elaborate protections to assure the rights of disabled students, but carried out by a separate delivery system of special education services, which remains in many instances outside the normal scope of school business (Walker, 1987, pp. 107-108.)

Finding 19:

In practice, special education has been defined more as an organizational approach to delivering instruction—as part of a placement continuum—than as a specific body of professional expertise.

Today many people—educators, administrators, parents, and students—tend to think of special education as an array of special services delivered in separate classrooms or pull-out programs. However, special educators are trained in how to assist students with a broad array of learning characteristics to develop educational, social, and practical living skills. That expertise need not be limited to separate settings. With thought and preparation, that expertise can be employed effectively in any setting for the benefit of all students.

Special education specialists have a great deal to contribute to the education of *all* students. No two students learn at the same rate or in the same manner. Special educators are trained to assist students in applying their skills and abilities to different learning situations, and to adapt the learning situation so that more students can learn effectively. The pedagogical implications of the effective schools literature suggest that one effective role for special educators is as consultative teachers, assisting regular classroom teachers in devising and delivering learning programs for individual students, and consulting about instructional strategies and classroom aides.

As a rule, regular education teachers do not receive training in pedagogical techniques for students with disabilities. The 1989 Lou Harris Survey, *A Report Card on Special Education*, concluded that "the majority of both principals and teachers have not had adequate training in special education, and many are not very confident in making decisions concerning handicapped children" (p.5). Furthermore, the survey reported that while regular education teachers have an average of 3 to 4 handicapped students in class for at least part of the day, only 40% have had training in special education (p.6). Many classroom teachers are hesitant to attempt to teach a student with special needs in a regular classroom given their many other responsibilities and lack of training and experience in working with students with disabilities.

On the other hand, few special educators possess the curriculum content expertise of regular educators, and many are uncomfortable about the prospect of teaching a rigorous academic curriculum. Working as teams in the delivery of services, special educators and regular educators can combine their expertise for the benefit of all students. As Mary Dean Barringer, a Teacher Educator in the College of Education, Michigan State University, pointed out in her testimony, special education needs to be defined as a pedagogy, not a separate service delivery system.

Finding 20:

Current pedagogy regarding effective schools and teaching practices can facilitate the integration of special needs students into general classrooms.

Data indicate that in the near future special needs children—students with disabilities, students who are "at risk," and disadvantaged students—will increase significantly (National Information Center for Children and Youth with Handicaps, 1987). It has been argued that the special needs population will become too large a population to label as "different" and segregate into a separate educational system. Some suggest that effective pedagogy, combined with increased resources, must be used in the general classroom to increase the achievement of more students.

Research on subject-matter learning and syntheses of research have identified effective approaches and instructional methods of enhancing learning for children with a wide diversity of learning characteristics. Many of these methods have been developed by special educators, and their expertise, if used creatively and constructively in our schools, can contribute to greater educational gains for larger segments of the school population.

Two principals testified before the Council about how students were integrated into general classrooms in their schools. Dr. Verneta Harvey, Principal of the General John F. Reynolds School in Philadelphia, commented on the importance of in-service training for general education teachers. She also cited the need for teacher incentives and administrative supports for full integration. In her case, she was able to free common planning time for teachers involved in the integration project.

Mr. Arthur Chambers, Principal of the Harry L. Johnson Elementary School in Johnson City New York, described the "Outcomes Driven Developmental Model" that was used to establish fully integrated schools in Johnson City. Mr. Chambers told the Council that the planning process is anchored in four questions:

- What do we want in regards to integrating and mainstreaming handicapped children?
- What do we know? What do research and experience say?
- What do we believe about what we can do?
- What shall we do? How shall we change the way, for example, a school is organized, the way people work together to make a difference?

Mr. Chambers described the change process as "a matter of working with people to change beliefs and change practices. It has been well worth it."

During the question and answer period, Mr. Chambers stated that the most difficult aspect of change from a school leader's perspective is the need to change the culture of the school from one of individual teachers, working alone, to an environment in which everyone shares and works together on teams. He also reiterated the need for prime-time planning time: 40 minutes during each day for each team. He noted that, in addition, substitute teachers are arranged if more planning time is needed.

Tom Skrtic, Ph.D., Associate Professor of Special Education at the University of Kansas, and Arthur Wise, Ph.D., of The Rand Corporation, emphasized during their testimony before the Council that changes in the way schools are organized and administered must take place if schools are to more effectively meet the educational needs of all students. Effective schools share a number of organizational and operational characteristics, including empowerment of teachers, teacher collaboration, integrated classrooms, parental involvement, and effective teaching practices.

The Federal-State Partnership

Finding 21:

A strong Federal role in educating students with disabilities is essential.

The Federal role in providing leadership and a national policy for the education of students with disabilities enjoys widespread public support and has made a significant difference in the lives of students with disabilities and their families.

Dr. Franklin Walter, Superintendent of Public Instruction for the State of Ohio testified before the Council as follows:

> . . . in terms of P.L. 94–142, there is no question but that it is a good public policy, and I say that with a great deal of conviction, because in my career as a teacher and as an administrator I well remember the days that we did not serve handicapped youngsters. We simply said to parents of handicapped [children], "There's no place for your child in our school." It doesn't seem possible, but we actually could say to a parent, if we were a school district administrator, "We cannot educate your child."

The 1986 Lou Harris and Associates, Inc. survey of Americans with disabilities reported a powerful endorsement of the role of the Federal government in giving better opportunities to persons with disabilities. Furthermore, Lou Harris and Associates observed that the strength of this endorsement for Federal programs is unsurpassed since the Harris firm began measuring public support for Federal programs and laws.

Finding 22:

The Federal government has not fulfilled its promise of 40% funding of the cost of providing education to students with disabilities.

While states are required to comply with the many requirements of P.L. 94–142, they have never received the funding they were promised by the Federal government to provide the required services. Although P.L. 94–142 is authorized to provide funding equal to 40% of the national average per pupil expenditure times the nation's special education child count, the Federal contribution has never exceeded 12% and is currently less than 10%. An analysis of Federal expenditures in the context of State and local expenditures reveals that over the last 10 school years the Federal contribution to the total elementary and secondary educational enterprise decreased from a high of 9.2% in 1979–80 to 6.2% in 1986–87 (Evans, 1989). It is noteworthy that so much has been accomplished under P.L. 94–142, considering how significantly underfunded it is.

Dr. Franklin Walter, testifying before the Council, expressed one State's perspective on the unfulfilled promise of the Federal government.

> The Federal role in the education of the handicapped has been a policy role rather than a funding role, and I think this is too bad, because when 94–142 was enacted, it was enacted based on the assumption that there would be an increasing Federal investment in educating the handicapped as a matter of national policy. This promise has not been fulfilled by any stretch of the imagination. About 6% of the funds to educate handicapped youngsters in our State come from the Federal government, and that means that promise has resulted in costing the State more money. I don't resent that, because the education of the handicapped should be and is a priority, but in terms of a commitment we would like very much to see a greater commitment of Federal funding toward the objective of educating handicapped youngsters.

Finding 23:

Federal monitoring is an essential aspect of the Federal-State partnership.

The Council finds that, although monitoring is an essential aspect of public accountability, the monitoring process must be appropriate to the Federal role. The Federal role in this case is to assure that all children with handicaps, regardless of the severity of the handicapping condition, have access to an equal educational opportunity. This is achieved by a monitoring process whch is sensitive to State compliance with both the letter and the spirit of the law. For example, a school district that sends annual notification of parental rights in the parents' native language but does nothing to assure that the parents understand the notice has achieved procedural compliance but has not assured that the spirit of the law has been implemented.

The complaints of parents who testified before the Council raise two distinct but related issues. The first is that procedural problems with the monitoring process such as long delays in issuing reports belie the Federal role in assuring accountability and compliance with the law, and in fact, may exacerbate compliance problems.

