



Volume 2, Issue 4, August 2007

reSearch

A collection of research reviews on rehabilitation topics from NARIC and other information resources.

Education Policy and Persons with Disabilities

The previous two editions of *reSearch* focused on the disability rights movement and key legislation related to persons with disabilities. In this edition of *reSearch*, we explore the topic of education policy and persons with disabilities. Legislation in education, along with civil rights laws such as the American with Disabilities Act, has dramatically improved the quality of life and fostered the full inclusion of people with disabilities, both in and out of school.

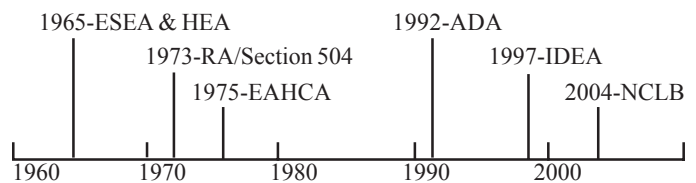
It is a widely accepted sociological viewpoint that education and employment are very important factors in socioeconomic status, and greater socioeconomic status results in greater access to societal resources and thus improves quality of life. Some would argue that education is the key factor as one's education directly relates to one's occupational opportunities; in turn increasing one's socioeconomic status, overall quality of life and health through greater access to resources. The education policies implemented from such legislation as the Individuals with Disabilities Act (formerly the Education for All Handicapped Children Act) created greater educational opportunities for persons with disabilities, thus improving their occupational opportunities, earning potential, access to quality health care, sense of self-determination, and overall quality of life.

The main search terms and education legislation reviewed in this research brief include: Elementary and Secondary Education Act of 1965, Rehabilitation Act of 1973, Education for All Handicapped Children Act, Higher Education Act, Individuals with Disabilities Education Act, Americans with Disabilities Act, Section 504, and No Child Left Behind Act. These laws improve the quality of life of persons with disabilities by prohibiting public and private discrimination in employment, services, accommodations, and various programs receiving federal assistance, and provide financial assistance to State and local education agencies to guarantee special education and related services to eligible persons. A listing of approximately 59 additional descriptor terms between the NARIC, ERIC, and PubMed databases can found at the end of this document.

The REHABDATA search resulted in 120 documents ranging from 2006-1968. No search on education would be complete without a review of documents in Education Resources Information Center (ERIC) database. The ERIC search resulted in 40 documents ranging from 2007-1976. ERIC provides free access to more than 1.2 million bibliographic records of journal articles and other education-related materials and, if available, includes links to full text. ERIC is sponsored by the U.S. Department of Education, Institute of Education Sciences. Finally, the PubMed database search resulted in 15 documents ranging from 2007-1965.

In addition to document searches, NARIC searched its Program Database of the National Institute on Disability and Rehabilitation Research (NIDRR) projects to locate grantees/projects related to the topic of education policy and persons with disabilities. NIDRR-funded projects and their publications are offered as additional resources for our patrons.

Education Policy and Legislation Timeline



Abbreviations

- Elementary and Secondary Education Act (ESEA)
- Higher Education Act (HEA)
- Rehabilitation Act of 1973 (RA) — Includes Section 504
- Education for All Handicapped Children Act (EAHCA)
- Americans with Disabilities Act (ADA)
- Individuals with Disabilities Education Act (IDEA)
- No Child Left Behind (NCLB)

**NIDRR Funded Projects related to
Education Policy
and Persons with Disabilities:**

**Rehabilitation Research and Training Center on
Policies Affecting Families of Children with Dis-
abilities.**

Project Number: H133B031133 - Active
www.beachcenter.org

**Access to Justice: Has the Handicapped
Children's Protection Act Increased Parental Ac-
cess to Educational Opportunities for their Chil-
dren with Disabilities?**

Project Number: H133F5006 - No longer active
Phone: 510/843-4062

**Text-to-Speech Software as a Means to Improve
the Unaided Reading Comprehension and Over-
all Reading Skills of High School Students Ident-
ified for Special Education or 504 Services.**

Project Number: H133F050046 - No longer active
Phone: 808/956-9502

*NIDRR Funded Projects related to Education Policy
and Persons with Disabilities continued...*

**Research and Demonstration of a Model for Suc-
cessfully Accommodating Adults with Disabilities
in Adult Education Programs.**

Project Number: H133A50008 - No longer active
www.ku-crl.org/jei/index.html

**Operation Determination: Using an Authentic As-
sessment Approach to Determine Eligibility for
IDEA Part C Early Intervention Services.**

Project Number: H133F050019 - No longer active
Phone: 541/346-0809

**The Effects of Inclusive and Traditional Educa-
tional Programs for Students with Disabilities on
Postsecondary Outcomes.**

Project Number: H133F020013 - No longer active
Phone: 812/855-6508

**An Urban Response to IDEA '97: The Develop-
ment and Examination of a Community Partner-
ship Approach to Support Paraprofessionals in
Urban Schools.**

Project Number: H133F000056 - No longer active
Phone: 215/590-7675

**Assessing, Teaching, and Testing Young Children
with Disabilities.**

Project Number: H133S020148 - No longer active
Phone: 661/396-8676

**National Center for the Study of Postsecondary
Educational Supports: A Rehabilitation Research
and Training Center.**

Project Number: H133B980043 - No longer active
www.rrtc.Hawaii.edu

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***Documents from NARIC's REHABDATA search
listed are listed below:***

2006

Katsiyannas, Antonis, Shiner, James G., & Yell, Mitchell L. (2006). **The No Child Left Behind Act, adequate yearly progress, and students with disabilities.** *Teaching Exceptional Children*, 38(4), 32-39.

NARIC Accession Number: J50571

ABSTRACT: Article focuses on adequate yearly progress (AYP), the mechanism used to monitor student progress and the attainment of proficiency goals established by the No Child Left Behind Act (NCLB). The authors review the major purpose of NCLB, explain the AYP mandate, discuss how AYP affects students with disabilities, and offer recommendations to teachers and administrators to help students with disabilities meet the AYP requirements.

Malmgren, Kimber W., Nagle, Katherine, & Yunker, Carolyn. (2006). **Students with disabilities and accountability reform: Challenges identified at the state and local levels.** *Journal of Disability Policy Studies*, 17(1), 28-39.

NARIC Accession Number: J50767

ABSTRACT: Key personnel from four states and eight school districts were interviewed regarding their perceptions of the impact of the annual yearly progress requirements of the No Child Left Behind Act. Findings from a qualitative analysis revealed the opportunities and challenges for students with disabilities with regard to participation and performance on statewide assessment. Strategies that the schools are implementing to meet the challenge of including students with disabilities in the educational reform movement are described, along with participant perceptions related to the current ability of schools to implement those strategies successfully.

Palley, Elizabeth. (2006). **Challenges of rights-based law: Implementing the least restrictive environment mandate.** *Journal of Disability Policy Studies*, 16(4), 229-235.

NARIC Accession Number: J50465

ABSTRACT: Article discusses how implementation of the requirement to educate children with disabilities in the least restrictive environment (LRE), as mandated by the Individuals with Disabilities Education Act (IDEA), may be limited by the American rights-based legal system. Discussion focuses on the conflict between the concept of LRE, which seems to be embedded in social relations theory, and the legal system's rights-based approach to law. Author provides background information on rights-based and social relations approaches to policy implementation, reviews relevant case law, examines the economic implications of the IDEA, addresses institutional structural factors, and concludes with policy recommendations.

Rosen, Russell S. (2006). **An unintended consequence of IDEA: American Sign Language, the deaf community, and deaf culture into mainstream education.** *Disability Studies Quarterly*, 26(2).

NARIC Accession Number: J50738

ABSTRACT: An analysis of historical and educational documents shows that the Individuals with Disabilities Education Act (IDEA) unintentionally created the process for the inclusion of the language, community, and culture of students who are deaf or hard of hearing and the use sign language into the American education system. The placement of deaf or hard of hearing students in general education classroom was intended to provide an impetus for these students to acquire the hearing and speaking communication skills needed for interaction with hearing peers. However, as the IDEA integrated signing deaf and hard of hearing students into the American education system, American Sign Language and the American deaf community and culture

have instead become mainstreamed into general education classrooms.

Welner, Kevin. (2006). **Legal rights: The overrepresentation of culturally and linguistically diverse students in special education.**

Teaching Exceptional Children, 38(6), 60-62.

NARIC Accession Number: J50916

ABSTRACT: Article provides information on laws and procedures designed to protect the rights of culturally and linguistically diverse students in special education. They include the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act, Title VI of the 1964 Civil Rights Act, and the Equal Education Opportunities Act. Examples illustrate how these legal procedures are used to address concerns about overrepresentation.

2005

(2005). **26th annual report to Congress on the implementation of the Individuals with Disabilities Education Act, 2004: Vol. 1 and Vol. 2.**

NARIC Accession Number: O16578

ABSTRACT: This two-volume report examines the progress made in implementing the requirements mandated by the Individuals with Disabilities Education Act (IDEA). Volume 1 focuses on the children and students being served under IDEA and provides profiles of individual states' special education environments and early intervention settings. It also includes tables of states rank-ordered by their reported data on exiting, drop-outs, educational environments, and early intervention services and settings; these tables are used by the Office of Special Education Programs (OSEP) as part of its monitoring system. Volume 2 contains the state-reported data tables. OSEP's goal in separating the text of the report from the extensive tables is to make the report usable to all readers. The tables are also posted on www.IDEAdata.org.

(2005). **New IDEA becomes law.** *Exceptional Parent*, 34(2), 55-57.

NARIC Accession Number: J48808

ABSTRACT: Article provides an overview of the provisions of the new Individuals with Disabilities Education Improvement Act (IDEA 2004), effective July 1, 2005. The new law includes key changes to the individualized education program, dispute resolution procedures, discipline procedures, pilot projects, the definition of specific learning disability, and early intervention services.

Berkeley, Terry, Collins, Belva, Kossar, Kalie, Ludlow, Barbara L., & Mitchem, Kate, eds. (2005).

Topical issue: NCLB impact on rural special education. *Rural Special Education Quarterly*, 24(1). NARIC Accession Number: R08601

ABSTRACT: This journal issue focuses on the No Child Left Behind Act and its impact on rural special education. Articles address issues surrounding the mandates for highly qualified special education teachers and the achievement of annual yearly progress for students with disabilities. *Individual articles may be available for document delivery (see accession numbers J49525 through J49530).*

Caron, Elizabeth, Emblar, Sandra, Hernandez, Glenda, & McLaughlin, Margaret J. (2005). **No Child Left Behind and students with disabilities in rural and small schools.** *Rural Special Education Quarterly*, 24(1), 32-39.

NARIC Accession Number: J49527

ABSTRACT: Article presents results from a study that investigated the issues related to the implementation of the No Child Left Behind Act (NCLBA) in rural schools. Implementing NCLBA with the subgroup of students with disabilities is a major issue, especially for rural schools, primarily due to their small size. Specifically, concerns about the measurement of adequate yearly progress (AYP) were examined. Results indicated that validly measuring AYP in small rural schools is problematic given the small number of students in the subgroup, volatility in year-to-year scores, and changes in service delivery policies. Implications for accountability and policy are discussed.

Kossar, Kalie, Ludlow, Barbara, & Mitchem, Katherine. (2005). **No Child Left Behind: A national study of its impact on special education in rural schools.** *Rural Special Education Quarterly*, 24(1), 3-8.

NARIC Accession Number: J49525

ABSTRACT: Various stakeholders in rural areas were surveyed to examine the perceived impact of the No Child Left Behind (NCLB) Act mandates on special education in two key areas: highly qualified teachers and adequate yearly progress. Results indicated that a majority of the respondents believed that NCLB would have a negative impact on rural schools and that rural schools would have difficulty meeting the accountability and quality provisions of the act in the area of special education.

