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Special Education Was Called that for a Reason: Is Special Education Special Yet?

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SPECIAL EDUCATION WAS CALLED THAT FOR A REASON: IS SPECIAL EDUCATION SPECIAL YET?

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Abstract

The authors of this essay revisited what special education for students with disabilities in schools was intended to be in the post-Individuals with Disabilities Education Act (IDEA) era. They highlight the similarities in pressures and concerns that have plagued, and still plague, the field of special education across the last two decades, including issues related to funding and teacher preparation. The authors challenge readers with the statement that, “Now is the time to ask hard questions about the efficacy of special education efforts.” To respond to the title question of the essay, they posed a set of questions based upon IDEA legislation and implementation concerns, and call upon special education professionals to ask, research, and answer the questions for the benefit of students with disabilities, their families, and all others who have a stake in the answers.

Introduction

It is time, in the arena of public school services for students with disabilities, which have largely been driven by inclusionary practices in recent history, to re-examine the status of statements made twenty years ago about special education. For example, Tornillo expressed concern for special education in a 1994 statement that “inclusion, as it all too frequently is being implemented, leaves classroom teachers without the resources, training, and other supports necessary to teach students with disabilities in their classrooms”. Tornillo continued, “... disabled children are not getting appropriate, specialized attention and care”. He concluded “... inclusion does not make sense in light of pressures from state legislatures and the public at large to develop higher academic standards and to improve the academic achievement of students”. Another example of past concern over the state of special education services came from Lieberman (1992), who made the following statement, again over twenty years ago:

We are testing more, not less. We are locking teachers into constrained curricula and syllabi more, not less... The barrage of curriculum materials, syllabi, grade-level expectations for performance, standardized achievement tests, competency tests, and so on, continue to overwhelm even the most flexible teachers (Stainback & Stainback, 1992, pp. 14-15).

The concerns expressed in the early nineties on the crest of the wave of inclusionary practices for providing special education represented the apprehension felt by many over increased integration of students with disabilities into the general education classroom. Skrtic (1991) stated that the “special education system emerged precisely because of the non-adaptability of regular classrooms and that, since nothing has happened to make contemporary

classrooms more adaptable... [inclusion] most likely will lead to rediscovering the need for a separated system in the future" (p. 160).

The extreme, at times, movement toward placing most students with disabilities within inclusion settings caused Zigmond and Baker (1995), to conclude that "special education in inclusive programs is, by design, no longer special" (p. 245). It is interesting to note the similarity of pressures and concerns existing in the field of special education between twenty years ago and the present. First, it is time to revisit what special education was originally intended to be under the law.

Revisit of What Special Education Is Supposed to Be...*Special*

Everyone wants their children, grandchildren, or significant other children to have an education. That is understandable. However, by federal definition, special education *must be special*. According to the U.S. Department of Education, IDEA 2004, Regulations: Part 300 /A / 300.39/ (a)/(1), "Special education means specially designed instruction ... to meet the unique needs of a child with a disability, including--instruction conducted in the classroom ..." (Building the Legacy: IDEA 2004, n.d.). The use of the term *specially designed instruction* does more than imply that such education for students with qualifying disabilities must be beyond the norm. Even a rudimentary review of the basic synonyms of the word *special* makes it clear what the term means (e.g., *particular, individual, extraordinary, unique, different, significant, exceptional, additional, extra, readily distinguishable, unusual in a good way, other than or more than the usual*) and does not mean (e.g., *common, conventional, general, insignificant, ordinary, regular, standard, unsuitable*) (Merriam-Webster.com, n.d.). The authors of this essay belabor the definition of *special*, as related to the execution of Special Education law, due to a distinct concern that in many instances all too often special education in many of today's schools does not measure up to the intent of the legislation.

Broad Based

In further explanation of *specially designed instruction*, the U.S. Department of Education states in the same section of IDEA 2004, Regulations: Part 300 /A / 300.39/(a)/:

Specially designed instruction means adapting, as appropriate to the needs of an eligible child under this part, the content, methodology, or delivery of instruction...To address the unique needs of the child that result from the child's disability; and ...To ensure access of the child to the general curriculum, so that the child can meet the educational standards within the jurisdiction of the public agency that apply to all children." (U.S. Department of Education, n.d.).

Again, mandates that require services under this legislation be individualized, broad based in application, and adapted according to student needs appear to be unquestionable. This individualization could relate, as applicable to the student's disability characteristics, to the knowledge and skills taught to the student (content), the instructional strategies employed (methodology) and the means of providing instruction (delivery) (Auburn Public Schools, n.d.).