The second is that there is confusion about what the monitoring process is and what it can achieve. While the quality of education is a legitimate Federal concern, it appears to be difficult for the Federal monitoring process to directly assess issues pertaining to quality given the decentralized evolution of the educational enterprise and the deeply rooted social conviction that quality emerges from local control. Nevertheless, the Council believes that an appropriate monitoring process can strengthen the Federal/State partnership and notes that some federal efforts to monitor educational achievement outcomes have been undertaken, such as the National Assessment of Educational Programs.

Transition From School to Adult Life

Finding 24:

Upon leaving school students with disabilities and their families often have a difficult time accessing appropriate adult services and/or postsecondary education and training programs.

Information presented to the Council strongly indicates widespread concern regarding outcomes for people with disabilities as they exit school. These include:

- Many graduates exiting public schools are not adequately prepared for employment, and are unable to access resources that enhance their participation in community life.
- The unemployment rate for people with disabilities is significantly higher than for people who are not disabled. Approximately 66% of all adults with disabilities between the ages of 16 and 64 are not employed (Harris and Associates, 1986) whereas the overall unemployment rate in this country is about 5%.
- Young women with disabilities are unemployed at rates significantly higher than young men with disabilities or young women without disabilities (Hasazi, Johnson, Hasazi, Gordon & Hull, in press).

- Many of the services necessary to assist adults with disabilities in the community are not available at graduation due to long waiting lists for vocational and residential programs.
- Fewer than 15% of special education exiters who were out of school more than one year were participating in postsecondary education and training (Wagner, 1989) compared to 56% of high school exiters without disabilities (Jones, 1986).
- The arrest rate for students labeled seriously emotionally disturbed who have been out of school more than one year is 44% (Wagner, 1989), whereas it is between 3.9% and 4.7% for all youth ages 16 to 24 (Federal Bureau of Investigation, 1987).
- Parents are not actively involved in the transition of their son or daughter from school to adult life. This occurs despite the critical role parents play in the development of appropriate educational programs.

Finding 25:

Effective transition planning for high school students with disabilities can facilitate their success in adult life.

Schools are most effective in preparing students with disabilities for life as adults when there is an emphasis on the development of skills necessary to function in actual community settings, or the students participate in appropriate postsecondary programs. However, testimony to the Council from several sources suggested that graduates exiting school have not been adequately prepared for employment or postsecondary education or training and generally have not had access to resources and services that would enhance successful adult living. Compared to graduates without disabilities, these individuals also tend to experience less social involvement and are more likely to live with relatives than on their own. This may be associated with the fact that in many states services designed to support adults with disabilities have not been available at graduation.

One purpose of transition planning is to identify the necessary services for students with disabilities prior to graduation, and connect students with these services. In testimony before the Council, George Salembier of the University of Vermont and Deborah Patterson of Vermont Rehabilitation Services Administration indicated that transition planning must (1) begin early in a student's high school program (no later than 14 or 15 years of age), (2) be coordinated between the school, adult service agencies, and postsecondary programs, and (3) focus directly on adult life outcomes.

Finding 26:

Graduates with disabilities are more likely to be employed following school if (1) comprehensive vocational training is a primary component of their high school program and (2) they have a job secured at the time of graduation.

Traditionally, many high schools have focused their employment preparation programs on a general assessment of student interests and strengths, and the teaching of vocational readiness skills in a classroom setting. This approach places high schools in a passive role in preparing students for employment. The instruction focuses more on general preparation for employment rather than training for a specific job(s). Recently, the schools have been urged to broaden their focus to include vocational preparation and job placement in community sites. The emphasis on community-based job preparation stems from research and demonstration programs over the past decade, which have provided strong evidence that individuals with disabilities have greater probability of taking their place within a community work force if they had comprehensive vocational training during the school years. It is important that these training programs be initiated while the student is still in school so that valuable instructional time is not lost. In an eight-year follow-up study on school experiences that relate to successful employment as an adult, researchers at the University of Vermont found that students who were employed prior to leaving high school were more likely to be employed as adults, and that participation in vocational education was related to eventual employment and higher wages.

A recent study (Hasazi, Johnson, Hasazi, Gordon, & Hull, in press) indicated that the employment status of students with disabilities upon graduation is a predictor of their employment status over time. When a student with a disability has a job secured at the time of graduation, he or she is likely to be employed during subsequent years. Conversely, if a student does not have a job secured at the time of graduation, he or she is likely to remain unemployed during subsequent years. Having a job secured at the time of graduation is a critical educational goal for students with disabilities who choose to work following high school.

These findings are corroborated by other research in transition planning that suggests high school programs should focus on outcomes that result in greater independence and increased participation in the local community. The extent to which these outcomes are achieved is significantly influenced by the opportunity to work. Work is important not only for financial incentives but also personal identity, status, and contribution to the community.

In a related finding, the U.S. Department of Education's National Longitudinal Transition Study reported that paid employment during high school is becoming a more common occurrence with 42% of students with disabilities placed in a community vocational or employment program. However, it is important to note that one out of four of these students work less than ten hours and are paid below minimum wages. Most of these students are in service and manual labor positions.

Finding 27:

There are insufficient partnerships between the business community and schools for the purpose of enhancing employment opportunities for students with disabilities.

Employment during the school years is highly predictive of postsecondary school employment for students with disabilities (Hasazi, Gordon, & Roe, 1985). However, it appears that business-school partnerships serving students with disabilities are a rare occurrence.

Some successful business-school partnerships do exist for students with disabilities, and the Council obtained testimony regarding two such collaborative efforts. Businesses are most effective when they play an integral part in program design, recruitment, curriculum development, and program evaluation. Testimony from employers indicated that substantial actual work time at a real work site is critical for both the employer and potential employee. Such experience can include an internship or actual paid employment. Workplace integration during school years can provide students with a clear understanding of what employers' expectations are and what a work experience is about, and can provide critical exposure to a range of jobs and career possibilities. Employers benefit by gaining an appreciation of what individuals with disabilities can offer, what their needs may be, and what their capabilities and potentials are. This process is instrumental for breaking down attitudinal barriers and stereotypes.

Mr. Mark Donovan, Manager of Community Employment and Training Programs for Marriott Corporation, provided testimony to the Council regarding a program involving the integration of high school seniors with moderate and severe disabilities into a hotel to receive hands-on training and work experience in a variety of areas. The program was very successful, resulting in full-time competitive employment for most of the students. Another business representative, Mr. Bill McMullen representing Texas Utilities Services, described a successful program, Computer Programmer Training for the Physically Challenged, which was dependent on collaboration between a junior college, the utility company, rehabilitation agencies, and local government. It was noted that students from this program were successfully competing with applicants who had four year degrees in Computer Science and Business Computer Systems.

Employers have also highlighted the need for strong collaborative efforts with local governments, rehabilitation agencies, and community colleges.

Finding 28:

Parent participation during high school facilitates the successful transition of students with disabilities from school to adult life.

Parent involvement is an essential element of an effective transition process during high school. As stated by Ms. Cory Moore, parent of an adult with a disability and as well Parent Information and Education Coordinator in the state of Maryland: "If the school years are to be successful . . . educators, adult service providers, employers, and families must work together in the development of an optimally realistic transition plan for each student with a disability."

According to a recent Harris poll (Harris and Associates, 1989), a majority of students with disabilities aged 17 and over did not have transition plans as part of their Individualized Educational Program. Less than half received job or educational counseling. When students did receive transitional assistance and job counseling, less than half of their parents considered it to be effective.

In the past few years the Federal government has funded projects to provide information and training to parents so that they are able to become more fully involved as members of the education team. Such training programs help parents to exert more influence on the development and implementation of their son or daughter's education program. These parents become more familiar with the types of decisions necessary for a successful transition into postsecondary education programs and adult services. Parent involvement is a powerful predictor of post-school adjustment. Another study suggested that people who maintained employment in a community setting came from families in which parents had a major influence on the individual and held strong values for work. It is clear that parents are faced with some difficult decisions as their son or daughter exits public school programs.

An International Perspective

Finding 29:

Legislation supporting the education of students with disabilities in integrated school settings has been enacted in many countries throughout the world.