Moore-Brown, Barbara J., & Montgomery, Judy K. (2005). **Making a difference in the era of accountability: Update on NCLB and IDEA 2004.**

NARIC Accession Number: R08662

ABSTRACT: Handbook provides critical information for speech-language pathologists on the No Child Left Behind Act of 2001 (NCLB) and the Individuals with Disabilities Education Act of 2004 (IDEA). This valuable resource includes explanations of the significant legislative changes since the spring of 2001. The update outlines useful and important areas, including: terms and definitions for NCLB and IDEA 2004; conflicts between NCLB and IDEA 2004 requirements; accountability within service delivery; recent court cases, their outcome and relevance; early intervention services; and implications for speech-language pathologists. It includes a description of state accountability systems that establish targets to measure, report about, and identify school district progress and performance in reaching academic standards.

Zirkel, Perry A. (2005). **A primer of special education law.** *Teaching Exceptional Children*, 38(1), 62-63.

NARIC Accession Number: J49907

ABSTRACT: Article presents the Top Five case concepts from the Supreme Court. Each of the Top Five is a core concept under either: (1) the Individuals with Disabilities Education Act (IDEA) or (2) Section 504 of the Rehabilitation Act and the Americans with Disabilities Act (ADA). The first four concepts illustrate and interpret basic building blocks of the IDEA: free appropriate public education, related services, tuition reimbursement, and discipline. The fifth concepts relates to the requirements of Section 504 and the ADA for students who are not eligible under the IDEA, with particular attention to the special meaning of "disability" and "reasonable accommodation" under these statutes. **2004**

Downing, Joyce A. (2004). **Related services for students with disabilities: Introduction to the special issue.** *Intervention in School and Clinic*, 39(4), 195-208.

NARIC Accession Number: J47918

ABSTRACT: Article examines the Individuals with Disabilities Education Act definitions of related services, describe types of related services commonly provided in schools, and reviews legal decisions concerning related services and the research providing support for best practices. Related services are additional services

that are necessary for children with disabilities to benefit from special education instruction. Author discusses the processes for determining who needs to receive related services, whom is qualified to provide related services, and who pays for related services.

Eigenbrood, Rick. (2004). **IDEA requirements for children with disabilities in faith-based schools: Implications for practice.** *Journal of Disability Policy Studies, 15*(1), 2-8.

NARIC Accession Number: J47689

ABSTRACT: Article discusses the provisions under the Individuals with Disabilities Education Act (IDEA) for children with disabilities enrolled in private schools, with an emphasis on students in faith-based schools. Public School districts are required to: (1) locate, identify and evaluate children with disabilities who are enrolled in private schools; (2) spend a proportionate amount of Federal funds on children with disabilities enrolled voluntarily by their parents in private schools; (3) to provide special education and related services to children with disabilities as a group; and (4) determine in consultation with personnel of the faith-based schools, which services will be provided and where they will be delivered. Author offers specific suggestions for cooperation between public schools and private, faith-based schools in order to maximize the IDEA benefits.

Frieden, Lex. (2004). **Improving educational outcomes for students with disabilities.**

NARIC Accession Number: O15942

ABSTRACT: Report examines how the Individuals with Disabilities Education Act (IDEA) and the No Child Left Behind ACT (NCLB) are improving outcome for students with disabilities and to what extent evidence-based practices are being used to make policy decisions affecting students with disabilities. Data were gathered by conducting a literature review and interviews with a panel of policymakers, researchers, and practitioners. The literature review included major databases but resulted in few evidence-based research studies for students with disabilities. The questions for the panel focused on the impact of NCLB on students with disabilities, alignment of NCLB and IDEA, and the use of evidence-based research in decision-making processes at the school and district levels. Overall there is strong support for helping students with disabilities improve their academic performance. However, there are many concerns about the availability and knowledge of effective strategies and interventions to manage the process to achieve that outcome.

Murphy, Frank. (2004). **IDEA re-authorization update.** *Exceptional Parent, 34*(3), 61-62.

NARIC Accession Number: J47907

ABSTRACT: Article provides an update on the status of the reauthorization of the Individuals with Disabilities Education Act (IDEA) in the Senate. Key issues under consideration relate to the IDEA reauthorization bill eliminating short-term objectives in individual education programs (IEPs), creating the option for schools to offer a three-year IEP for students in their final three years of school, and changing the "stay put" provision. Eight amendments are under consideration, including those that deal with limiting reimbursement of attorney fees when parents prevail in due process hearings, funding, and giving waivers to some states to reduce paperwork requirements.

Stodden, Robert A., & Whelley, Teresa. (2004). **Postsecondary education and persons with intellectual disabilities: An introduction.** *Education and Training in Developmental Disabilities, 39*(1), 6-15.

NARIC Accession Number: J47312

ABSTRACT: Article discusses how the current models of supports and services for students with intellectual disabilities in postsecondary education have been affected by legislation such as the Americans with Disabilities Act, the Individuals with Disabilities Education Act, and the Olmstead Act. Authors examine various issues concerning the provision of supports and services, policy implementation, financial concerns, and systemic conditions that arise from those models and projects. The need for further research is also discussed.

Turnbull, R., & Zuna, N. (2004). **"Imagine all the people, sharing . . ." or a (not so) modest proposal made on the eve of IDEA reauthorization.** *Research and Practice for Persons with Severe Disabilities, 29*(3), 210-213.

NARIC Accession Number: J48578

ABSTRACT: Authors present a brief commentary and analysis of two problems related to the implementation of the Individuals with Disabilities Education Act (IDEA): (1) an increasing separation between general education and special education, and (2) the unequal treatment of students with disabilities. Discussion focuses on the education, economic, cultural, and societal implications of the IDEA.

2003

(2003). **Rehabilitating Section 504.**

NARIC Accession Number: O14452

ABSTRACT: This report to the President on enforcement of Section 504 of the Rehabilitation Act of 1973 summarizes compliance activities of five key federal agencies: the Department of Education, the Department of Labor, the Department of Health and Human Services, the Department of State, and the Department of Justice. Strategies recommended for addressing the shortcomings of compliance include: (1) conduct periodic Section 504 evaluations, (2) improve data collection and dissemination of data about enforcement efforts, (3) bolster Department of Justice resources and guidance to federal agencies, and (4) apply successful practices used by federal agencies.

Ackerhalt, Arthur H., & Wright, Elizabeth R. (2003). **Do you know your child's special education rights?** *Volta Voices*, 10(3), 4-6.

NARIC Accession Number: J45528

ABSTRACT: Article discusses the provisions of the Individuals with Disabilities Education Act, legislation enacted to ensure that children with disabilities receive appropriate educational services. Authors outline differences and similarities in the legal protections offered to infants and toddlers (under age three), and to school-aged children (3 to 21 years).

Browder, Diane M., & Cooper-Duffy, Karena. (2003). **Evidence-base practices for students with severe disabilities and the requirement for accountability in "No Child Left Behind".** *Journal of Special Education*, 37(3), 157-163.

NARIC Accession Number: J46519

ABSTRACT: Article describes what is "special" about the education of students with severe disabilities relevant to the requirement of the No Child Left Behind Act to assess students in reading, math, and science and the expectation for yearly progress. The concept of adequate yearly progress is addressed by reviewing the types of instructional strategies that would most likely yield progress. Authors discuss the extent to which teachers use evidence-based strategies.

LaVenture, Susan. (2003). **The Individuals with Disabilities Education Act (IDEA): Past and present.** *Journal of Visual Impairment & Blindness*, 97(9), 517-518.

NARIC Accession Number: J46554

ABSTRACT: Editorial discusses the impact of the Individuals with Disabilities Education Act on special education, particularly for students with visual impairments. Author presents a brief history of special education policy in the United States over the past 25 years and emphasized the need for more parent involvement in their children's education.

Murphy, Frank. (2003). **Disability does not mean inability: An interview with Dr. Robert H. Pasternack.** *Exceptional Parent*, 33(4), 46-52.

NARIC Accession Number: J45451

Abstract: The Assistant Secretary of Education for the Office of Special Education and Rehabilitative Service, Dr. Robert Pasternack, answers question about the Individuals with Disabilities Education Act.

Murphy, Frank J. (2003). **House passes IDEA re-authorization bill.** *Exceptional Parent*, 33(6), 28-29.

NARIC Accession Number: J45557

ABSTRACT: Discusses issues related to the House of Representative's bill to reauthorize the Individuals with Disabilities Education Act. The bill is controversial because it rewrites sections of the current law and deletes provisions affecting the rights of children with disabilities. The House bill: (1) phases out short-term objectives of the individualized education plan (IEP), (2) allows an IEP to cover three years instead on one, (3) gives schools unilateral authority to discipline students for violating a code of conduct without considering if the student's disability is a factor in the behavior, (4) no longer requires schools to develop behavior plans for students who need them, and (5) changes parent notification requirements and procedures.

Osborner, Allan G., Jr., & Russon, Charles J. (2003). **Special education and the law: A guide for practitioners.**

NARIC Accession Number: R08437

ABSTRACT: User-friendly guide covers federal and state interpretations of special education regulations such as the Individuals with Disabilities Education Act, Americans with Disabilities Act, and Section 504 of the Rehabilitation Act. Topics include: rights of access to a free appropriate public education, procedural due process, placement requirements, delivery of related service, discipline of students with disabilities, and remedies for failure to adhere to the law. Chapters include cases, definitions, guidelines, and examples designed to help administrators make decisions regarding placement, planning, and discipline that comply with the regulations.

2002

(2002). **General information about disabilities: Disabilities that qualify infants, toddlers, children, and youth for services under the IDEA.**

NARIC Accession Number: O14422

ABSTRACT: Fact sheet provides general information about early intervention and special education and related services provided under the Individuals with Disabilities Education Act for infants, toddlers, and children with disabilities. Describes who is eligible for services and how the IDEA defines the 13 disability categories. Includes other sources of information for parents.

Cain, Hal M., & Edmondson, Claudia A. (2002). **The spirit of the Individuals with Disabilities Education Act: Collaboration between special education and vocational rehabilitation for the transition of students with disabilities.** *Journal of Applied Rehabilitation Counseling, 33*(4), 10-14.

NARIC Accession Number: J44867

ABSTRACT: Article examines the intent of the Individuals with Disabilities Education Act (IDEA) regarding collaboration between special education and vocational rehabilitation in preparing students with disabilities for life after high school. The IDEA established a method for providing a transition services through the student's individualized education plan (IEP). It is up to the agencies that provide transition services, special education and vocational rehabilitation, to interpret the law and to coordinate their services in a way that will be beneficial to students. The potential benefit of involving vocational rehabilitation counselors in the IEP process is discussed.

2001

(2001). **TASH: Public policy in action.** *TASH Connections, 27*(2), 6-7.

NARIC Accession Number: J41705

ABSTRACT: Article discussing two proposed laws and one court decision affecting people with disabilities: the Mandatory IDEA Full Funding Act, which sets a five-year timeline for providing full funding to Part B (assistance to states) of the Individuals with Disabilities Education Act (IDEA); the Family Opportunity Act of 2001, which is aimed at giving more children with disabilities increased access to health care; and the 2001 U.S. Supreme Court decision in *Alabama v. Garrett et al.*, which limited the right of individuals with disabilities to sue states for discrimination under the Americans with Disabilities Act.