Individualized

A major requirement of the special education law [Regulations: Part 300 /D / 300.320Sec. 300.320 Definition of individualized education program] is that all special education students must have an individualized education program (IEP), which is defined as a: statement for each child with a disability that is developed, reviewed, and revised in a meeting in accordance with [the law], and that must include [in part]—(2) (i) A statement of measurable annual goals, including academic and functional goals designed to—(a) meet the child's needs that result from the child's disability to

enable the child to be involved in and make progress in the general education curriculum; and (b) meet each of the child's other educational needs that result from the child's disability (U.S. Department of Education, n.d.).

This written document provides the blueprint for the *pecially designed* instructional services that have been individualized for the student in need. It is on this document that services to the student are specified and committed. This agreement is the very heart of the special education services to be delivered.

Supported

Additional IDEA regulations related to the IEP reveal further components the document must contain [Regulations: Part 300 / D / 300.320 Sec. 300.320 Definition of individualized education program]:

(4) A statement of the special education and related services and supplementary aids and services, based on peer-reviewed research to the extent practicable, to be provided to the child, or on behalf of the child, and a statement of the program modifications or supports for school personnel that will be provided to enable the child – (i) To advance appropriately toward attaining the annual goals; (6) (i) A statement of any individual appropriate accommodations that are necessary to measure the academic achievement and functional performance of the child on State and district wide assessments consistent with section 612(a)(16) of the Act (U.S. Department of Education, n.d.).

In reviewing the language of IDEA law in the previous passage, terms such as *supplementary aids and services*, *peer-reviewed research*, *supports*, *accommodations and modifications* stand out as having particular importance. IDEA defines *supplementary aids and services* as “aids, services, and other supports that are provided in regular education classes or other education-related settings” (U.S. Department of Education, n.d.). These services can include such resources as personal assistants, interpreters, paraprofessionals, specialized equipment, tutors and periodic consultations and collaborations among providers (Missouri Department of Elementary and Secondary Education, n.d.).

Both IDEA (2004) and No Child Left Behind (2001) legislation emphasized the need for educators to use *peer-reviewed or evidence-based practices (EBP)* to the extent possible when teaching all children, including those with disabilities, according to Sanders, Jurich, Mittapalli, & Taylor, 2013). The term EBP can refer to both “educational programs that encompass entire curricula” or “specific practices within larger programs or initiatives” (Sanders, et al, 2013). In either case, the underlying requirement for being designated an EBP is that the practice is an effective one, as demonstrated by well-designed research studies (Mattox, & Kilburn, 2013).

Special education program *supports* is a generic term referring to “instructional methods, educational services, or school resources provided to students in the effort to help them accelerate their learning progress, catch up with their peers, meet learning standards, or generally succeed in school” (Hidden Curriculum, 2013). More specifically, program *supports* could include services targeting the student, including those designated as related services (e.g., occupational therapy, physical therapy, and transportation), those targeting the environment (e.g., physical modifications/adjustments), those targeting school professionals (e.g., special training or conference attendance and collaborative assistance for teachers) and other *supports*, such as attendance monitoring and behavior management (Center for Parent Information and Resources, 2010; Hidden Curriculum, 2013).

Accommodations and *modifications* involve “adaptations made to a student’s educational environment, content or performance expectations, with modifications being the more radical, to enable that student to access the general education curriculum or to do so more effectively” (Missouri Department, n.d.). In addition, and according to IEP requirements for individual students, these *accommodations* and *modifications* *must* be made wherever necessary throughout the content, methodology, and/or delivery of instruction. Such adaptations can range from providing preferential seating to altering text size of printed materials to allowing extended time for activities and assessments to providing study aids to changing the amount and difficulty level of requirements (Missouri Department, n.d.). The types of adaptations that might be allowed are myriad and virtually endless.

Granted, not all students with special needs require all of the allowable services nor even extensive ones. However, some students do require extensive, if not heroic, provisions to be able to benefit from their education. Students with disabilities are not promised complete success and whatever it takes to get there; neither are their typically developing peers. However, to be true to special education legislation, this group should be promised an education that is *special, broad-based, individualized* and *highly supported*. It is evident, even with a rudimentary review of what special education is supposed to be, that the requirements to meet the guidelines of IDEA and provide an appropriate education for students with disabilities, according to both the letter and spirit of the law, are substantial.