The Council learned from testimony provided by the international panel of experts that the underlying values about the importance of education for students with disabilities are similar across national boundaries as evidenced by legislation in various countries. In 1971

Italy passed the first national law mandating the integration of students with disabilities in regular education classes. Various studies in Italy had documented that students with different language dialects were being placed in special education programs with very limited improvement in educational and social performance. Once placed in special education programs, these students tended to remain there until they dropped out or exceeded the compulsory school age. As a result, the Italian Parliament established the framework for the dissolution of all special schools, and eventually all special classes, in the Italian educational system. France also mandated the education of all handicapped children in public schools in the same year.

The French Loi d'Orientation (General Law for the Handicapped) establishes the right to a free education, work, and life in the community for all people with disabilities. In addition, the Loi d'Orientation provides financial aid for families that follow-through with mandatory medical screening from birth to age six. In 1978 the Danish Parliament passed an act promoting the social integration of students with disabilities by placing more emphasis upon education within the regular schools and classes.

England passed legislation in 1981 stating that, although it mandated parental involvement, a written assessment of educational need, and a multiprofessional team, the law did not provide financial resources to aid local education authorities. The English law also established a "noncategorical" approach to delivering educational services. As discussed by panel member Klaus Wedell of the University of London in his testimony before the National Council, the law focused on the need of each individual in relationship to the demands of the environment rather than a "categorical label" in determining eligibility and service patterns.

Other countries, such as Australia, Germany, and Switzerland, have undertaken national initiatives to support the integration of students with disabilities in regular schools and classes. Testimony from panel member Jorgen Hansen, Superintendent of Special Education in Denmark indicated, "There is a world-wide movement toward integration."

Finding 30:

Although the integration of students with disabilities is receiving attention in countries throughout the world, there are some significant differences in both legislative and practical definitions of the term.

As stated by Seamus Hegarty of the National Foundation for Educational Research in England and Wales, "What becomes clear is that people have very different understandings of integration." For example, in the United States the term "least restrictive environment" is defined as the educational placement that meets the needs of the child as dictated by the individualized education program. As mandated by Public Law 94–142, children with disabilities are to be educated to the maximum extent possible with their nonhandicapped peers. As such, any move away from the regular education classroom must be clearly justified in each child's individualized program. The law supports a continuum of educational placements that range from the regular class to a special school. This is in contrast to Italian law, which mandates that all students with disabilities are to be educated in the regular education classroom. The initial implementation of Italian law was, however, beset with significant problems, including inadequate resources and technical assistance to support the regular education teacher. The law was eventually amended in 1977 to establish a maximum of 20 nondisabled students in any regular class that included students with disabilities. The amendments also stipulated that no more than two students with disabilities could be placed in any given regular education class.

Other countries also have contrasting views regarding integration. The Soviet Union espouses that integration is facilitated by placing children with disabilities in special schools to better prepare them for society, whereas Australia is moving in the direction of placement for all students in regular education classrooms.

The international panel that provided testimony to the Council also stressed the approach in some areas of the world, specifically the United Kingdom and Scandinavia, which is to focus on integration as the local school's responsibility. When a child is not integrated it is the problem of the school not the individual student. Mr. Hegarty suggested: "It is not the child that is failing. It is the school that has been unable to meet the needs of that child."

Finding 31:

There are many common areas of interest and concern throughout the world in the education of students with disabilities.

In a conference of high-level government officials from 24 nations sponsored by the Organization for Economic Cooperation and Development (OECD) in 1986, several areas of interest and concern regarding services for people with disabilities emerged as common threads across the countries. These issues were reported to the Council in testimony from David Thomas representing OECD. The following affirmations were developed as a result of the 1986 OECD conference:

- The label "handicapped" as an individual characteristic is unacceptable. The term "disability" is preferable. Whether or not a disability becomes a handicap depends on the interaction with the environment, other people, and the organization of society.
- Although integration within the school is the first essential step, such a policy has important consequences for resource allocation, the development of curricula and pedagogy, and quality teacher education.
- Adolescents with disabilities have the same human rights as others and thus the right to adult status. Income maintenance is not enough and pensions for people with disabilities should not become disincentives to seeking paid employment. Paid employment must be the main objective.
- People with disabilities must be involved in decisions that affect their future, and in creating an environment that will promote their self-esteem, independence, and capacity to cope.
- The failure to coordinate policies and services across government agencies is a primary barrier to effective support for people with disabilities (Organization of Economic Cooperation and Development, 1986).

CHAPTER FOUR

Recommendation For a *National Commission on Excellence in the Education of Students with Disabilities*

The National Council on Disability recommends that a two-year National Commission on Excellence in the Education of Students with Disabilities be funded by the U.S. Congress. This Commission would be a continuation of this study, *The Education of students with Disabilities: Where Do We Stand?*. The Commission would be chaired by the National Council on Disability's chairperson, with members appointed by the National Council on Disability. Members would include parents of students with disabilities, students with disabilities, special educators, regular educators, State and Federal policymakers, teacher trainers, school administrators, educational researchers, local school board members, employers, rehabilitation professionals, and providers of related services. The Commission would continue an assessment of the status of the education of students with disabilities and make recommendations regarding how the quality of education for students with disabilities could be enhanced and how improved student outcomes (such as a decreased dropout rate, an increased postsecondary education and training participation rate, an increased employment rate after school and increased achievement levels) could be realized. The following twenty questions would be explored by the Commission.

Question 1:

How can the special education community join the general education community in a partnership to assure that the goals of equity and excellence are pursued simultaneously in national school reform efforts?

Equity and excellence are basic American values associated with education. Participation of all youngsters (regardless of race, socio-economic status, or disability) in programs that meet their individual needs is an expectation in our society. Since the enactment of P.L. 94–142, our nation has made significant progress in achieving equity for students with disabilities. In the 1980s, the question of whether or not the goal of excellence is being met for this nation's youth has been a priority. Numerous reports focusing on the need to restructure American education have been published. Many school restructuring efforts have been inspired by studies documenting that American students lag substantially behind their counterparts in other industrialized countries, that achievement test scores of high school students have steadily declined in recent years, and that American schools have an unacceptably high dropout rate.

In response to the status of American schools, several reform initiatives have been proposed through such reports as *A Nation at Risk* (National Commission on Excellence in Education, 1983), *A Place Called School* (Goodlad, 1984), and *High School* (Boyer, 1983). These reports in conjunction with congressional and legislative initiatives have moved school reform into a position of center stage as evidenced by the general public's growing concern about the quality of education in our schools. School reform is a significant national issue. Although current proposals to reform schools have had little to say about the quality of education programs for students with differences, specifically those with disabilities, there can be little doubt that what makes a school effective for nondisabled students will be effective for students with disabilities as well.

The overall aims of reform can best be met when all education professionals and students are actively included in the cooperative venture of establishing effective schools. Professionals associated with special education will enhance collaborative efforts if they define and represent their field as a specific body of professional knowledge and expertise, rather than as a separate and distinct instructional delivery system. If these professionals choose to maintain the perception of the field as a separate instructional delivery system, their involvement in the reform initiatives will be significantly impeded. Professionals in special education have unique contributions to make to reform efforts. Special education possesses a rich knowledge base related to quality educational programming for students that must be tapped within the process of school restructuring efforts.

The Council is supportive of reform efforts that focus on academic rigor as a means to establish excellence in the schools, but is also concerned that such a narrow emphasis may result in an inequitable system for large numbers of students. While rigorous academic coursework, graduation requirements, and competency tests have the potential to increase academic achievement, they also can increase the dropout rates of many students, including students with disabilities, if no appropriate alternatives are available. The question is how do effective schools promote meaningful educational experiences for not only the best and brightest of students, but also for students with significant challenges? How will schools organize resources to promote learning across a group of students with diverse needs and functioning levels? Success in school must be measured by both outcomes related to academic achievement and by successful preparation for independent living.