Boundy, K., Buppapong, R., George, C., Heinsohn, D.; Hollowell, E., Hollowell, M., Hughey, A.M., Jones, D.L., Langbehn, K., & Petty, R. (2001). **Youth focus: Implementing IDEA: A national conference.** *Participant's manual: January 4-6, 2001, Cleveland, OH.*

NARIC Accession Number: O14068

ABSTRACT: Participant's manual for a training conference on implementation of the Individuals with Disabilities Education Act (IDEA). The volume includes topic briefs for parents on the basic legal framework of IDEA, the right to learn in the general curriculum, the right to related services, using health insurance (including Medicaid) to pay for services, the content of the Individualized Education Program (IEP), placement decisions under IDEA, giving notice and obtaining consent from parents, rights of students with limited English proficiency, homeless children with disabilities and the right to a free appropriate public education, peer disability harassment, reviewing and correcting educational records, the right to due process in school discipline, and inclusion of students with disabilities in standards-based education reform. Other materials include texts of selected provisions of the IDEA amendments of 1997 and of federal regulations related to nondiscrimination in education and family educational rights and privacy, and a directory of parent training and information centers and community groups in the United States.

Bradley, R., Katsiyannis, A., & Yell, M.L. (2001). **Reflections on the 25th anniversary of the Individuals with Disabilities Education Act.** *Remedial and Special Education, 22*(6), 324-334.

NARIC Accession Number: J43522

ABSTRACT: Presents review of the first 25 years of the Individuals with Disabilities Education Act. Article describes the historical developments which led to the passage of the legislation, discusses the major provisions of the law, and concludes by offering thoughts concerning the future direction of special education.

Mattson, Beverly. (2001). **Related services.** *NICHCY News Digest, ND16*, 2nd edition, September 2001

NARIC Accession Number: O13173

ABSTRACT: Issue presents an overview of related services for children with disabilities as provided under the Individuals with Disabilities Education Act. Topics covered include: (1) the related services listed in the Federal regulations; (2) how students become eligible for related services; (3) additional related services not listed specifically in the Federal regulations but that can

assist a student in benefiting from special education; (4) how they are typically delivered, coordinated, and funded, and (5) eligibility for related services under Section 504 of the Rehabilitation Act. Includes a listing of additional resources about various related services.

O'Leary, E., & Williams, J.M. (2001). **What we've learned and where we go from here.** *Career Development for Exceptional Individuals*, 24(1), 51-71. NARIC Accession Number: J42076

ABSTRACT: Study examining the extent to which states and other jurisdictions implemented the transition services requirements of the Individuals with Disabilities Education Act (IDEA) of 1990 during the 1993-94 through 1996-97 monitoring cycles based on Office of Special Education Programs monitoring reports, in order to review the status of implementation prior to the 1997 IDEA amendments that added requirements for a statement of transition service needs. Recommendations are offered for policy changes to ensure that students receive the required transition services consistent with IDEA's statutory and regulatory provisions.

Pankaskie, S., & Weiss, S. (2001). **These are not your same old related services: Need-to-know changes in IDEA.** *Exceptional Parent*, 31(9), 50-52, 54.

NARIC Accession Number: J43193

ABSTRACT: Article presents answers to questions that parents may have about related services as they apply to transitioning students with disabilities from school to the community. Focuses on provisions under the Individuals with Disabilities Education Act.

Parlakian, R. (2001). **A great idea: IDEA legislation, the IEP process, and your child.**

NARIC Accession Number: R08186

ABSTRACT: Brochure with information for parents on the Individualized Education Plan (IEP) process under the Individuals with Disabilities Education Act. The brochure answers questions concerning eligibility and evaluation, contents of an IEP, and participation in IEP meetings. The information in this brochure applies to parents of children with all sorts of disability.

Smith, Tom E.C., Ed. (2001). **Legal issues in special education.** *Remedial and Special Education*, 22(6), 322-384.

NARIC Accession Number: R08324

ABSTRACT: Special issue focuses on legal issues regarding special education. The articles discuss laws and litigation affecting children with disabilities, their par-

ents, and educators. Topics include the Disabilities Education Act, Section 504 of the Rehabilitation Act; the Americans with Disabilities Act; the Individuals with Disabilities Education Act and its mandates for positive behavior supports, tuition reimbursement, and individualized education plans; and an analysis of a Supreme Court decision affecting the rights of individuals with disabilities. *These articles are included separately in the NARIC collection under accession number J43522 through J43527.*

Smith, Tom E.C. (2001). **Section 504, the ADA, and public schools: What educators need to know.** *Remedial and Special Education*, 22(6).

NARIC Accession Number: J43523

ABSTRACT: Article describes Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act (ADA) of 1990 in relation to their impact on public schools. Section 504 and the ADA use a different definition of disability than does the Individuals with Disabilities Act (IDEA), providing the availability of services for children who are not eligible under the IDEA. As more parents request services under these two acts, schools must become aware of their legal requirements. Discusses the definition of disability under each act; the requirements of each, including nondiscrimination and the provision of a free, appropriate public education; due process procedures; and disciplinary issues.

2000

(2000). **Back to school on civil rights: Advancing the federal commitment to leave no child behind.**

NARIC Accession Number: O13363

ABSTRACT: Volume examining U.S. Department of Education monitoring and enforcement of compliance with part B of the Individuals with Disabilities Education Act (IDEA) since the 1970's, when it was first enacted as the Education for All Handicapped Children Act. Overall, the report finds that federal efforts to enforce the law over several Administrations have been inconsistent and ineffective. The report includes recommendations to the President and Congress for building on the 1997 reauthorization of the IDEA in order to more fully realize the intent of the law.

(2000). **Disability statutes affecting public schools: A comparison of requirements.**

NARIC Accession Number: O14107

ABSTRACT: Table comparing the requirements of the Americans with Disabilities Act Title II, Section 504 of

the Rehabilitation Act of 1973, and the Individuals with Disabilities Education Act affecting public schools. Data include scope of coverage, definition of disability, responsibility for oversight, administrative requirements, employment-related requirements, facilities-related requirements, communication-related requirements, and requirements regarding identification of children, parental notice, free appropriate public education, education plans, procedural safeguards, evaluation, placement teams, educational setting, non-academic programs, preschool (age 3-5), adult education, reasonable modification, and confidentiality.

(2000). *A guide to disability rights laws.*

NARIC Accession Number: O13992

ABSTRACT: Booklet providing an overview of U.S. federal civil rights laws that ensure equal opportunity for people with disabilities. Laws covered include the Americans with Disabilities Act, the Telecommunications Act, the Fair Housing Act, the Air Carrier Access Act, the Voting Accessibility for the Elderly and Handicapped Act, the National Voter Registration Act, the Civil Rights of Institutionalized Persons Act, the Individuals with Disabilities Education Act, the Rehabilitation Act, and the Architectural Barriers Act. The booklet also lists other sources of disability rights information.

(2000). **Questions and answers about IDEA.**

NICHCY News Digest, N21, 2nd edition, 28.

NARIC Accession Number: O13442

ABSTRACT: Document providing answers to questions asked by people who contact the National Information Center on Children and Youth with Disabilities regarding the Individuals with Disabilities Education Act (IDEA). Topics covered include: history of IDEA; its purpose; eligibility; types of services; obtaining services; the Individualized Education Program; and procedural safeguards for settling disputes. An appendix includes verbatim the IDEA definitions of "child with a disability."

DiMattia, P., Osborne, A.G., Jr., & Russo, C.J. (2000).

IDEA '97: Providing special education services to students voluntarily enrolled in private schools. *Journal of Special Education, 33*(4), 224-231, 247.

NARIC Accession Number: J38474

ABSTRACT: Article analyzing the provisions of the Individuals with Disabilities Education Act (1997) regarding students in private schools, including implementing regulations and case law. Issues discussed include the extent to which services must be provided, the manner in which they must be provided, and the quality of ser-

vices that must be provided. The article concludes by examining guidelines for implementing the new provisions, including suggestions for how to avoid violating the Establishment Clause when one is providing services to students who attend sectarian schools.

Harr, J.J. (2000). **The 1997 reauthorization of the Individuals with Disabilities Education Act.** *Journal of Disability Policy Studies, 11*(2), 111-119.

NARIC Accession Number: J40434

ABSTRACT: Article discussing the role of the U.S. Department of Education in policy-making during the 1997 reauthorization of the Individuals with Disabilities Education Act (IDEA). Topics include issues surrounding the reauthorization, public input, amendments to the IDEA, and the Department of Education's role in the legislative process.

Healy, S.H. (2000). **The general education curriculum: Gaining access for students with disabilities.** *Journal for Vocational Special Needs Education, 22*(2), 37-43.

NARIC Accession Number: J41348

ABSTRACT: Article examining the implications of requirements in the 1997 reauthorization of Individuals with Disabilities Education Act, P.L. 105-17 that schools must have "high expectations for children with disabilities and ensure their access in the general curriculum to the maximum extent possible." Practices that foster such access and result in improved outcomes are discussed.

Heumann, J. (2000). **"Back to School on Civil Rights: Advancing the Federal commitment to Leave No Child Behind": Point counterpoint.** *Exceptional Parent, 30*(4), 82-87.

NARIC Accession Number: J39069

ABSTRACT: Excerpts from the executive summary of a report on federal enforcement of the Individuals with Disabilities Education Act issued by the National Council on Disability (NCD), with a response by Judith Heumann, assistant secretary, U.S. Department of Education Office of Special Education and Rehabilitative Services. Includes findings and recommendations from "Back to School on Civil Rights: Advancing the Federal commitment to Leave No Child Behind."

Tate, J.O. (2000). **Court decisions and IDEA 1997 compliance issues that affect special education programs in rural schools.** *Rural Special Education Quarterly*, 19(1), 3-8.

NARIC Accession Number: J42593

ABSTRACT: Article reviewing court cases and issues related to compliance with the Individuals with Disabilities Education Act from the viewpoint of rural public school special education programs. Issues discussed include funding compliance requirements, changes in the identification and evaluation of eligible students with disabilities, and the qualitative standards required for providing special education and related services. The article presents court decisions in which litigation has produced guidelines for school administrators regarding use of resources, accommodations, modifications, and qualitative standards in rural special education programs.

Thomas, S.B. (2000). **College students and disability law.** *Journal of Special Education*, 33(4), 248-257.

NARIC Accession Number: J38477

ABSTRACT: Article on provisions of accessibility legislation applying to students in colleges and universities. The article briefly reviews Section 504 and the Americans with Disabilities Act and identifies the criteria used to determine whether a student is both "disabled" and "qualified." Then issues related to admission, accommodation, and dismissal are examined. Finally, guidelines are presented that may be used by professors and administrators in their efforts to provide qualified students with disabilities with non-discriminatory access to higher education.

1999

Gitlow, L. (1999). **Individuals with disabilities and professional education programmes: An analysis of legislation, court rulings and policy.** *Disability & Society*, 14(2), 239-248.

NARIC Accession Number: J37139

ABSTRACT: Article discusses barriers to inclusion in institutions of higher education and in particular in professional programs for people with disabilities, within the context of protection provided by Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act. One case in particular is examined, the Ohio Civil Rights Commission vs. Case Western Reserve University, in order to present legal actions that are affecting the policies protecting people with

disabilities from exclusion from institutions of higher education. A legal decision from the Ohio Supreme Court is discussed affirming the right of Case Western Reserve's Medical School to reject a woman who is blind for admission to their medical school. By analyzing this case using a policy analysis framework, the paper discusses the present impact and future concerns related to federal legislation on people with disabilities and their inclusion in institutions of higher education.

Henderson, K., McLaughlin, M.J., Nolet, V., & Rhim, L.M. (1999). **Integrating standards: Including all students.** *Teaching Exceptional Children*, 31(3), 66-71.

NARIC Accession Number: J36102

ABSTRACT: Article about provisions in the 1997 amendments to the Individuals with Disabilities Education Act (IDEA) that align special education policies with standards-based reforms. The article discusses IDEA provisions in the areas of individualized education programs, state performance goals, student assessments, and funding. The article also presents conclusions from interviews with general and special education teachers in five school districts about how the standards being implemented as part of reforms in their states or localities were affecting the curriculum and instruction in their classrooms, and how students with disabilities were participating in the new standards.