What it Takes to Make *Special* Happen

It is obvious, from the discussion above, that supplying authentic and effective *specially designed instruction* is no small feat. It is an effort that likely began with the history of humankind and was institutionalized in 1975 with the signing of the Education for All Handicapped Children’s Act and more recently with the 2014 IDEA reauthorization, mandating inclusive service delivery practices for the students it serves. Over time, selected variables have surfaced as necessary to promote implementation of the law. These include (but are not limited to): funding; teacher preparation; general/special educator collaboration and cooperation, and outcomes validation. It is important that legislators, service providers, parents, other care providers, and student consumers both look back to where special education was and compare it to where it is now in order to plan effectively for where it should go in the future. Now is the time to ask hard questions about the efficacy of special education efforts.

Are We There Yet?

Funding

According to statistics from 1999-2000, “the United States spent \$50 billion on special education ‘support’ services and an additional \$27.3 billion on regular education for disabled students (\$77.3 billion in total)” (Atlas/New America, 2015). To be a federal mandate, special Education has been called “massively underfunded” (Worth, 1999). Albano (2010) reported that over six million students are provided with special education and accompanying services, or approximately 10 percent of the nation’s schoolchildren. However, since 1975 when landmark Special Education (IDEA) was enacted, the federal government has yet to provide the level of funding promised to the states for implementation of the law’s provisions. Albano (2010), continued by stating:

Since 90 percent of special needs students are "mainstreamed" in general education classrooms ..., class size and individualized attention are even more important. In this economic climate, school districts and states, scrambling for

resources, often have to give short shrift to more expensive programs like special education and highly qualified teachers who make more money.

To exacerbate the funding woes related to special education, criticism has charged that the funds allocated to serve this population are not being used wisely. An example of such a position is provided by Greene (2009), who charged that schools are not effective at distinguishing between students who were genuinely disabled due to medical reasons and those who performed disabled due to other reasons, such as poor teaching and dysfunctional home situations. Additionally, Greene (2009) proposes that “[some] schools have discovered that they can get extra funding from state and federal governments for small-group instruction to help lagging students catch up.” This practice further dilutes the funds available for students with verifiable disabilities according to IDEA provisions.

Litvinov (2015) makes a disturbing statement about the current state of Special Education funding:

Since the law passed 40 years ago, the federal government has failed to provide even half of the funding it pledged to help schools educate kids with special needs...special needs students receive only the materials and services districts can afford.

While reporting that federal funding for special education has increased significantly since the initiation of IDEA, McCann (2014), in a Policy Brief on *Federal Funding for Students with Disabilities*, concludes that: “Not all children have equal access to federal resources, and states and school districts are left on the hook to finance any remaining costs of providing special education services” (p. 22).

Teacher Preparation

A quote from the National Council on Disability made in 1996 stated:

At present, many recent graduates of the nation’s special and general education teacher training programs are not well prepared to apply best practices and state-of-the-art methods. ... State certification and evaluation standards and procedures for new and continuing teachers do not assure that teachers will be as effective as they should be in the classroom, in collaborating with each other and with professionals in other agencies, and in sharing decision-making responsibilities with parents and students. (Hardman, McDonnell, & Welsh, 1998, p. 9).

According to a MetLife Survey (Council of Chief State School Officers, 2008), a clear majority of teachers (96%) from 2004-2005 either previously taught or were currently teaching students with disabilities with an average of more than three such students having been assigned to their classes. For some teachers, often the ones who are most willing, the ratio is higher. Since the inclusion, default placement for students with all but the most severe disabilities is the general education classroom, numerically more general education teachers than their special education counterparts are exposed to these students every day in their classrooms. It is most telling that the MetLife Survey from 2004-2005 called attention to the fact that almost one-fourth (22%) of teacher responders revealed that they were “not too prepared/not at all prepared to deal with children of varying abilities” (Council, 2008). An INTASC survey showed that state responders rated the need for further education by their in-service teachers in the subject of teaching students with special needs at 4.37/5.00 (Council, 2008).

In a more recent report produced by the Council of Chief State School Officers (2015), the group reiterated the lasting achievement gap between students with disabilities and their peers of comparable ages. More specifically the report stated that, “the gap has existed for

decades with little improvement. Unless action is taken now to prepare the education workforce to address these kinds of performance gaps, they are likely to widen even more” (p. 4). The group follows this dire prediction with a call:

to ensure that all learners have access to well-prepared teachers and leaders who can provide the instruction and learning conditions that will enable students to reach these high expectations. Given the increasing diversity of student needs in classrooms today, especially for students with disabilities, teachers need to be prepared to provide differentiated, high quality, core instruction, and team with fellow educators to provide intensive supports so that all students can reach higher learning standards. (Council, 2015, p. 3).