School reform initiatives that are solely "top-down" or State-oriented reflect a strong orientation to college-bound and high achieving students. These reform efforts, especially at the secondary education level, are designed to better prepare students making the transition to postsecondary education. Students who elect not to pursue postsecondary education may suffer if their high school programs are not considered equally important in the context of educational reform.

Dr. Arthur Wise, in his testimony before the Council, argued for a balanced approach to school reform that promotes individualization. He stated that, ". . . The improvements that we need to make in public education are ones that cause the system to be more responsive to the interests of individual students." As school reform initiatives move throughout the country, they must include students with disabilities and accommodate student differences, recognizing that excellence in education must be a goal for all students.

Question 2:

How can the special education community and the general education community collaborate to further consolidate the special education and general education systems for the benefit of all students?

Efforts should continue to provide appropriate, individualized services for students with disabilities in the regular classroom setting. The Council believes that if integrated, effective programs providing for strong parent involvement and appropriate services are carefully implemented in neighborhood schools, parents, teachers, and students will come to prefer those schools. Researchers, general and special educators, and parents need to continue to explore how public schools can best provide more integrated educational services while at the same time safeguarding the hard-won rights and funding guarantees so integral to P.L. 94–142.

A first step in promoting further consolidation of the two systems is to engage the general education community and policy-makers in the effort to improve the educational outcomes of students with disabilities. This requires a fundamental change in the relationship between the general and special education systems, a change in which special education will be seen as an integral support system for general education, which is responsible for the education of all students, including students with disabilities.

Question 3:

What steps can be taken to assure that the movement toward providing services for students with disabilities in their neighborhood schools continues and that the services are appropriate?

Encouraging change requires incentives, changing attitudes, and commitment on the part of policymakers. Witnesses told the Council that most school board members and many general school administraters know very little about special education. Furthermore, few policymakers and general educators assume responsibility for the educational outcomes of students with disabilities in neighborhood school classrooms.

Local school boards throughout the country should be encouraged to include students with disabilities when establishing and monitoring standards of excellence. Standards should include outcomes of employment or continuing education upon graduation, and inclusionary practices throughout school life.

Resources must be channeled into general education classrooms in a manner that increases the learning of all students while protecting the due process rights of parents and assuring that additional resources reach students with disabilities who have special needs. While supporting the general principle that all children should be educated in an integrated environment, the Council recognizes that the general education classroom may not be the appropriate environment for all students at all times. Always the focus must be on outcomes, that is, the educational environment that in the long run will provide each student with the ability to function productively as an adult within the integrated community. In most instances, this goal implies education within an integrated setting in the neighborhood school.

Question 4:

How can the pedagogy associated with special education be brought to bear in general education classrooms?

Teaching difficult material to a class with a wide range of abilities and learning styles is not an easy assignment for any teacher. As one means of encouraging greater collaboration, special educators should begin exploring way of sharing their expertise with regular classroom teachers. For example, special educators can write articles for general education journals that explain how consultations with special educators can lead to more effective classrooms. Specific teaching strategies, such as peer teaching, can also be explained in articles and presentations to general educators.

As more and more students with special needs are integrated into regular classrooms, the consultative services of special educators need to be made available to general education teachers. Ways also should be explored to use preservice and in-service training to build effective relationships between general and special educators.

Question 5:

What is the relationship between the educational setting and student outcomes?

The Council is encouraged by the debate regarding the role of separate schools and full integration and views it as a reflection of the growth and evolution of the nation's efforts to educate students with disabilities. Whereas access to public education was the focal point of attention twenty years ago, today attention has turned to the quality of services and the extent to which fully integrated services should become a national policy.

The Council supports an active continuation of the current discussion regarding the range of educational settings for students with disabilities, including general education classrooms, private schools for students with a particular disability, such as a learning disability, and public schools for students with a particular disability, such as deafness or blindness. The Council encourages this discussion to focus on educational outcomes for students with disabilities who are in various educational settings.

The Council concludes that integration without services undermines the established national policy of delivering individualized, appropriate services to students in the least restrictive environment. At the same time, the Council wishes to underscore its strong support of a public policy that generally requires the delivery of individualized, appropriate services in fully integrated settings. Full integration, however, includes providing the special education and related services necessary to enable a child with a disability to receive the same educational opportunities offered to children without disabilities. Integration without services does not achieve this. What is needed for the 1990s and beyond are newly conceptualized models of service delivery which will result in integration with adequate services.

Question 6:

In the 1990s what is the appropriate Federal role in the education of students with disabilities as we continue to focus on developing excellence in educational services for students with disabilities?

The critical role played by the Federal government in leading the nation to provide access to education for all students with disabilities cannot be overstated. As we shift our focus from access to education to the quality of that education, a continued strong Federal role is essential. The Council reaffirms the importance of a continued Federal role in the education of students with disabilities.

Question 7:

What can be done to further enhance the Federal-State partnership that is so critical to the effective implementation of P.L. 94-142?

States were promised significantly more funding by the Federal government when P.L. 94-142 was enacted in 1975. For years they have operated under the law with about one-fourth of the funding originally anticipated. Strategies that would result in full Federal funding for P.L. 94-142 should be explored so that States could provide a greater array of services and programs for students with disabilities as well as improve the quality of services. Other means of enhancing the Federal-State partnership, such as spotlighting exemplary programs, should be considered.

Question 8:

How can Federal compliance monitoring for P.L. 94-142 be improved to (1) more meaningfully involve parents, (2) be more timely, and (3) ensure full compliance with the law?

Federal monitoring is an essential component of public accountability. The critical role of parents in holding the service delivery system accountable for the delivery of appropriate, individualized services in the least restrictive environment is well established in P.L. 94-142. Parents are knowledgeable about the educational process and the extent to which and how well school districts are meeting their responsibilities.

Parents testifying before the Council complained bitterly that the Federal monitoring process is not effective in assisting to ensure that States are in compliance with the law. Parents reported that the monitoring process was not timely, and in some cases it took up to two years for a final monitoring report to be issued. Additionally, they felt that the process did not address issues pertaining to the quality of special education programs.

Question 9:

How can effective parent-professional relationships be established and maintained as a component of an appropriate educational program for students with disabilities?

The interests and concerns of students and families are as varied as the educational settings and opportunities available to students with disabilities. Although a wide range of important challenges were identified by parent and student witnesses, the Council was impressed by the quality of services available in some parts of the country and by the dedication of the many parents and professionals who share the common goal of improving the quality and availability of educational services for students with disabilities. Their efforts provided the Council with invaluable information about how services can and should be improved in the next decade.

Elizabeth Milizia, a parent from Vermont, and Mary Sherman, a teacher from Vermont, testified before the Council about how positive steps can be taken to improve teacher-parent relationships. The Parent Professional Partnership Work Group in Vermont identifies and promotes the value and best practices of parents and professionals working together to make education successful for all students. The Work Group has developed a parent handbook for parents of students with disabilities and a conference on model parent involvement in the schools. In some districts parents are involved in hiring decisions, policymaking activities, and councils.

States with strong parent-professional partnerships in place can provide good working models for other school districts that wish to improve the quality and effectiveness of parent-professional relationships.

Question 10:

What steps can be taken to assure that students with disabilities in minority, rural, and disadvantaged communities have full access to appropriate educational services?

Students with disabilities in urban minority communities, rural areas, and disadvantaged areas appear to be less likely to receive adequate educational services than students who are not in these communities or areas. Special efforts need to be made to ensure that students with disabilities who are also challenged by other circumstances, such as poverty or rural location, are provided with appropriate educational services.

Question 11:

How can students with disabilities whose parents serve in the military be afforded the same equal educational opportunity as all other eligible students?

The Council finds it unconscionable that our nation's military families are not enjoying the same access to educational services as other U.S. citizens.

Question 12:

What steps can be taken to assure that all parents of students with disabilities are fully informed of, and understand their rights under P.L. 94-142?