Leal, D., Shank, M., Turnbull, A., & Turnbull, R. (1999). **Exceptional lives.** *Special Education in Today's Schools*, 2nd edition.

NARIC Accession Number: R08267

ABSTRACT: Text book presents: (1) the reality of special and general education, the placement of students with disabilities into the general curriculum, and the placement of students with disabilities into separate special education settings, (2) a wide range of perspectives about the benefits and problems associated with general education placements for students with exceptionalities, and (3) an emphasis on access to the general curriculum because that is what the law requires, what benefits all students, and what shapes America's future. Three introductory chapters lay the foundation for the rest of the book through the presentation of the Individuals with Disabilities Education Act, the process of nondiscriminatory evaluation, and core guidelines for inclusion and collaboration. Following these introductory chapters, 13 chapters describe different categories of exceptionality and include a chapter on students who are gifted and talented and a new chapter on children with attention deficit/hyperactivity disorder.

Parry, J.W. (1999). ***Disability law and policy: A collective vision.***

NARIC Accession Number: R07945

ABSTRACT: Booklet on the history, present, and future of disability rights law. Topics include: historical overview from the 1960s to the 1990s; current issues related to the Americans with Disabilities Act and criminal justice; and challenges facing the disability rights movement in the 21st century related to employment, health, housing and community support, treatment and rehabilitation, education, and criminal justice. This publication is based on the proceedings of a June 1998 conference on disability law and policy.

1998

Gordon, M., & Keiser, S. (1998). ***Accommodations in higher education under the Americans with Disabilities Act (ADA): A no-nonsense guide for clinicians, educators, administrators, and lawyers.***

NARIC Accession Number: R07823

ABSTRACT: Book about the disability documentation that college/university administrators should get when students ask for accommodations under the Americans with Disabilities Act (ADA). The book discusses the principles of the ADA's requirements on accommodation of students with disabilities in higher education and professional testing, with a focus on the need for current, detailed, and professional documentation in order to qualify an individual as disabled under the ADA. Chapters contributed by medical clinicians discuss clinical evaluation and disability determination for students with specific conditions, including attention deficit hyperactivity disorder, language based learning disabilities, mood and anxiety disorders, physical disabilities, and visual impairment.

Hammond, M., & Menlove, M. (1998). ***Meeting the demands of ADA, IDEA, and other disability legislation in the design, development, and delivery of instruction.*** *Journal of Technology and Teacher Education*, 6(1), 75-85.

NARIC Accession Number: J37051

ABSTRACT: Article discusses accommodations required under the Americans with Disabilities Act, the Individuals with Disabilities Education Act and other legislation for the designing, developing and delivering instruction. A variety of simple, inexpensive, and reasonable accommodations are presented that meet the demands of federal legislation, increase product mar-

ketability, and increase instructional effectiveness. Instruction should be presented in accessible formats and accommodations should be as unobtrusive as possible. Accommodations described in detail include large print, Braille, audio cassettes, auxiliary aids (augmentative hearing devices, closed-circuit television, screen enlargement systems, personal FM systems, etc.), alternative formats (captioning, sign language interpreters etc.), and computer based materials. Communication techniques and presentation methods are discussed as are appropriate disability language terminology.

Katsiyannis, A., & Maag, J.W. (1998). ***Serving children with disabilities in private and parochial schools: Issues and recommendations.*** *Remedial and Special Education*, 19(5), 285-190.

NARIC Accession Number: J35826

ABSTRACT: Article examining the roles and responsibilities of public schools in providing services to children with disabilities placed in private and parochial schools within the legal parameters of the Individuals with Disabilities Education Act (IDEA). Discusses the requirements of IDEA regarding the availability of services, their nature and scope, and the location of service delivery.

Rapport, M.J.K., Thomas, S.B. (1998). ***Least restrictive environment: Understanding the direction of the courts.*** *Journal of Special Education*, 32(2), 66-78.

NARIC Accession Number: J35462

ABSTRACT: Article about judicial decisions related to providing children with disabilities an appropriate program within a least restrictive environment (LRE). The purposes of the article are (1) to identify and delineate the LRE standards established within federal circuit courts, and (2) to create an alternative, more comprehensive, standard that reflects the explicit mandates of the Individuals with Disabilities Education Act of 1990. Four standards used by the federal courts in their LRE decisions (qualified deference, portability, inclusion, and balancing), are distinguished and contrasted. A table shows the standard used in each federal circuit court decision. A variety of other issues are discussed. The article concludes with a discussion of the direction of the courts on LRE.

Stahl, C. (1998). **Booklet helps parents get a new IDEA.** *Advance for Occupational Therapy Practitioners*, 14(23), 8.

NARIC Accession Number: J35170

ABSTRACT: Article about a 22-page booklet, produced by the Judge David L. Bazelon Center for Mental Health Law, summarizing revisions to the Individuals with Disabilities Education Act that were signed into law in June 1997. The booklet is in a concise, easy to read format, in both English and Spanish. It will be revised after the Department of Education issues regulations for enforcing the new provisions (scheduled for summer 1998).

1997

(1997). **Frequently asked questions about Part B of the Individuals with Disabilities Education Act: A good I.D.E.A.** *TASH Newsletter*, 23(2), 15-22.

NARIC Accession Number: J33390

ABSTRACT: Article discussing key issues pertaining to Part B of the Individuals with Disabilities Education Act (IDEA), and current efforts to make changes in IDEA as it is reauthorized. The article was developed by a cooperative effort between groups and individuals opposed to proposals for changing IDEA currently being considered by Congress. It presents basic facts about the IDEA, and argues that Part B should not be changed. Issues discussed include: inclusion of children with disabilities in general classrooms; disciplinary procedures for students with disabilities; the claim of groups favoring changes in IDEA that inclusion of students with disabilities puts a burden on the majority of students; and the claim of groups favoring change in IDEA that litigation by parents puts an undue burden on school finances.

Hardman, M.L., McDonnell, J., & Welch, M. (1997). **Perspectives on the future of IDEA.** *Journal of the Association for Persons with Severe Handicaps*, 22(2), 61-76.

NARIC Accession Number: J34186

ABSTRACT: Critiques four aspects of the Individuals with Disabilities Education Act, with regard to the debates of the 104th Congress: (a) eligibility and labeling, (b) free and appropriate public education, (c) the individualized education program (IEP), and (d) the least restrictive environment. Recommends changes in existing law relative to each of the four aspects.

Hehir, T., & Heumann, J.E. (1997). **Believing in children: A great idea for the future.** *Exceptional Parent*, 27(9), 38-42.

NARIC Accession Number: J34195

ABSTRACT: Parent-focused article discusses the impact of the Individuals with Disabilities Education Act. Discusses children's rights and the responsibilities of parents, administrators, teachers, and officials under the act. Promotes active participation of families and stresses the importance of early intervention, high expectations for all children, and open access to optimal educational opportunities.

Herr, S.S. (1997). **Reauthorization of the Individuals with Disabilities Education Act.** *Mental Retardation*, 35(2), 131-137.

NARIC Accession Number: J33445

ABSTRACT: This article is the statement of Stanley S. Herr in the hearing for the Reauthorization of the Individuals with Disabilities Education Act before the Committee on Labor and Human Resources, United States Senate, on January 29, 1997. Mr. Herr was co-counsel in *Mills v. Board of Education* (1972) and was Vice-President of the American Association on Mental Retardation, 1996-1997. He is now at University of Maryland School of Law.

Katsiyannis, A., & Maag, J.W. (1997). **Ensuring appropriate education: Emerging remedies, litigation, compensation, and other legal considerations.** *Exceptional Children*, 63(4), 451-462.

NARIC Accession Number: J33878

ABSTRACT: Discusses the Individuals with Disabilities Education Act and its provision of procedural and substantive rights to ensure a free appropriate public education (FAPE) to qualified people with disabilities. Examines traditional and newer remedies available to parents for addressing violations that inhibit a student's access to FAPE, including reimbursement for residential placements, related services, and legal fees, with an added emphasis on the increasingly used remedy of compensatory education and the potential for the award of monetary damages.

Laski, F. (1997). **Inclusion and the 1997 IDEA amendments.** *TASH Newsletter*, 23(9), 22-23.

NARIC Accession Number: J34491

ABSTRACT: Describes the impact that the 1997 amendments to the Individuals with Disabilities Education Act has had on the original mandate of inclusion of students with disabilities in mainstream classrooms. The

Congress not only reaffirmed the 1975 mandate, but in several substantive provisions, strengthened the federal statutory requirements for inclusion.

Marmer, L. (1997). **IDEA comes of age.** *Advance for Occupational Therapists*, 13(40), 15, 50.

NARIC Accession Number: J34301

ABSTRACT: Article about the Individuals with Disabilities Education Act (IDEA) Amendments of 1997. The article outlines some of the provisions of the reauthorization, and quotes the opinions of a number of occupational therapists regarding IDEA and its impact.

Shriner, J.G., & Yell, M.L. (1997). **The IDEA amendments of 1997: Implications for special and general education teachers, administrators, and teacher trainers.** *Focus on Exceptional Children*, 30(1), 1-19.

NARIC Accession Number: J34496

ABSTRACT: Describes 1997 amendments to the Individuals with Disabilities Education Act (IDEA) passed by Congress during reauthorization of IDEA (PL 105-17). Discusses, inter alia, changes in Individualized Education Programs, clarification of the least restrictive environment, and a number of changes addressing disciplinary procedures for students in special education and other students.

1996

Behrman, R.E., Lerner, M.B., Stevenson, C.S., & Terman, D.L. (1996). **Special education for students with disabilities: Analysis and recommendations.** *The Future of Children*, 6(1), 4-24.

NARIC Accession Number: J31865

ABSTRACT: Examines key issues concerning special education under the Individuals with Disabilities Education Act (IDEA) and offers recommendations for changes in policy and practice. Five major issues are addressed: (1) factors contributing to the increased numbers of students identified as having a disability; (2) the common characteristics and educational needs of students with disabilities; (3) funding structures to support the delivery of appropriate, individualized services; (4) the necessity of IDEA's procedural protections for parents; and (5) the ways in which regular education might be changed to meet the needs of more students with disabilities.

Ebenstein, B.J. (1996). **When parents choose private education. Part One: Tuition reimbursement and special education services.** *Exceptional Parent*, 26(9), 60-63.

NARIC Accession Number: J32484

ABSTRACT: Discusses requirements under the Individuals with Disabilities Act and issues for parents who choose private education for their children with disabilities. The discussion focuses on the question of when a school district is required to reimburse tuition for children with disabilities attending private schools and when the school district is obligated to provide special education services to children attending private schools. Several recent court cases addressing these issues are cited.

Heuman, J.E. (1996). **Lessons for independence.** *Mainstream*, 20(6).

NARIC Accession Number: J30721

ABSTRACT: The author, Assistant Secretary for Special Education and Rehabilitative Services, looks back on 20 years of the Individuals with Disabilities Act. Examines the progress made and the hurdles still to be overcome. Covers (1) integration of children with disabilities in regular classrooms, (2) Employment opportunities for youths and adults, (3) de-institutionalization of mentally retarded and developmentally disabled children and youths. Recommends whole communities must become involved to facilitate further progress for both adults and children with disabilities.

Martin, E.W., Martin, R., & Terman, D.L. (1996). **The legislative and litigation history of special education.** *The Future of Children*, 6(1), 25-39.

NARIC Accession Number: J31866

ABSTRACT: Reviews the legislative and litigation history of special education. Between the mid 1960s and 1975, state legislatures, the federal courts, and the U.S. Congress set forth strong educational rights for children with disabilities. Forty five state legislatures passed laws mandating, encouraging, and/or funding special education programs. Federal courts, interpreting the equal protection and due process guarantees of the Fourteenth Amendment, ruled that schools could not discriminate on the basis of disability and that parents had due process rights related to their children's schooling. In 1975, Congress enacted Public Law 94-142, now named the Individuals with Disabilities Education Act, which specified detailed procedural protections regarding eligibility for special education services, parental rights, individualized education programs (IEPs), the right to services in the least restrictive environment, and the

need for related services. Decisions on instructional matters such as curricula and the elements of the IEP remain the province of local and state authorities.