This report broadens the responsibility by stating: “teachers deserve leaders who can create the necessary conditions for teachers to collaborate and provide such instruction” (Council, 2015, p. 3).

A possible, and at least partial, explanation for the lingering achievement gap mentioned above is the need for educators to be aware of and make consistent use of the evidence-based practices available and encouraged by legislation. According to Cook and Schirmer (2006), “Identifying effective practices is only meaningful to the extent that they are applied (and applied with fidelity) with children and youth with disabilities” (p. 181). One study reported by Boardman, Arguelles, Vaughan, Hughes, and Klingner (2005) in which 50 elementary level special educators interviewed reported the following reasons why the teachers failed to use EBP on a regular basis:

(1) a general disbelief and skepticism regarding EBP and the idea that it is just another fad; (2) diversity of the student population promotes the strong belief that one size does not fit all, particularly in special education; (3) the influence of parents, who may require a different approach; and, (4) lack of time and resources needed to adopt new programs and strategies (Sanders et al., 2013, p.10).

In addition, consistently and authentically applying EBPs in service delivery for students with disabilities is a complex and time-consuming process. According to Torres, Farley and Cook (2012), it is important for educators to gauge students and the classroom environment, and they should advocate for those practices that prove effective in the attainment of objectives.

One final note about teacher preparation is in order, in light of a persistent quandary across the nation involving many school districts and their students with disabilities. Ensuring that pre-service and in-service teachers are prepared and confident to teach these students is only part of the equation. The other part is in recruiting new special educators into the field to work with this population. A quote from NPR Ed (2016) summarizes this problem quite poignantly:

All over the United States, schools are scrambling to find qualified special education teachers. There just are not enough of them to fill every open position. That means schools must often settle for people who are under-certified and inexperienced. Special ed is tough, and those who aren't ready for the challenge may not make it past the first year or two.

Collaboration/Cooperation

IDEA 2004 requires schools to service each student with a disability in his or her least restrictive environment (LRE) [TITLE I /B /612 /a / 5(5) (A)][J1]. The default placement under LRE is the general education classroom with the student’s non-disabled peers, unless student needs dictate otherwise as determined by the IEP committee and documented on the IEP document (Wright & Wright, n.d.). In such cases, the law requires that a continuum of services

be available to the student, including such settings as resource, self-contained classroom, and others (U.S. Department of Education, n.d.).

According to the U.S. Department of Education (2015), one outcome of inclusion (as general education placement is commonly called), is that 61.1% of students across all types of disabilities spend 80% or more of their education time within the general education classroom, 19.7 % spend from 40-79% of their time and only 13.9% spend less than 40 percent of their time in general education, as reported for 2012. This means that more than 80% of students with IEPs spend 40 or more percent of their educational experience in general education, and the majority of that number spends most of their time with their general education peers (U.S. Department of Education, 2015). Special educators obviously cannot accomplish their tasks of educating most special needs students within general education settings unless they possess significant consultation and collaboration skills.

Nearly twenty years ago, Monahan, Marino, Miller, and Cronin (1997) reported that, in many cases, general education teachers feel unprepared to teach students across such a wide range of diverse needs. Sharpe and Hawes (2003) later echoed related concerns by special educators when they stated, “there appears to be growing concern among special educators that the individualized nature of specialized instruction is becoming increasingly diluted in the face of standards-based reforms.”

Murawski and Swanson (2001) concluded from their meta-analysis of co-teaching research that “co-teaching currently falls short of realizing its potential for delivering quality services to students in general education classrooms.” In 2007, Scruggs, Mastropieri, and McDuffie, after a meta-synthesis of research studies, reported that while co-teaching is “generally supported” by teachers, “the instructional techniques employed did not necessarily reflect prevailing best practices in the literature...[and that] evidence-based practices such as peer mediated and strategy instruction were infrequently observed.”

While there are a number of model collaboration programs and individual instances of general educators and special educators working closely and successfully together for the good of their mutual students with disabilities, there are also lingering questions about the efficacy of prevailing practices related to special education placement. The California Services for Technical Assistance and Training (2014) began an article on the need for authentic collaboration, by admitting, “systems, finances, conventions, fears, and sometimes just habits have contributed to a pronounced divide between general and special education in most schools.”