Ensuring that parents understand their rights under P.L. 94–142 is a shared responsibility. Schools, parent organizations such as the federally funded Parent Training and Information Centers, and information organizations such as The National Information Center for Handicapped Children and Youth all have important roles to play in providing information to parents about their rights under P.L. 94–142 and in ensuring that parents understand the information presented to them. The Federal Office of Special Education Programs should explore how P.L. 94–142 compliance monitoring efforts could assess the degree to which States comply with the procedural safeguards in P.L. 94–142.

Question 13:

What are the minimum competencies and training requirements for due process hearing officers?

Unevenness in training and knowledge of hearing officers throughout the States may contribute to unevenness in implementation of P.L. 94–142 across States. Some degree of standard requirements for hearing officers will facilitate consistency and well-informed decisions.

Question 14:

How can information about the due process system, including outcomes of due process hearings and relevant court decisions, be disseminated nationally to parent organizations, State and local policymakers, and other entities concerned with the education of students with disabilities?

A lack of a national base of information regarding due process hearings, including the issues addressed in due process hearings and the outcomes of those hearings, leaves an information gap in the policymaking cycle. Without the benefit of an analysis of relevant hearing officer and court decisions on issues related to educating students with disabilities, policy-makers at the State and local levels do not have the benefit of utilizing such information when making and revising policies. Such information would also be of significant use to parents and parent organizations.

Question 15:

Is there an expanded role for institutions of higher education in the development of innovative personnel preparation programs that prepare educators to work with students who have a range of diverse needs?

One of the great accomplishments of the education reform movement has been to spotlight the need for improved teacher training. This applies to special educators as well as regular educators. The Council supports efforts to design a professional course of study that prepares educators to teach students with a wide range of disabilities. Teacher education programs should prepare regular and special education teachers to work collaboratively in meeting the needs of all students within the school. Teacher education candidates in elementary and secondary education, as well prospective school administrators, need information and direct field experiences focusing on the development of strategies for educating students with disabilities. Specific strategies may include how to work with students with disabilities within the context of the regular education curriculum, how to assist students with disabilities in becoming involved in the school's social network, and the development of effective pedagogy.

Although there is ample evidence that schools face a severe shortage of special education teachers and other specialists, (Carriker, 1989) the Council wishes to note that a move to integrate more students with disabilities into regular classrooms does not imply a lesser need for special education teachers. Their role in fully integrated schools will be to assist regular education teachers in implementing the special instructional methods that will enable all students in their classrooms to master the curriculum, working at their own ability levels. Defining special education as a pedagogy, rather than a service delivery system, implies an expanded role for special education teachers within the general education system.

Question 16:

How can schools provide an individualized transition plan for every high school student with a disability and ensure coordination between the school and adult service agencies or postsecondary education and training programs?

Coordinated planning between schools, State and local adult service agencies, and postsecondary education and training programs is essential in a successful transition from school to adult life for a student with a disability. In her testimony before the Council, Dr. Susan Hasazi, Professor of Special Education at the University of Vermont, emphasized the need for cooperation between special education, vocational education, vocational rehabilitation, developmental disabilities, and employment and training agencies. This collaboration can take many forms at different stages in the transition process. It may include, for example, participation in IEP development and instructional planning, information sharing about available resources, programs to help students identify postsecondary education and training options, formal interagency agreements to provide ongoing follow-up services, and financial incentives that subsidize individuals during job training. Means of ensuring that such transition planning is available need to be explored for every student with a disability.

Question 17:

What steps are necessary for schools to provide (1) a comprehensive curricula that includes extensive community-based vocational experiences as a primary component of each high school student's individualized educational program and (2) job placement at the time of graduation for all students who want to work?

The Council recommends that schools explore the establishment of high school vocational preparation programs for students with disabilities that:

1. Reflect the job opportunities available within the local community.
2. Take place in actual community job sites.
3. Are designed to sample the individual's performance across a variety of economically viable alternatives.
4. Provide opportunities for continuous interaction with people without disabilities in a work setting.
5. Culminate in specific job training and placement.
6. Include comprehensive transition planning to support the individual's full participation in the community.

Although people with disabilities continue to have the highest rate of unemployment and underemployment in the nation, there is overwhelming evidence that individuals with disabilities, including those with severe disabilities, can work if they are provided with appropriate training and support. Creating more employment options for individuals with disabilities will require significant changes in the way in which both educational and adult service programs are structured. Besides offering comprehensive employment training in community settings during high school, there is a need to develop adult employment programs that provide ongoing support to individuals in community settings and to remove the financial disincentives to State agencies for providing integrated rather than segregated employment options for individuals with more severe disabilities.

With the evidence that job placement at the time of graduation is a predictor of future employment (Hasazi, Johnson, Hasazi, Gordon & Hull, in press), the Council believes that Federal, State and local programs which aim to find jobs for people with disabilities should make a special effort to involve themselves while students are still in school.

Question 18:

How can schools and businesses effectively form partnerships, particularly at the local level, to collaborate on employment-related curriculum and training programs for students with disabilities?

School reform efforts have inspired the development of partnerships between schools and businesses to enhance curricula and employment-related training for students. Programs such as The Fairfax County Public Schools Education Foundation have been successful in linking schools and businesses for the benefit of students (Sugawara, 1989). The Council heartily endorses partnerships between schools and businesses and believes that students with disabilities should be included in such efforts.

Question 19:

How can the special education community take the lead in educating the business community about the abilities and talents of students with disabilities and the contributions they do and can make in the workplace?

Awareness training and outreach regarding disability need to be enhanced As Mark Donovan of Marriott Corporation testified, "A critical barrier toward employment efforts is that employers come into the game with lots of stereotypes, with lots of phobias, largely built out of lack of understanding, or information." The business community needs continued education regarding the fact that persons with disabilities offer them an additional resource, an additional source of strong, able, committed applicants that have not yet been fully tapped.

Question 20:

How can the United States best coordinate with other countries in sharing information and resources regarding effective educational practices for students with disabilities?

The Council heard testimony that many countries do not have a counterpart to the National Council on Disability, and that there is no single independent organization focusing directly on the needs of people with disabilities from an international perspective. Yet these countries are facing many comparable issues in providing services to people with disabilities, including those currently being addressed by the National Council on Disability in its examination of the education of students with disabilities in the United States. Consideration should be given to the establishment of an international body with representatives from countries around the world who could structure a continuing dialogue focusing on education, independent living, and social policy issues related to persons with disabilities. Such a body could coordinate worldwide dissemination of effective practices.

Minority View of Leslie Lenkowsky

Although I agree with much of what is contained in "The Education of Students with Disabilities: Where Do We Stand?" I do not feel it goes far enough in identifying the issues that need to be examined if we are to make good on the commitments of P.L. 94-142 to handicapped children.

Three areas particularly trouble me:

First is the undue emphasis the report gives to the ideal of "integrated education" at the neighborhood level for students with disabilities. The report hedges this by insisting that "appropriate" or "effective" services must also be available. However, while this may indeed be a worthy goal, our real objective should always be to serve the best interests of the child. As the report notes, several segments of the disability community now believe that this cannot be accomplished for some children in the context of mainstream schools. Any study of the education of students with disabilities needs to examine this contention seriously, rather than dismiss it with ambiguous qualifiers like "appropriate services" or visions of a possible return to a segregated system, as this report does.

Second is the unquestioning endorsement this report gives special education teachers. One of the most important accomplishments of the educational reform effort of the past decade has been to spark a healthy debate about the qualifications and preparation of regular classroom teachers. We need to do no less for those in special education. Many parents of children with disabilities have had ample reason to question the "expertise" special educators claim to possess; within the profession itself, disputes about the best methods of diagnosing and teaching students with particular disabilities are rampant. It does children with disabilities little good to call for a greater role for special educators, as this report does, without examining carefully how to make that role more productive.

Finally, there is the question of federal funding. P.L. 94-142 did commit the federal government to providing a much larger share of the costs of the education of children with disabilities than it actually did. However, this failure does not relieve states and local school systems of their responsibility to provide an appropriate education for all children, including those with disabilities. All too often school administrators have used the inadequacy of federal funding as an excuse for providing inadequate services. Instead of implicitly lending support to that claim and re-opening a fruitless debate, this report should be asking how the current level of resources is being used and whether it could be used more effectively.