1995

(1995). *Improving the implementation of the Individuals with Disabilities Education Act: Making schools work for all of America's children, May 9, 1995.*

NARIC Accession Number: O11530

ABSTRACT: Report on progress in implementing the Americans with Disabilities Education Act (IDEA) over the past 20 years and recommendations for improving implementation in the future. The information is derived from 10 regional hearings at which nearly 400 witnesses shared their experiences with IDEA to date, their views regarding the reauthorization of IDEA, and their hopes for the future. Most of the witnesses were parents of children with disabilities, students with disabilities, and adults with disabilities. The contributions of these witnesses and recommendations to improve implementation of IDEA are presented for 10 major themes: (1) the principle of zero reject, (2) assessment for eligibility and nondiscriminatory evaluation, (3) appropriate education, (4) least restrictive environment, (5) parent participation and shared decision making, (6) procedural due process, (7) transition, (8) discretionary programs, (9) funding, and (10) special education and the Goals 2000: Educate America Act.

Brownwell, M.T., & Smith, S.W. (1995). **Individualized education program: Considering the broad context of reform.** *Focus on Exceptional Children, 28*(1).

NARIC Accession Number: J31536

ABSTRACT: This article reviews the various laws which relate to the educational opportunities offered to students with disabilities and discusses the practical results of applying these laws in the day to day operation of the education system. It is the intent of the authors to start a dialogue on how to provide appropriate education through Individualized Education Program's (IEPs) for all students with disabilities. It pays specific attention to the IEP, the All Handicapped Children Act of 1975, and the Individuals with Disabilities Act. Information is given on the following topics: Top-Down Policy Making Means Successful Implementation - where policy meets practice, forward mapping; Decision Making by School Organizations to Accommodate Individuality; Teachers are Rational and Technical Thinkers; Possible Directions for Dialogue about IEP

Reform - backward mapping, adhocratic forms, teachers in the adhocratic form.

Mather, N., & Roberts, R. (1995). **Legal protections for individuals with learning disabilities: The IDEA, Section 504 and the ADA.** *Learning Disabilities: Research and Practice, 10*(3), 160-168.

NARIC Accession Number: J30213

ABSTRACT: Article reviews for concerned individuals the legal requirements and protections legislated for the benefit of students with learning disabilities. The education legislation reviewed for its qualification requirements are the Individuals with Disabilities Education Act of 1990, Section 504 of the Rehabilitation Act of 1990, and the Americans with Disabilities Act of 1990. The evaluation process, disability definition, individual program plans and grievance procedures are described and differentiated between the laws. The court cases that interpreted free and appropriate public education, least restrictive environment, accommodations and modifications, the term "otherwise qualified", and discrimination and federal funding are presented.

Turnbull, A.P., & Turnbull, H.R. (1995). **The synchrony of stakeholders: Lessons from the disabilities rights movement.** *Reinventing Early Care and Education: A Vision for a Quality System, ed. SL Cohen & NE Cohen, 290-305.*

NARIC Accession Number: J33659

ABSTRACT: Reviews and discusses the implications of the history of the disability rights movement and disability legislation as expressed in the Individuals with Disabilities Education Act.

1993

(1993). *To assure the free appropriate public education of all children with disabilities: Fifteenth Annual Report to Congress on the implementation of the Individuals with Disabilities Education Act, 1993.*

NARIC Accession Number: O11112

ABSTRACT: Fifteenth annual report to Congress describing the nation's progress in implementing the Individuals with Disabilities Education Act. Chapter one provides national statistics on the numbers of children who received special education and related services, the numbers of children with disabilities receiving special education in various settings, the exiting status of special education students, and the number of personnel employed and needed to provide special education services. Chapter two describes early childhood programs for children with disabilities, including the Part H

Program, the Preschool Grants Program, and two discretionary programs designed to improve the delivery of services to young children with disabilities. Chapter three is based on the National Longitudinal Transition Study and describes outcomes of youth with disabilities who had been out of secondary school 3 to 5 years. Chapter four describes federal efforts to assist States and localities in implementing special education and related services.

Guernsey, T.F., & Klare, K. (1993). *Special education law, 1993*.

NARIC Accession Number: R07095

ABSTRACT: Handbook on federal special education law, with a focus on the Individuals with Disabilities Education Act (IDEA) and Section 504 of the Rehabilitation Act of 1973. The book is intended to guide lawyers, educators, and other professionals through the process of providing special education services to children and, if agreement is not reached between the school and the public agency responsible for educating the child, through the process of resolving that disagreement. Eighteen chapters address the following topics: overview of IDEA and other federal statutes, parties to the process, provision of a free appropriate education, identification and evaluation of children in need of special education services, eligibility, independent educational evaluations, the individualized education program, placement, notice and consent, discipline, impartial due process hearing, administrative appeals, judicial review, remedies, attorneys' fees and costs, student records, monitoring and compliance, and early intervention services for infants and toddlers with disabilities.

Harkin, T. (1993). **Inclusion: Future goals.** *Exceptional Parent*, 23(7), 25-28.

NARIC Accession Number: J26907

ABSTRACT: The article contains portions of a report submitted to the Senate Committee on Labor and Human Resources in July 1993. It focuses on part B of the Individuals with Disabilities Education Act and how it relates to the Goals 2000: Educate America Act. This report describes how specific provisions of S. 1150 apply to students with disabilities. Section 102 of the Act outlines six national educational goals: school readiness; school completion; school achievement and citizenship; mathematics and science; adult literacy and lifelong learning; and a safe, disciplined, drug free school. Current and on-going programs and the progress being made for each of these goals are being reported.

1992

Borwman, O.J., & Marzouk, D.K. (1992). **Implementing the Americans with Disabilities Act of 1990 in higher education.** *American Journal of Occupational Therapy*, 46(6), 521-533.

NARIC Accession Number: J23035

ABSTRACT: Paper presents information on how the Americans with Disabilities Act (ADA) of 1990 may affect institutions of higher education and suggests ways that occupational therapists can help such institutions comply with the ADA. After reviewing general systems theory and offering a schema to illustrate it, the article suggests general roles for occupational therapists working in a system of higher education. A model entitled Systems Approach to Higher Education, based on general systems theory, is presented, noting the various components: input, throughput, output, quality control, and barriers to qualified individuals. Information is offered on components of a university system and compliance with the ADA: (1) input (applicant pool, applicants with a disability, university subsystems that act on applicants with a disability, and proactive response to the ADA), (2) throughput (enrolled student with a disability, university subsystems that act on enrolled students with a disability, and proactive response), and (3) output (graduate with a disability, subsystems that affect graduates with a disability, and proactive response).

Jarrow, J.E. (1992). **Title by title: The ADA's impact on postsecondary education, 1992.**

NARIC Accession Number: R06518

ABSTRACT: Explains provisions of the Americans with Disabilities Act (ADA) Titles I, II, and III as they apply to postsecondary educational settings. The first section presents a summary of relevant sections of the Rehabilitation Act of 1973 and Titles I through V of the ADA and reviews the definition of disability as set forth in the ADA. The second section explains Title I provisions addressing nondiscrimination in employment activities. The third section examines the accessibility provisions of Titles II and III and presents a self-evaluation plan to assist postsecondary institutions in complying with the ADA.

Reed, K.L. (1992). **History of federal legislation for persons with disabilities.** *American Journal of Occupational Therapy*, 46(5), 397-408.

NARIC Accession Number: J22276

ABSTRACT: Reviews the history of federal legislation for persons with disabilities and the effects on the field

of occupational therapy. Thirteen areas of federal legislation are discussed: basic and special education, vocational education, vocational rehabilitation, medical rehabilitation, economic support, social rehabilitation, facility construction and architectural design, basic and continuing education for health care professionals, research and development, deinstitutionalization and independent living, transportation and public accommodation, technology-related assistance, and civil rights and advocacy. Provisions of the five titles of the Americans with Disabilities Act of 1990 (ADA) are summarized, and limitations of the ADA are discussed.

1991

(1991). **The New Individuals with Disabilities Education Act.** *Education of the Handicapped, February 27, 1991*, 1-10.

NARIC Accession Number: J19792

ABSTRACT: Compares old law, Education of Handicapped Act, with new law, Individuals with Disabilities Education Act which was signed on October 30, 1990. Eight sections focus on: (1) general provisions (definitions, attention deficit disorder inquiry, abrogation of state sovereign immunity, and Education Department administration of discretionary programs); (2) assistance for education of all individuals (state plans, and evaluation and program information); (3) centers and services (regional resources and federal centers, services for deaf-blind children, early education for children, programs for children with severe disabilities, secondary education and transitional services for youth with disabilities, and programs for children and youth with serious emotional disorders); (4) training personnel (grants); (5) research (research and demonstration projects); (6) instructional media; (7) technology, educational media and materials; and (8) infants and toddlers.

Black, T.L., Hebbeler, K.M., & Smith, B.J. (1991). **Federal early childhood special education policy: A model for the improvement of services for children with disabilities.** *Exceptional Children*, 58(2), 104-112.

NARIC Accession Number: J21079

ABSTRACT: Reviews the evolution of federal policy in early childhood special education achieved. The review is divided into the early years (1968-1974), middle years (1975-1982), and later years (1983-1990). During the early years, federal special education policy for young children was aimed at stimulating the development of local programs and model practices. By the

end of this phase, support was extended to state-level activities as well. The middle years opened with the passage of P.L. 94-142, the Education for All Handicapped Children Act. However, the impact of this Act on children below school age was limited. This period also saw intensified efforts to build state capacity for early childhood services and continued support for research, model demonstrations, and outreach projects. During the later years, federal activity focused on building state-level systems of services. The passage of P.L. 99-457 in 1986 established the Handicapped Infant and Toddler Program (Part H) and mandated services for 3- through 5-year-olds by 1992.

Katsiyannis, A., & Klare, K. (1991). **State practices in due process hearings: Considerations for better practice.** *Remedial and Special Education*, 12(2), 54-58.

NARIC Accession Number: J19523

ABSTRACT: Study investigated how states implement requirements of the Education for all Handicapped Children's Act in administrative due process hearings. Also identified components of state due process systems which best address issues seen in literature on the subject. Personnel involved with monitoring or familiar with system of due process hearings in state educational agencies and District of Columbia were contacted by telephone to gather information. Seven interview questions asked about: levels of hearings; agency responsible for appointment and training of hearing officers; number of hearing officers and their qualifications; number of scheduled hearings and decisions for 1988 fiscal year; number of appeals in two-tier systems and percentage of hearings affirmed on review; cost of hearing and agency responsible for remuneration of hearing officers; and existence of formal mediation at state level. All states and District of Columbia participated. Results indicate the states address issue of due process in different ways. All require training for hearing officers and for mediators in those states which have formal mediation body. Recommendations for better practice are listed.

Russell, P. (1991). **The Children's Act: A challenge for all.** *British Journal of Special Education*, 18(3), 115-118.

NARIC Accession Number: J21245

ABSTRACT: Discusses the Children's Act 1989 and its implications for British children with special needs. The Children's Act establishes a new, unified approach to local service authority services for children and families. The Act emphasizes partnership with parents and

collaboration between health, educational, and social service providers. This article focuses on provisions of the Act and related regulations in the areas of assessment, independent residential schools, and child protection. The first section discusses requirements for assessment under the Children's Act and the 1981 Education Act, and explores how the two assessment processes interrelate. The second section discusses the new requirements for independent residential schools and relevant local authorities. The final section examines provisions pertaining to the protection of children who are abused or at risk of being abused.