According to a Hanover Research report (2012), the status of research on the effectiveness of co-teaching as a model for implementing inclusion is inconclusive. The report states:

Due in part to its relatively recent emergence, empirical research on the effectiveness of co-teaching—in terms of quantitatively measured student outcomes—is limited. Indeed, very few large-scale studies on co-teaching have been conducted to date, and smaller-scale studies have yielded mixed results. As a result, districts may face a number of challenges in considering the implementation of a co-teaching model. (p. 2)

Outcomes Research

Hocutt reported in 1996 that, “with few exceptions, students with disabilities have not achieved commensurately with their nondisabled peers (p.77).” She made it clear twenty years ago that the interventions that had proven to be most effective with this population of students, regardless of setting, were intensive, individualized, well monitored, time-, effort- and resource-

expensive and offered considerable teacher support. She was also clear in her statement that “typical practice in general education is substantially different from practice in the model programs that showed greatest success for students with disabilities (p.77).” Hocutt concluded that, “given adequate resources, schools should be able to assist more students to be more successful in general education settings (p. 77).”

What has changed since 1996? Are Special Education outcomes significantly more effective more recently than twenty years ago? Li (2016) reports that, in the last 20 years, performances on the National Assessment of Education Progress (NAEP) by special education students has improved noticeably in the areas of reading and mathematics as have high school graduation rates. That is the good news. However, Li continues:

Even with these improvements, large achievement gaps persist between special education students and general education students. Data from the 2015 NAEP indicates 12% of special education students scored at proficient or better, compared to 40% of general education students, despite most students in special education not having very severe cognitive disabilities. In addition, while high school graduation rates for special education students have also improved, these students may leave high school without the skills they need for later in life.

So What? What is Next?

From even a cursory look at where special education is today, as compared to where it was twenty years ago, interested stakeholders might conclude that, while positive steps have been taken, special education is not “there yet.” Many of the concerns about special education from two decades ago are still being revisited currently in the 21st century. Perhaps now is the time to re-think special education’s own *global content, methods, and delivery systems*. Maybe new and authentic assessments need to be conducted to help reveal special education’s *current level of performance* in order to determine whether the status quo is acceptable or whether heroic steps need to be taken to accomplish the original intent of both the letter and the spirit of special education law.

Perhaps it would serve special education professionals at all levels to turn the verbiage of IDEA legislative requirements and related considerations for serving students with disabilities in 21st century schools into legitimate questions to be respectively asked, carefully researched and authoritatively answered for the benefit of all of the children and their families served by this law and those who make those services happen.

- Are today’s children with disabilities getting the appropriate, specially designed instruction required by IDEA? Are the services authentically *special* in nature, *broad-based, individualized and supported*? (Does instruction provide appropriate: *supplementary aids and services, evidence-based research practices, program supports, and program modifications and accommodations*?)
- Can the implementation of these required components of special education be independently verified and is the implementation having the desired outcomes for students, according to the intention of the law?
- Are today’s special education practices, which lean heavily on inclusion of students with special needs in general education classrooms, providing the preparation, resources and other supports general and special educators need to teach special needs students appropriately?
- Do contemporary inclusion practices provide a good model of special education service delivery in the face of continuing significant pressures of high stakes

assessment and heightened academic improvement of the academic performance of all students?

- Are general education and special education teachers and educational leaders knowledgeable of, comfortable with and competent in the use of evidence-based and collaborative practices needed to deliver services to students and interact with parents and families?
- Is there adequate and on-going funding (as well as moral and political) support at the federal, state and local levels to sustain quality special education programs into the 21st century?

Finding the answers to these basic questions to determine whether the services being offered in the name of special education are special, or special enough, would require monumental efforts and considerable resources, including person power and funding. It is unfortunate that these resources are already in short supply. Still, educators and their leaders, related professionals, legislators, policy makers, and especially students with disabilities and their families need to know the answers. If stakeholders do not address these questions with timely determination, it is likely that the answers will be imposed upon the discipline from elsewhere, such as the courts. In early 2017, the case of *Endrew F. v. Douglas County School District* was heard by the United States Supreme Court, and at its heart was the very question posed by this essay. *Endrew F.* challenges the extent to which school districts must go to provide a meaningful educational benefit to students with disabilities under their care and thus fulfill IDEA's promise of a free appropriate public education (FAPE) (SCOTUSblog, 2017). While no ruling is yet available, according to Gass (2017), experts are already stating that this case "is the most important special education case to come before the justices in almost 25 years." It appears that others are also asking the question, "Is Special Education special yet?"

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