"The Education of Students with Disabilities" does perform an important service by demonstrating how little we really know about the achievement of students with disabilities nearly fifteen years after the passage of P.L. 94–142. And I fully agree with the recommendation for a more comprehensive study that would bring the benefits of the educational reform movement of the past decade to these children. However, if such a study is to be valuable, it must ask the right questions and look at the right issues without worrying about "sacred cows." These views are intended to contribute to that objective.

APPENDIX A

List of Witnesses Who Provided Testimony

The Education of Students with Disabilities: Where Do We Stand?

May 15, 1989

Panel I
An International Perspective

Mr. Jorgen Hansen
Superintendent of Special Education for Denmark

Mr. David Thomas
Organization for Economic Cooperation and Development, Paris, France

Professor Klaus Wedell
University of London

Dr. Seamus Hegarty
National Foundation for Educational Research in England and Wales

May 17, 1989

Panel I
A Family Perspective

Mrs. Jamie Ruppmann
Mr. Heinz Ruppmann
Mr. Stefan Ruppmann
Vienna, VA

Panel II
Reaching Out To Families

Gloria Odom Stokes, Ed.D., parent
Parents Reaching Out Services, Inc.
Washington, DC

Mrs. Joyce Altizer, parent
Vienna, West Virginia

Marie Acoya, parent
Education for Parents of Indian Children with Special Needs
Bernalillo, New Mexico

Mrs. Kathy Mitten, parent
Specialized Training of Military Parents (STOMP)
Columbus, GA

Panel III
Effective Parent-School Partnerships

Anne T. Henderson
National Committee For Citizens in Education
Columbia, MD

Virginia Richardson, parent
Pacer Center
Minneapolis, MN

Elizabeth Milizia, parent
Vermont Parent Professional Partnership Work Group
South Burlington, VT

Mrs. Mary Sherman, parent and teacher
Swanton School
Swanton, VT

Panel IV
A Student Perspective

Dori Spittel, Senior
Centennial High School
Ellicott City, MD

Anna Scott, Freshman
Centennial High School
Ellicott City, MD

Stephanie Adams, Freshman
Bowie State College
Bowie, MD

Chris Urkuhart, Freshman
University of Maryland
Baltimore County

David Shawhan, Employee
Pharmacia E and I Diagnostic
Ellicott City, MD

Panel IV
Resolving Differences: Due Process In Action

Deborah Mattison, Attorney
Michigan Protection & Advocacy Service
Lansing, Michigan

Kristen Reasoner Apgar, Attorney
Bureau of Special Education Appeals
State of Massachusetts

Dan Brewer, parent
Bluefield, West Virginia

Mary Tatro, parent
Irving, Texas

June 7, 1989

Panel I
Education Reform & Students with Disabilities: An Overview

Dr. Arthur E. Wise
Director
Center for the Study of the Teaching Profession
The RAND Corporation
Washington, D.C.

Dr. Tom Skrtic
Associate Professor of Special Education
University of Kansas
Lawrence, KS

Dr. Fred Bedell
Assistant Superintendent for Pupil Services
White Plains Public Schools
White Plains, NY

Panel II
Education Reform and Students with Disabilities: Implementation and Parent Perspectives

Mary Dean Barringer
Teacher Educator
Office of the Dean
College of Education
Michigan State University
East Lansing, MI

Ingrid Draper
Executive Director of Special Education
Detroit Public Schools
Detroit, MI

Doris Braxton
Parent
Detroit Public Schools
Detroit, MI

Panel III
Federal Leadership

Judy A. Schrag, Ed.D.
Director, Special Education Programs
Office of Special Education and Rehabilitation Services
U. S. Department of Education
Washington, D.C.

Panel IV
Beyond Special Education

Alan Gartner, Ph.D.
Professor and Director of Research
Graduate School
City University of New York
New York, NY

Dorothy Lipsky, Ph.D.
Senior Research Scientist
Graduate School
City University of New York
New York, NY

Arthur J. Chambers
Principal
Harry L. Johnson Elementary School
Johnson City, NY

Panel V
Regular Education and Special Education Working Together

Margaret Wang, Ph.D.
Professor and Director
Temple University Center for Research in Human Development and Education
Philadelphia, PA

Verneta Harvey, Ed.D.
Principal
Gen. John F. Reynolds School
Philadelphia, PA

Ms. Sabrina Chambers
Parent
Philadelphia Public Schools
Philadelphia, PA

Sharon Freagon, Ph.D.
Associate Professor
Northern Illinois University
DeKalb, IL

Gail A. Harris, Ph.D.
Practitioner, Speech and Language Pathology
Tucson, AZ

Panel VI
Transition to the World of Work

Mrs. Cory Moore
Parent Information and Education Coordinator
Montgomery County Association for Retarded Citizens
Community Organizer
Maryland Coalition for Integrated Education
Bethesda, MD

Susan Hasazi, Ed.D.
Professor
Department of Special Education, Social Work, and Social Services
University of Vermont
Burlington, VT

Mr. George Salembier
Lecturer
Department of Special Education, Social Work, and Social Services
University of Vermont
Burlington, VT

Ms. Debbie Patterson, M.Ed.
Transition Consultant
State Division of Vocational Rehabilitation
Waterbury, VT

June 8, 1989

Panel I
The Role of Special Schools

Mr. Richard Lavoie
Director of Eagle Hill School Outreach
Eagle Hill School
Greenwich, CT

Ms. Roberta Thomas
Executive Director
American Society for Deaf Children
Silver Spring, MD

Mr. Jesse Thomas
Eighth Grade Student
Earlwood Junior High
Montgomery County, MD

Mr. Fred Schroeder
Executive Director
New Mexico Commission for the Blind
Santa Fe, NM

Panel II
Transition to Adult Life

Mr. Bernie Thomas
Director of Upward Bound Program
Western Washington University
Bellingham, WA

Glenn Gabbard
Division Chairperson for Basic Education
Massachusetts Bay Community College
Wellesley Hills, MA

Michael Snyder
Student
Massachusetts Bay Community College
Wellesley Hills, MA

Panel III
A State Perspective

Frank E. New
Ohio State Director of Special Education

Dr. Franklin B. Walter
Ohio Superintendent of Public Instruction
Columbus, OH

Panel IV
Employers and Schools Working Together

Mr. Mark Donovan
Manager
Community Employment and Training Program
Marriott Corporation
Kalamazoo, MI

Mr. Bill McMullen
General Chairman
Business Advisory Council
Computer Programming for the Physically Challenged
El Centro Junior College
Dallas, TX

Mr. Clint McDonald
Computer Programmer
Texas Utilities Services
Dallas, TX

Panel V
From the Educational System to the Adult Services System

W. Grant Revell, Jr., M.S., M.Ed.
Research Associate
Rehabilitation Research and Training Center
Virginia Commonwealth University
Richmond, VA

Mary Beth Gahan
Educational Coordinator
Access Living Center
Chicago, IL

Mr. Joil A. Southwell
State of Oregon Vocational Rehabilitation Division
Salem, OR

Appendix B

Biographical Information

Biographical Information

SANDRA SWIFT PARRINO

Sandra Swift Parrino, of Briarcliff Manor, New York, was appointed Chairperson of the National Council on Disability in 1983 by President Reagan. She has been actively involved in issues concerning people with disabilities for many years. Her 23-year-old son, Paul, has been severely disabled for most of his life. Her 12-year-old son, Alex, has a learning disability. Mrs. Parrino is best known as a spokesperson for parents of children with disabilities and a national leader in advocating for the rights of Americans with disabilities.