1990

(1990). *Twelfth annual report to Congress on the implementation of the Education of the Handicapped Act.*

NARIC Accession Number: O09991

ABSTRACT: Presents an annual report to the U. S. Congress describing the progress being made in implementing the Education of the Handicapped Act (EHA). Information presented and discussed include national statistics on the number of children who received special education and related services in 1988-1989, the educational placement of students, personnel employed and needed to provide the services to the students, the execution of part H of the EHA which was designed to improve early intervention services for handicapped children and their families, the transition of secondary school students with disabilities, efforts made at the state and federal level to evaluate the outcomes of students in transition, financial aid to state and local educational agencies through grant programs to support the delivery of services to children with disabilities, and Federal efforts to review and monitor state policies and procedures for the education of children with disabilities.

Anderson, Winifred, Chitwood, Stephen, & Hayden, Diedre. (1990). *Negotiating the special education maze: A guide for parents and teachers.*

NARIC Accession Number: R05585

ABSTRACT: This book is designed for use by parents of a child who is disabled. It helps these parents understand the Education for All Handicapped Children Act (Public Law 94-142) and assist them in the role of educational advocate for the child. It aids in being an effective educational planner for the child, assists in presenting the child in the best possible way, suggests methods for coping with feelings, and provides a guide through the complexities of special education. Appended are a glossary of special education terms, a bibliography of

further reading about special education, and lists of federal offices, state offices, and national organizations concerned with disabled persons with addresses and telephone numbers.

Cline, D.H. (1990). **A legal analysis of policy initiatives to exclude handicapped/disruptive students from special education.** *Behavioral Disorders, 15*(3), 159-173.

NARIC Accession Number: J17243

ABSTRACT: Discusses the exclusion of seriously emotionally disturbed (SED) or behaviorally disordered (BD) students from special education stemming from (1) the ambiguity of the language of the Education for All Handicapped Children Act (EAHCA) of 1975, and (2) the resulting disparities among states in their styles of implementation. Specific topics include: (1) problems in the federal definition of "seriously emotionally disturbed" and the effects on SED/BD students; (2) state sovereignty versus federal supremacy in policy matters pertaining to the eligibility of SED/BD students; (3) the major arguments of proponents of restrictive eligibility policies and the legal response to those arguments as illustrated by judicial or administrative decisions; (4) the legislative history behind current federal policy and the original intent of Congress in excluding certain socially maladjusted students from special education; and (5) legal options for students seeking access to special education who is found ineligible under the EAHCA.

Davila, Robert, R. (1990). **Looking at the past and the future.** *Exceptional Parent, 20*(2).

NARIC Accession Number: J15889

ABSTRACT: Discusses the past performance of education for handicapped since 1975 and the passage of Public Law 94-142, the Education for All Handicapped Children Act. Children with disabilities are getting a better education now, but they also have a higher dropout rate than students in general and only 46% of youth with disabilities found regular, paying jobs. "The issues we must now face relate to the quality of services provided and the success of the outcomes we attained." The article discusses the Office of Special Education and Rehabilitative Services and its mission and goals which will be to increase the effectiveness of education services for students with disabilities, to increase the amount and quality of interaction between students with disabilities and their peers who are not disabled, to promote collaboration on behalf of students with disabilities, and expand the capacity of special education to meet the needs of students.

Smith, S.W. (1990). **Individualized Education Programs (IEPs) in special education, from intent to acquiescence.** *Exceptional Children*, 57(1), 6-14.
NARIC Accession Number: J17887

ABSTRACT: Discusses evolution of the Individualized Education Program (IEP), examining IEP-related papers and reports published during 1980s. Historical perspective shows position papers and reports are divided into three phases: normative phase, analytic phase (assumptions of IEP development, special education teacher perceptions, parent involvement, multidisciplinary or team approach, and regular education teacher participation), and technology reaction phase. Notes implications of IEP research on Public Law 94-142, the Education for All Handicapped Children Act (EAHCA). Basically, substantive IEP change has not ensued during past decade. Literature suggests questioning efficacy of IEP document and its relationship with EAHCA. Recommendations in literature include improving in-service for special education practitioners, increasing compliance efforts, and conducting more thorough pre-service training. A vigorous re-visitation of the IEP is suggested.

Turnbull, A.P., & Turnbull, H.R. (1990). **The unfulfilled promise of integration: Does Part H ensure different rights and results than Part B of the education of the handicapped act?** *Topics in early childhood special education*, 10(2).

NARIC Accession Number: J17091
ABSTRACT: Compares least restrictive environment requirements of Part B of Education of the Handicapped Act (Public Law 94-142) with those of Part H (Public Law 99-457). Examines the purposes of the doctrine of least restrictive environment (individuals and society benefit when all are educated to fullest potential, and they also all benefit when all are free to associate with each other). Discusses Part B and appropriate education in the right to least restrictive environment. Looks at Part H and the right to early intervention services in least restrictive environment: right to appropriate services (restrictive interpretations, answers to restrictive interpretations, and Supreme Court's interpretations) and obligation of educational benefit. Describes Part H's integration requirements. Focuses on court interpretations of Part B and their implications for Part H (implications for Part H and home-based education as least restrictive). Suggests that those who favor integration should argue on basis of language of law itself, values under-girding law, and evidence that integration is indispensable to child development. Money must be put behind integration.

1989

(1989). ***The education of students with disabilities: Where do we stand?***

NARIC Accession Number: R05547

ABSTRACT: This document reports to the United States Congress and President the progress of implementing recommendations contained in the National Council on Disability's 1986 report, "Toward Independence". The Chairperson of the Council states the Council is encouraged by progress in the nation's efforts to educate students with disabilities. The report discusses Public Law 94-142: the Education for All Handicapped Children Act, the Council's findings, and its recommendation for a National Commission on Excellence in the Education of Students with Disabilities. A bibliography is appended.

(1989). ***Eleventh Annual Report to Congress on the implementation of the Education of the Handicapped Act.***

NARIC Accession Number: O09346

ABSTRACT: Eleventh annual report to congress describing the nation's progress in implementing the Education of the Handicapped Act. Includes an executive summary and eight chapters: (1) national statistics on the number of children who received a free appropriate public education in 1987-88, (2) educational placements where children with handicaps received special education and related services, (3) provision of services to children below school age, (4) follow-up on handicapped students exiting secondary school, (5) personnel supply, demand, and need, (6) special education expenditures, (7) results of Federal monitoring activities, and technical assistance provided to states by Regional Resource Centers, and (8) efforts to evaluate the effectiveness of educating children with handicaps. Appendices include: (A) data tables, (B) additional data on children and youth classified as deaf-blind, (C) survey methodology of OSEP longitudinal study, (D) special education programs and services in need of improvement, (E) special studies contracts; and, (F) abstracts of SEA/federal evaluation studies.

(1989). ***The intent and spirit of P.L. 99-457: A sourcebook.***

NARIC Accession Number: R04725

Abstract: The Education for the Handicapped Act Amendments of 1986 (P.L. 99-457) are described, noting their importance to education today. Notes the full impact of this law will not be seen until it is implemented.

Process of implementation requires a great deal of discussion about the intent of the law. Materials are included to articulate the intent of those people framing P.L. 99-457. Materials are as follows: (1) "P.L. 99-457 A Window of Opportunity," (the text of a speech by Robert Silverstein, Staff Director and Chief Counsel of the Subcommittee on the Handicapped of the Senate Committee on Labor and Human Resources to the national meeting of Project Zero to Three in which he discusses nine themes found in P.L. 99-457); (2) "Report #99-860," (from Committee of Education and Labor of House of Representatives describing background and need for P.L. 99-457); and (3) "Community-Based Service System for Children with Special Health Care Needs and Their Families (publication by National Maternal and Child Health Resources Center for U.S. Surgeon General's Conference describing vision of family-centered, coordinated care which helped shape concept of P.L. 99-457).

Beyer, Henry, A. (1989). **Education for all Handicapped Children Act: 1975-1989: A judicial history.** *Exceptional Parent*, 19(6), 52-54, 56, 58.
NARIC Accession Number: J14001

ABSTRACT: This article discusses the court history of Public Law 94-142 of 1975 which resolved to create a free public education for all persons between 3 years to 21 years. Since its enactment, the meaning of the law's provisions is still being determined by the courts. Court cases are presented and their implications are examined for definition of the law, the recovery of attorney's fees for successful plaintiffs, the recovery of private school tuition fees from public school programs with inadequate handicapped child education programs, the definition of "related services" provided by the law, the issue of unilateral exclusion of children with handicaps from class for dangerous or disruptive behavior growing out of their disability, exclusion of a child from school by the standard that the handicapped child is uneducable and will not benefit from the school, and state vs. federal standards.

Boomer, L.W. (1989). **Rowley, Centennial, and appropriate education.** *Journal of Reading, Writing, and Learning Disabilities*, 5(3), 265-270.
NARIC Accession Number: J14884

Abstract: Examines what is meant by "appropriate education" for learning disabled children and gifted children, based on legal decisions in the cases of Board v. Rowley (1982) and Centennial v. Commonwealth (1988). Board v. Rowley was the first case concerning the Edu-

cation for All Handicapped Children Act presented to the U.S. Supreme Court. In this case, the Court was asked to decide whether a young hearing-impaired child was receiving an appropriate education. The Court used three standards to define appropriate education: (1) fair implementation of the procedures set forth in the Act, (2) an Individualized Education Plan that is "reasonably calculated to enable the child to receive educational benefits," and (3) appropriate monitoring and evaluation procedures to ensure that instructional objectives are being achieved. In the case of Centennial v. Commonwealth, the Pennsylvania Supreme Court ruled that an appropriate education for gifted children must include individualized instruction, and that an "enrichment program" consisting only of additional material was inadequate.

Florian, L.D., & West, J. (1989). **Congress affirms the rights of children with handicaps.** *Teaching exceptional children*, 21(4), 4-7.

NARIC Accession Number: J12100

ABSTRACT: Discusses Public Law 99-372, The Handicapped Children's Protection Act of 1986. This law authorized courts to award such expenses as attorney's fees to parents and guardians of disabled children prevailing in civil or administrative actions from Public Law 94-142, The Education for All Handicapped Children Act of 1975. Events leading up to this law and its provisions are presented. Background details including Smith vs. Robinson in 1984 are noted. By enacting P.L. 99-372, Congress clarified its intent with regard to civil rights of disabled children. Offered them access to system ensuring appropriate public education. Provisions of the law are noted along with impact on special education practitioners. Currently, over four million children with handicaps are served under P.L. 99-142. Less than one percent of eligible recipients have had to use the due process system to claim rights to an education. Procedural safeguards in P.L. 99-142 have been in effect for over ten years now, and P.L. 99-372 clarifies that prevailing parents or guardians may recover legal fees.

Gerber, M.M., & Levine-Donnerstein, D. (1989). **Educating all children: Ten years later.** *Exceptional Children*, 56(1).

NARIC Accession Number: J13645

ABSTRACT: Commentary on the Tenth Annual Report to Congress on the Implementation of the Education of the Handicapped Act (EHA). Provides an overview of the numbers and categories of students served under the EHA, a description of the organization of the Tenth Annual Report, and summaries of findings in the

areas of: special education services provided, secondary special education and dropouts, and early childhood special education. Discusses issues related to the increased numbers of children classified as learning disabled, and the variability among states in the numbers of children identified under different categories of disability. Proposes the development of competing macro-theories of special education to explain this variability by addressing the multiple and overlapping sources of variation, and describes three approaches which have been attempted. These explanatory schemas tend to follow either a neurological or psychological orientation, a social nomination or discrimination orientation, or an economic or organizational orientation.

Hume, M. (1989). *Mandate to educate: The law and handicapped children.*

NARIC Accession Number: R04028

ABSTRACT: History of litigation in special education before and since the passage of PL 94-142, the Education for All Handicapped Children Act. Presents a litigation history and a chronology of legal milestones. Discusses the future of special education litigation in terms of free, appropriate public education; least restrictive placement; AIDS; related services; 1986 Education of the Handicapped Act (EHA) amendments; Medicaid conflict; Supreme Court and discipline; due process; mediation; attorneys fees; and the shortcomings of litigation. Includes the text of the Education of the Handicapped Act.

Mayerson, A. (1989). "1970's and Onward - The civil rights perspective," in the *Second National Conference on the Legal Rights of Citizens with Mental Retardation, held at Loveland, Ohio in March 1985, 105-117.*

NARIC Accession Number: R05470

ABSTRACT: Discusses the historical significance of the disability rights movement and civil rights legislation, and their challenges to the medical model that has dominated public disability policy. The "right to treatment" philosophy of the medical model has been rejected for the "right to belong," and the status of patient has been rejected for the status of equal citizen. Self-determination has become the anthem of the movement, and traditional notions of disability and charity have been attacked. Two pieces of legislation have been particularly significant: Section 504 of the 1973 Rehabilitation Act, by adding disability to the general body of anti-discrimination law, and the Education for All Handicapped Children Act, by establishing the right of disabled children to a free education in the least restrictive environment. This paper examines the significance of

these laws to the disability rights movement. It discusses issues related to their implementation, and reviews relevant case law illustrating the tension between the medical and civil rights models.

Osborne, A.G. (1989). **Feature article: Reimbursements of private school tuition to parents since Burlington.** *Remedial and Special Education, 10(5), 58-62.*

NARIC Accession Number: J13859

Abstract: Examines issue of reimbursing parents for private school tuition if it is determined to be appropriate placement under Education for All Handicapped Children Act (EHCA) after they have already unilaterally enrolled handicapped child in private school while proceedings were still in progress. Looks at Burlington School Committee vs. Department of Education (1985) in which high court upheld First Circuit's decision that EHCA allowed reimbursement as long as parental choice was deemed proper placement. Burlington decision does not end reimbursement controversy. Focuses on related services (besides tuition costs, courts are unanimous in finding costs of related services reimbursable). Discusses non-approved facilities and mentions it is important when parents unilaterally enroll child in private school that they choose one on state's list of approved special education schools. Also looks at: exact proper placement not required; prior school district evaluation required; delays do not preclude an award; deficient Individual Education Plans; hearing officer may award reimbursement; and compensatory educational services. Awards of compensatory educational services have been frequent since Burlington decision.

Wang, M.C. (1989). "Implementing the state of the art and integration mandates of PL 94-142," in a *collection of papers presented at a three day conference in Chapel Hill, NC, on policy implementation and PL 99-457 in spring 1987, 33-57.*

NARIC Accession Number: R04633

ABSTRACT: Examines two implementation standards in special education: exceptional children's entitlement to a free, appropriate public education of the same quality as that available to other children; and, the requirement that special education services for exceptional children occur in the least restrictive environment. These standards are referred to as the "state of the art" and the "integration" mandates of PL 94-142. The article describes the implementation of these aspects of PL 94-142, noting the implications of the experience for implementation of PL 99-457 (The Education of the Handicapped Act Amendments of 1986). The discus-

sion includes topic such as: the legal basis for delivery of special education in regular classrooms; the historical perspective on special education and the mainstreaming movement; existing practices and implementation barriers; and, the prospects for demonstrably effective implementation. Also discusses demographic changes and the implications for special education, solutions through early intervention, and future directions for system-wide improvement.

Wyche, L.G., Sr. (1989). **The Tenth Annual Report to Congress: Taking a significant step in the right direction.** *Exceptional Children*, 56(1).

NARIC Accession Number: J13644

ABSTRACT: Commentary on facts reported in the Tenth Annual Report to Congress on the Implementation of the Education of the Handicapped Act. Discusses the disproportionately high dropout rate among students with learning disabilities and the increased enrollment of Black students in learning disability classes, noting that this combination of factors will lead to increasing numbers of Black students who will be unlikely to graduate from high school. Proposes a comprehensive follow-up study to examine this problem. This study would entail: periodic testing of students' learning aptitude and monitoring of the learning aptitude-achievement discrepancies over time; follow-up into high school to determine whether students graduate or drop out; development of a diagnostic profile, based on test scores and graduation/dropout data, that identifies at-risk dropouts with at 80 percent accuracy.

Ziegler, M. (1989). **"A parent's perspective: Implementing PL 99-457," in a collection of papers presented at a three day conference in Chapel Hill, NC, on policy implementation and PL 99-457 in spring 1987, 85-96.**

NARIC Accession Number: R04635

ABSTRACT: Presents a parent's perspective on implementation of PL 99-457 (The Education of the Handicapped Act Amendments of 1986). Discusses the problems that result when parents are informed of their child's disability in a negative manner, and the parent's need for a "context," a "framework of shared philosophy and overall goals" that enables the parent to work effectively with professionals. Reviews the types of information and skills needed by parents to reach effective decisions about their child's education and other services. These include information about the disability itself, relevant laws, available services, "state of the art" education programs, tests and assessments, sources of financial assistance, and skills in assertiveness, communication, and documentation. Also discusses: other

areas of parental decision-making such as the decision to have more children; the need to ensure that nondisabled children receive a fair share of love and attention; ways that professional caregivers can support parents; and the policy implications of parental needs and roles.

1987

(1987). **To assure the free and appropriate public education of all handicapped children: Ninth annual report to Congress on the implementation of the Education of the Handicapped Act.** *Office of Special Education Programs Division of Innovation and Development.*

NARIC Accession Number: R04044

ABSTRACT: Report on the continued progress being made since the 1975 passage of the Education of the Handicapped Act. Provides new (1987) and more detailed statistical description of national efforts to educate handicapped children and youth. Documents differences among the states in special education and related services. Discusses implementation of key provisions of the act involving support of parent participation, individualized education programs, and dispute resolution. Also discusses funding to assist states and localities, discretionary programs, and expenditures. Reports on efforts to assess and assure the effectiveness of programs educating handicapped children.

Hume, M., & Weiner, R. (1987). **And education for all: Public policy and handicapped children.**

NARIC Accession Number: R04029

ABSTRACT: An overview of the public policy of special education. Provides a legislative, regulatory, and litigation history and a discussion of advances in teaching methods. Discusses special education funding problems, the future of special education litigation, incorrect identification of children, the nature of the paperwork, and service from birth to two years. Includes results of a survey on the effect of PL 94-142, child count data for 1976-77 and 1985-86, a 12-year budget comparison, a state resource directory, and the text of the Education of the Handicapped Act.

1986

(1986). ***Eighth annual report to Congress in the implementation of the Education of the Handicapped Act: Volume 1.*** Department of Education Office of Special Education and Rehabilitative Services Division of Educational Services Special Education Programs.

NARIC Accession Number: R03272

ABSTRACT: Report on national level progress in providing free appropriate public education for all handicapped children. The report is made up four chapters focusing on the four purposes of the Education of the Handicapped act: students receiving a free appropriate public education; assuring the rights of the children and their parents/guardians; assisting states and local agencies provide the necessary educational opportunities; and assessing and assuring the effectiveness of the educational efforts. Includes numerous appendices and tables focusing on child count, personnel, least restrictive environment, financial and population/enrollment figures.

(1986). ***"To assure the free appropriate public education of all handicapped children". Eighth Annual Report to Congress on the implementation of the Education of the Handicapped Act, Volume 1, 1986.*** [Executive Summary].

NARIC Accession Number: O08466

ABSTRACT: Executive Summary of a report examining the progress made in implementing the requirements mandated by the Education of the Handicapped Act, as amended by Public Law 98-199, since its enactment in 1975. A detailed examination of these activities during school year 1984-85 is presented. Summary covers handicapped students receiving a "free appropriate education", by number, age, and type of complex need. Child identification, location, and evaluation for the purposes of identifying services are reviewed. Special education personnel requirements and means of assisting states and local agencies in educating all handicapped children are reviewed. Federal revisions of compliance monitoring, including field testing, are discussed. Authors conclude that, although problems remain with regard to refinement of the procedural implementation of the Act, the data presented attests to the gradual but continuous progress taking place as the States overcome the individual problems and limitations that impinge upon full implementation. Tables, Figures, and Appendices indicated.

Haubrich, P., & Lehr, D. (1986). **Legal precedents for students with severe handicaps.** *Exceptional Children*, 52(4).

NARIC Accession Number: J08063

ABSTRACT: As increasing numbers of severely disabled children are placed in public schools, court interpretation of the Education for All Handicapped Children Act becomes important. In this instance, the court ordered a school district to create free appropriate public education for a severely mentally retarded child who was not responding to conventional teaching methods. As time goes on there will be continuing court decisions. School districts need to consider the cost of appropriate education for severely disabled children.

Vitello, S.J. (1986). **The Tatro Case: Who gets what and why.** *Exceptional Children*, 52(4).

NARIC Accession Number: J08064

ABSTRACT: Can handicapped children with special needs legally require their school districts to provide health services? This article follows the court case of a child with spina bifida. The child was speech and orthopedically impaired, and needed frequent catheterizations to prevent kidney problems. She was not intellectually impaired. The school district refused her request for special assistance with catheterization on the ground that catheterization, while life supporting, was not educationally necessary. The Supreme Court ruled that under the Education for All Handicapped Children Act and Section 504, the school district must provide life support services when they do not require a physician's attention. The Supreme Court felt such services, which enable a severely handicapped child to remain in school and obtain the benefit of public education, were important.

1985

(1985). ***Seventh annual report to Congress on the implementation of the Education of the Handicapped Act: To assure the free appropriate public education of all handicapped children.*** Department of Education Office of Special Education and Rehabilitation Services.

NARIC Accession Number: R01426

ABSTRACT: Report on national level progress in providing free appropriate public education for all handicapped children. Focuses on the four purposes of the Education of the Handicapped Act: students receiving a free appropriate public education; assuring the rights of the children and their parents/guardians; assisting states and local educational opportunities; and assess-

ing and assuring the effectiveness of the educational efforts. Includes numerous appendices and tables focusing on child count, personnel, least restrictive environment, financial and population/enrollment figures.

Gerry, M.H. (1985). **Policy development by state and local education agencies: The context, challenge, and rewards of policy leadership.** *Remedial and Special Education*, 6(3).

NARIC Accession Number: J01303

Abstract: Discusses role of state and local education agencies in developing special education policies and procedures to fill gaps in federal regulations provided by the 1975 Education for All Handicapped Children Act. Advocates active role for state and local agencies in order to retain control over education decision making. Discusses legal context of special education policy development. Suggests an approach to formulating policy. Includes tables.

1983

Beyer, H.A. (1983). **Free appropriate public education.** *Western New England Law Review*, 5(3), 363-390.

NARIC Accession Number: J03204

ABSTRACT: Discusses the legal rights to education for disabled children created through legislation and litigation, particularly in the Federal Education for All Handicapped Children Act. Examines the Supreme Court's interpretation of the Act in Board of Education vs. Rowley, and considers the effect of the Rowley decision on the future educational rights of children with disabilities. Also discusses other Supreme Court decisions, state legislation, federal legislation and lower court interpretations.

Chambers, J.G., & Hartman, W.T., eds. (1983). **Special education policies: Their history, implementation, and finance, 1983.**

NARIC Accession Number: R05678

ABSTRACT: Book on the history, implementation, and finance of special education policies. An introduction (Part I) provides an overview of special education policies and the impact of the Education for All Handicapped Children Act of 1975 (PL 94-142). Part II examines the development of special education policies. Three chapters address: the origins of special education, the politics of legalization in special education, and a comparison of British and American approaches to special education. Part III looks at the implementation of special

education. Three chapters discuss: organizational barriers to full implementation of PL 94-142; due process hearings in special education (report from a study in California); and the coordination of social services. Part IV, on financing special education, has two chapters. One describes a resource-cost-based approach to the funding of educational programs, and its application to special education. The other examines the process of projecting special education costs.