Mrs. Parrino serves on numerous boards and councils. She has been director of the Office of the Disabled in Ossining and Briarcliff Manor, New York; she has served on the board of Westchester County Homes for the Retarded; and she is a member of the New York State Assembly Task Force on the Disabled, which reviews pending legislation in the State of New York. Through her efforts, many local advances have been made to improve accessibility for persons with disabilities, such as setting up transportation services and installing voting machines for persons with disabilities, fund-raising to provide interpreter services for persons who are deaf, and supervision of her local school district's compliance with Federal regulations. Mrs. Parrino was instrumental in the inception of the Council's comprehensive equal opportunity proposal, "The Americans with Disabilities Act," which has been supported by President Bush and is currently being considered by the U.S. Congress.

Mrs. Parrino is also a member of the board of Parent Chain, and has served as an American Representative to the United Nations and UNICEF for the International Year of Disabled Persons. She is currently the North American vice president of Rehabilitation International, a worldwide service, information, and advisory organization. She has also been asked by the Department of Health and Human Services to co-chair an ad hoc committee on the prevention of disabilities.

ALVIS KENT WALDREP, JR.

Alvis Kent Waldrep, Jr. of Plano, Texas, is the president and chief executive officer of the Kent Waldrep National Paralysis Foundation, a nonprofit organization dedicated to finding a treatment and cure for paralysis caused by spinal cord injury. He is responsible for all phases of daily operations including fund-raising, budgeting, and public awareness, through its national office in Dallas. From September 1982 to June 1985, Mr. Waldrep was president of the American Paralysis Association.

From June 1979 to December 1981, Mr. Waldrep founded and served as chief executive officer of the Kent Waldrep International Spinal Cord Research Foundation, Inc., a nonprofit organization that became the American paralysis Association. He was responsible for planning and implementing all programs designed to meet the objectives and goals of the foundation.

Mr. Waldrep served as assistant sports information director for Texas Christian University from April 1977 to June 1979. There, he assisted the sports information director with all sports promotion programs, including media communication, brochure preparation, and compilation of statistics and advertising sales. This followed three years of intensive physical therapy for a cervical spinal cord injury from a football injury in 1974, which resulted in quadriplegia with paralysis from the neck down.

He is a member of several community and professional groups, including the board of the Dallas Rehabilitation Institute and the National Society for Fundraising Executives. He has been the recipient of many awards for his achievements in the area of disability. Mr. Waldrep was selected by the United States Jaycees as one of the ten outstanding young men in America for 1985. Mr. Waldrep was recently named chairman of the Texas Governor's Committee on Disabled Persons.

JOHN A. GANNON

John A. (Jack) Gannon of Washington, D.C., is the founder of John A. Gannon and Associates located in Columbus, Ohio; Cleveland, Ohio; Denver, Colorado; and Washington, D.C. In September 1988 he was elected President Emeritus of the International Association of Fire Fighters (IAFF). He had served as president of the 170,000 member organization since 1980. As IAFF president, he successfully led the organization through an intense financial crisis. During his administration, he gave guidance and direction to a series of programs designed to develop greater safety and health protection for fire fighters working in their hazardous profession. Under his leadership the IAFF greatly expanded its role in matters of occupational safety and health by sponsoring research on safer protective garments and equipment and spurring the national movement for improved hospital care for burn victims.

A working fire fighter in his native city of Cleveland, Ohio, for more than 30 years, he was an active leader of the IAFF's Local 93. Starting as a committeeman, he was subsequently elected to higher offices and was the local's president for 10 years before being elected to national office.

Mr. Gannon was elected vice president of the American Federation of Labor and Congress on Industrial Organizations (AFL-CIO), to which the union is affiliated. In addition, he is vice president of the Public Employee Department of AFL-CIO. On the AFL-CIO Executive Council, he is a member of several specialized committees. He serves on the board of the National Joint Council of Fire Service Organizations, and in 1982 served as its chairman.

He is a member of the board of the Muscular Dystrophy Association. He also has fostered the development of the IAFF Burn Foundation to raise money for research on the care of burn victims. In his hometown, Cleveland, the Metropolitan General Hospital in 1987 dedicated a John A. Gannon Burn and Trauma Center in recognition of his support for the hospital and his personal campaign to induce the hospital to establish a specialized burn department.

Mr. Gannon attended Miami University in Ohio and Glasgow University in Scotland; and he also studied at Baldwin-Wallace College and Cleveland State University.

THERESA LENNON GARDNER

Theresa Lennon Gardner of Washington, D.C., was nominated by President Reagan to the National Council on Disability after more than two decades of professional service as an educator and volunteer working with disabled youngsters.

Mrs. Gardner began her efforts with disabled children in the early 1960s, when she worked at the D.C. Society for Crippled Children. At that time, Mrs. Gardner was successfully completing her degree work at the Washington Montessori Institute. Mrs. Gardner's commitment to quality education for our younger student population was evident in 1966, when she founded the Georgetown Montessori School in Washington. For twelve years Mrs. Gardner administered the sixty-student Montessori pre-school, which educated children of diverse socio-economic backgrounds in the Nation's capitol. She also founded and funded an inner-city Montessori facility near the capitol, which later became a model for Washington Head-Start program.

As a mother of two girls, Mrs. Gardner has been active in a variety of cultural and social enrichment programs for Washington area youngsters. As a member of the Women's Heart Board of Washington, D.C., Mrs. Gardner chaired the Children's Heart Party. She also has taught therapeutic riding to multi-disabled youngsters from numerous Washington area residential facilities.

Besides her civic responsibilities, Mrs. Gardner attended Trinity College in Washington and received a degree in education in the spring of 1988. Mrs. Gardner is also a frequent visitor to educational and disabled-person facilities throughout the United States, Europe, and Africa. In 1982 Mrs. Gardner served as the official U.S. hostess to thousands of Kenyan school children who visited the U.S. exhibit on telecommunications while her husband was serving as President Reagan's ambassador to a United Nations' Conference in Nairobi.

MARGARET CHASE HAGER

Margaret Chase Hager resides in Richmond, Virginia. She and her husband have two boys. Her husband contracted poliomyelitis from the oral Sabin polio vaccine in August 1973. Initially, she helped her husband with his rehabilitation. Subsequently, she became interested in and involved in various aspects of the disability field.

Since 1985, Mrs. Hager has been a member of the City of Richmond, Mayor's Commission for the Disabled, of which she is the current chairperson. She is a member of the Executive Committee of Richmond's Office of Human Services Advocacy. In addition, she has served as the City's Festival Coordinator and Consultant for "ABLEFEST," a disability awareness festival showcasing significant abilities in sports, recreation, cultural arts, and entertainment.

She holds executive positions in numerous local and national organizations focused on promoting the quality of life for persons with disabilities: "Very Special Arts, Virginia" (an affiliate of "Very Special Arts" of the Kennedy Center, Washington, D.C.) and the Employment Committee of the Commonwealth of Virginia, Board for the Rights of the Disabled. She is a member of the Executive Committee of the Japan-Virginia Society and the Virginia Committee of the Jefferson Poplar Forest Foundation. Along with her husband, she is politically active.

Mrs. Hager received her B.A. degree from Wheaton College, Norton, MA in 1963. Her avocation is accessible residential design for individuals with disabilities. Her article on this subject was published in the September 1987 issue of *Builder Architect* magazine. She is a consultant and speaker in architectural accessibility and disability awareness.

MARIAN NORTH KOONCE

Marian North Koonce, of Santa Barbara, California, is the mother of six children. Two are physically handicapped from birth and a third contracted multiple sclerosis as a young adult. Along with the great amount of time and attention she gives to her family, she has held many administrative and leadership positions in business, most recently as chairman of the board of a Santa Barbara independent bank.

She is involved in numerous local and national organizations. She was chairman of the Santa Barbara County Reagan-Bush 1984 Committee. She served as a delegate to the Republican National Conventions of 1976, 1980, and 1984.

From 1980 to 1981 Mrs. Koonce was vice president of recording for the Blind Auxiliary. She serves on the boards of the Santa Barbara Symphony Association, the Las Positas Park, and the University of California, Santa Barbara. She is also chairman of the Channel Islands Chapter of the National Multiple Sclerosis Society.

LESLIE LENKOWSKY, PH.D.

Dr. Leslie Lenkowsky is the president of the Institute for Educational Affairs, a nonprofit organization in Washington, D.C., devoted to encouraging innovative thinking in higher education, philanthropy, and public affairs. He is also an adjunct professor of public policy at Georgetown University and an adjunct scholar for public policy research for the American Enterprise Institute, where he specializes in social policy issues. He is also a director of the Foreign Policy Research Institute and a member of the board of advisors to the president of the Naval War College.

From 1976 to 1983, Dr. Lenkowsky was the director of research at the Smith Richardson Foundation in New York. He has served as a consultant to Senator Daniel Patrick Moynihan and was an assistant to the Secretary of the Pennsylvania Department of Public Welfare. He has also been deputy director of the United States Information Agency and a member of the National Voluntary Service Advisory Board.

Dr. Lenkowsky completed his undergraduate education at Franklin and Marshall College, Lancaster, Pennsylvania. His doctoral degree was awarded from Harvard University. Dr. Lenkowsky is the author of many books and articles. He lectures frequently on philanthropy, social policy, and other issues.

NANETTE FABRAY MacDOUGALL

Nanette Fabray MacDougall, a resident of Pacific Palisades, California, is a renowned actress who developed a progressive hearing disability. Following four operations, the condition that had threatened her with total deafness was cured. She has continued to be active in organizations benefiting hearing impaired and other disabled persons.

Mrs. MacDougall was regional chairperson of the National Easter Seal Society and the National Mental Health Association. She is past chairperson of the National Advisory Committee for Education of the Deaf. She currently serves on the board of the National Captioning Institute and the Better Hearing Institute in Washington, D.C., as well as the House Ear Institute and the Museum of Science and Industry.

Among the many awards she has received are the President's Distinguished Service Award (1971) the Eleanor Roosevelt Humanitarian Award (1964), and the Screen Actors Guild's Humanitarian Award (1986) for outstanding service. Mrs. MacDougall and Helen Keller are the only two women ever to have received the annual Public Service Award of the American Academy of Ophthalmology and Otolaryngology. She has three honorary doctoral degrees, from Gallaudet College, Western Maryland College, and MacMurray College. She was one of the original members of the National Council on Disability, and was reappointed by President Reagan.

ROBERT S. MULLER

Robert Muller of Grandville, Michigan, joined Steelcase Inc in 1966 and is currently in administration. He is an adjunct assistant professor in the Department of Psychology at Aquinas College and in the Department of Education at Calvin College in Grand Rapids, Michigan. He serves on the board of trustees for Hope Rehabilitation Network in Grand Rapids, which serves 1,400 adults with disabilities. In April of 1981 he received an honorary degree in educational psychology from the Free University in Amsterdam, the Netherlands. Mr. Muller holds a B.S. degree in business administration from Aquinas College and in 1978 was voted Outstanding Alumnus of the Year. Mr. Muller has lectured at several colleges and universities, both nationally and internationally. He is a board member of a number of national, State, and local organizations. In May 1987 he and his wife, Carol, hosted a first-time event at the White House with the Vice President. The "Celebration of Disabled Americans at Work" was cosponsored by several major corporations throughout the United States. He presently serves as chairman of the National Roundtable on Corporate Development for Americans with Disabilities. In May 1985 Mr. Muller was awarded the Liberty Bell Award by the Grand Rapids Bar Association for his work toward "Liberty and Justice for All."

GEORGE H. OBERLE, PH.D.

Dr. George H. Oberle of Stillwater, Oklahoma, has been a professor and director of the School of Health, Physical Education and Leisure, Oklahoma State University, since 1974. He also serves as a consultant to many agencies and organizations in the area of administration and adaptive physical education In 1988 he worked with the Kennedy Foundation to organize and direct a new program thrust of unified sports in special olympics. He has more than 35 years of experience in the field of health, physical education, and recreation, beginning his career as a high school teacher and coach.

Dr. Oberle is active in many local and national organizations, including chairman, College and University Administrator's Council (1980–82); president of the Association for Research, Administration, professional Councils and Societies (1984–87); board member of the American Association of Health, Physical Education, Recreation and Dance (1985–89).

Among the many awards he has received are the Centennial Award (1985) from the American Association of Health, Physical Education, Recreation and Dance; Meritorious Service Awards from the States of Indiana and Oklahoma: Selected to Men of Achievement (1975) and recognized in Who's Who of the Southwest (1977).

He received his doctoral degree from Indiana University in administration and adapted physical education. Dr. Oberle is the author of many books and articles. He lectures extensively in the areas of wellness promotion, adapted physical activity, sports, and recreational activities for persons with disabilities.

BRENDA PREMO

Brenda Premo is a native of Southern California and currently resides in Stanton, California. Ms. Premo has a small fraction of the vision many people take for granted. She is legally blind, one of the characteristics of albino persons, along with pale skin and snow white hair.

Ms. Premo received her B.A. degree in psychology from California State University at Long Beach. While attending college, she became acquainted with other disabled students and became part of an activist group that helped to found the Disabled Students Services at the University. After college, while working for the Orange County Department of Education, Ms. Premo became part of a task force that surveyed disabled persons in Orange County and called for an independent living center to provide information and services to people of all disabilities. The Dayle McIntosh Center was launched in November 1977 with Ms. Premo, then age 25, as its first director.

She was asked to go to Washington, D.C., on a peer review team evaluating other independent living centers, was active on the State Independent Living Advisory Committee, served as vice president of the California Association of the Physically Handicapped, and served two years as chairperson of the California Coalition of Independent Living Centers. In 1981 she chaired the Orange County Task Force on the International Year of Disabled Persons. Ms. Premo was recently elected president of the California Foundation of Independent Living Centers.

Ms. Premo has been the recipient of many awards for her outstanding service to the disabled community. She received the Handicapped Californian Award from the California Association of the Physically Handicapped (1978); the regional Service to Mankind Award from Sertoma International (1987); and the California Professional Handicapped Woman of the Year Award from the Pilot Club (1987).

JONI EARECKSON TADA

Joni Eareckson Tada is a resident of Woodland Hills, California. Mrs. Tada was paralyzed from the shoulders down by a diving accident in 1967, at the age of 17. She developed a latent artistic talent by painting with her mouth during two years of rehabilitation. Her experiences were catalogued in an autobiography that has been translated into 35 languages.

As founder and president of the Christian Fund for the Disabled, Mrs. Tada's goal is to help churches reach out and meet the spiritual and practical needs of persons with disabilities. This is accomplished through books, films, record albums, videos, tapes, printed materials, seminars, and workshops. Also a five minute radio program, Joni and Friends, is aired every weekday over 400 religious stations in the United States.

Among the many awards she has received are the Golden Plate (1979) from the American Academy of Achievement; Penwoman of the Year (1980) from the National League of American Penwoman; Layperson of the Year (1985) from the Courage Rehabilitation Center; and the Excellence and Accomplishment Award (1985) from the Patricia Neal Rehabilitation Center.

PHYLLIS ZLOTNICK

Phyllis Zlotnick of West Hartford, Connecticut, has been employed by the Office of Protection and Advocacy for Handicapped and Developmentally Disabled Persons in Hartford, since 1983. Born with Spinal Muscular Atrophy, Ms. Zlotnick is widely recognized as a successful advocate for the rights inherent with full citizenship for all disabled people. As a highly respected lobbyist in Connecticut, she is responsible for changes in the State Building Code; removal of architectural barriers; access to public transportation, housing, education, voting, employment, and parking; and handicapped driver training programs. She has lectured, published articles, received numerous awards, and served on many boards and advisory councils.

Ms. Zlotnick formerly was the Director of External Affairs for the Easter Seal Society of Connecticut; later she served as an aide to the former Speaker of the House in the State and General Assembly. She currently is a legislative consultant to the Protection and Advocacy Office in Connecticut and the chairperson of the State Personal Care Assistance Advisory Council.

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