1982

Halpern, R. (1982). **Impact of PL 94-142 on the handicapped child and family: Institutional responses.** *Exceptional Children*, 49(3).

NARIC Accession Number: J02212

ABSTRACT: Describes findings of a two year study examining the impact of P.L. 94-142, the Education for All Handicapped Children Act of 1975, on a small sample of disabled children and their families. Focuses on institutional responses and implementation of the act.

Ewing, P.E., Jr. (1982). **The ABC's of special education: A handbook for parents.**

NARIC Accession Number: R04256

ABSTRACT: A handbook explaining provisions of PL 94-142, The Education for All Handicapped Children Act. The book is designed especially for parents, to help them understand their rights under this law. This publication includes both an English and Spanish version of the handbook. It discusses subjects such as: the definition of special education, the Federal law on special education, the right to information, student records, testing the student, student education plan, how to solve disagreements, private schools and State schools, putting the student out of school, summer school, substitute parents for students, complaints, graduation, and where to go for more information. It also answers questions such as: Where will the student go to school?, Can the school claim a lack of money?, and What fees do parents pay?

Thomas, C.H., & Thomas, J.L., eds. (1980). **Meeting the needs of the handicapped: A resource for teachers and librarians.**

NARIC Accession Number: R00944

ABSTRACT: Compilation of papers intended for teachers, librarians, media specialists and administrators providing services and programs for disabled students in schools and libraries. Describes implications of Section 504 of the Rehabilitation Act, and of PL 94-142, the Education for All Handicapped Children Act. Papers

divided into sections according to type of disability, including mentally retarded, learning disabled, emotionally disturbed, hearing impaired, visually impaired and orthopedically impaired. Also includes papers on prevocational and vocational programs in secondary schools. Appendices include selection of materials, and list producers of materials for exceptional children and organizations and publications on programming for disabled students.

1981

(1981). **Unanswered questions on educating handicapped children in local public school.** *Comptroller General of the United States.*

NARIC Accession Number: R00195

ABSTRACT: Report from the General Accounting Office on the progress of United States schools in meeting the goals of PL94-142, The Education for All Handicapped Children Act of 1975, based on the review of ten states. Examines the program and the controversy over the estimated number of children to be served. Defines problem areas such as eligibility criteria, individualized education program requirements, availability of free appropriate public education, state service delivery, and federal administration. Discusses problems and makes recommendations to Congress and the Department of Education.

1980

Fonosch, G.G. (1980). **Three years later: The impact of Section 504 regulations on higher education.** *Rehabilitation Literature, 41(7).*

NARIC Accession Number: J05093

ABSTRACT: Discusses the impact of Section 504 of the Rehabilitation Act of 1973 on removing barriers to higher education after three years of being in effect. Examines the views of the federal and state governments, institutions, students, and the courts, in order to formulate future directions for colleges and universities. Describes the Section 504 regulations and provides examples of situations to stimulate creative problem solving. Includes 26 references.

1977

(1977). **Summary of selected legislation relating to the handicapped 1975-76.** *Department of Health Education and Welfare.*

NARIC Accession Number: R01152

ABSTRACT: Contains brief synopses of legislation enacted by the 94th Congress which affects physically and mentally handicapped persons. Summarizes major legislation including the Developmentally Disabled Assistance and Bill of Rights Act, Education for all Handicapped Children Act of 1975, National School Lunch Act and Child Nutrition Act of 1966, Amendments of 1975, Special Health Revenue Sharing Act of 1975, Supplemental Security Income Amendments, and Social Services Amendments. Describes other legislation benefiting the handicapped. The appendices contain the legislative history of the laws and cross references from previous summaries.

Boston, B.O. (1977). **Education policy and the Education for all Handicapped Children Act (PL 94-142): A report of regional conferences, Jan-Apr, 1977.**

NARIC Accession Number: R02098

ABSTRACT: Summarizes the results of nine regional conferences focusing on PL 94-142 and its regulations. Discusses the history of PL 94-142 and legislation related to handicapped persons. Discusses difficulties encountered by the state as a result of 94-142. Identifies four primary issues: the state education agency's supervisory role; funding; individualized education programs; and due process and procedural safeguards. Includes a directory of resources.

Hyer, A.L. (1977). **View of PL 94-142 from the classroom: Instructional technology and the education of all handicapped children: A collection of papers by seventeen educators on some implications of PL 94-142.**

NARIC Accession Number: R01012

ABSTRACT: Discusses problems and questions teachers are facing and which need to be addressed if PL 94-142 is to achieve its intended goals. Considers the changing role of classroom teachers and the positions of the National Education Association and the American Federation of Teachers on the new act. Suggests ways in which teacher's anxieties about the new law can be alleviated.

1975

(1975). **Summary of selected legislation relating to the handicapped 1974.** *Department of Health Education and Welfare Office for Handicapped Individuals.*

NARIC Accession Number: R01153

ABSTRACT: Contains brief synopses of legislation enacted by the 93rd Congress which affects physically and mentally handicapped persons. Summarizes major legislation including Social Security Amendments, Rehabilitation Amendments of 1973, Education Amendments of 1974, Housing and Community Development Act of 1974, Rehabilitation Act Amendments of 1974, and Social Services Amendments of 1974. Describes other legislation benefiting the handicapped. The appendices contain a table tracing the development of each law through the legislative process and cross references from previous summaries.

1968

(1968). **Summary of selected legislation relating to the handicapped 1963-1967.** *Department of Health Education and Welfare.*

NARIC Accession Number: R01154

ABSTRACT: Traces the historical development of four major laws affecting the handicapped. Reviews in some detail 26 laws enacted from 1963 to 1967. The appendix provides a table tracing the legislative history of the bills including the Social Security Act Amendments of 1963, Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963, Elementary and Secondary Education Act of 1965, and Vocational Rehabilitation Amendments of 1965.

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Documents from the Education Resource Information Center (ERIC) search at www.eric.ed.gov are listed below:

2007

(2007). **Title I—Improving the academic achievement of the disadvantaged; Individuals with Disabilities Education Act (IDEA). Final rule. Federal Register, Part IV, Department of Education, 34 CFR Parts 200 and 300.** *National Archives and Records Administration, Federal Register 72(67), 17748-17781.*

ERIC #: ED496143

ABSTRACT: The Secretary amends the regulations governing programs administered under Title I of the Elementary and Secondary Education Act of 1965, as amended by the No Child Left Behind Act of 2001 (referred to in these regulations as the Title I program) and the regulations governing programs under Part B of the Individuals with Disabilities Education Act (IDEA) (referred to in these regulations as the IDEA program). These regulations provide States with additional flexibility regarding State, local educational agency, and school accountability for the achievement of a small group of students with disabilities whose progress is such that, even after receiving appropriate instruction, including special education and related services designed to address the students' individual needs, the students' individualized education program (IEP) teams (IEP Teams) are reasonably certain that the students will not achieve grade-level proficiency within the year covered by the students' IEPs. These regulations are effective May 9, 2007.

Hyatt, Keith J. (2007). **The new IDEA: Changes, concerns, and questions.** *Intervention in School and Clinic, 42(3), 131-136.*

ERIC #: EJ757887

ABSTRACT: The new amendments to the Individuals with Disabilities Education Act became effective in July 2005 and contained a number of important changes to the current law. Some of the major changes regarding highly qualified teachers, alignment with the No Child Left Behind Act of 2001, eligibility, the Individualized Education Program process, and procedural safeguards will be discussed, because those areas have an immediate impact on school personnel as well as on eligible children and their families.

Motwani, Mona. (2007). **The ADA and IDEA Basics: Inclusion of children with disabilities.** *Exchange: The Early Childhood Leaders' Magazine Since 1978*, 174, 14-19.

ERIC #: EJ755707

ABSTRACT: This article discusses the American with Disabilities Act (ADA) and the Individuals with Disabilities Education Act (IDEA). The ADA is a federal civil rights law that was passed in 1990 with the aim of securing equal rights for persons with disabilities in the employment, housing, government, transportation, and public accommodation contexts. It was passed in an effort to provide equal opportunities to people with disabilities. IDEA is an entitlement law that provides early intervention and special education services to children, ages 0-21, who qualify for them. It guarantees children with disabilities the same access to education as children who do not have disabilities. The author presents two inclusive child care projects that support parents and providers so that they can provide quality, inclusive child care for children who have special needs. These projects are often funded by private donors, non-profit organizations, and state and local government funds.

2006

Cole, Cassandra. (2006). **Closing the achievement gap series: Part III. What is the impact of NCLB on the inclusion of students with disabilities?** *Education Policy Brief*, 4(11), Fall 2006. Center for Evaluation and Education Policy, Indiana University

ERIC #: ED495750

ABSTRACT: This policy brief examines several questions regarding the impact of No Child Left Behind (NCLB) on students with disabilities, including: (1) What are the benefits of the law; (2) What are the unintended consequences; and (3) Does NCLB conflict with the federal Individuals with Disabilities Education Improvement Act. In addition, the author conducted an online survey of Indiana superintendents, principals and directors of special education to understand the views of educators. Recommendations also are offered, such as developing a second alternate assessment for students with cognitive disabilities who may not qualify under the current alternate assessment guidelines. This brief highlights many of the unintended consequences of NCLB for students with disabilities; likewise, it highlights the critical reasons why students with disabilities should be held to high standards and participate in accountability systems to monitor their learning. [This policy brief was produced by the Center for Evaluation and Education Policy, Indiana State University School of Education; and Indiana Institute on Disability and Community.]

Cortiella, Candace. (2006). **NCLB and IDEA: What parents of students with disabilities need to know and do.** *National Center on Educational Outcomes, University of Minnesota.*

ERIC #: ED495910

ABSTRACT: The No Child Left Behind Act (NCLB) and the Individuals with Disabilities Education Act (IDEA) are two of the nation's most important federal laws relating to the education of children. While NCLB seeks to improve the education of all children—with an emphasis on children from low-income families—IDEA focuses on the individual child and seeks to ensure specialized services for children with disabilities so that they may benefit from education. Lately, these two laws have taken on new importance to parents of students with disabilities. NCLB provisions apply to all students, including those whose disabilities require special education. So it is important that parents understand the requirements of NCLB. IDEA, in its latest update by Congress, has been more closely aligned with NCLB, making it equally important that parents become familiar with the ways the two laws have been positioned to work together to improve academic achievement of students with disabilities. This brief guide provides information for parents about the meaning of NCLB; the meaning of IDEA; how NCLB and IDEA work together; academic content and achievement standards; annual assessments; school accountability; and highly qualified teachers. Sections providing answers to frequently asked questions; a glossary; and a list of additional resources conclude the guide.

2005

(2005). **25th annual report to Congress on the implementation of the Individuals with Disabilities Education Act, 2003. Volume 2.** *US Department of Education.*

ERIC #: ED485642

ABSTRACT: This annual report focuses on three goals. First, the report is congruent with the No Child Left Behind Act (NCLB). This means that the annual report focuses on results and accountability throughout the text. The second goal is to make the report more useful to Congress, parents, each state, and other stakeholders. This report concentrates on a more readable and user-friendly style. It focuses on key state performance data in accordance with the recommendations of the President's Commission. The third goal of the Office of Special Education and Rehabilitative Services (OSEP) is to make the report more visually appealing. The 2003 Annual Report to Congress has two volumes. The first volume focuses on the children and students being

served under IDEA and provides profiles of individual states' special education environment. This volume, Volume 2, contains all of the state-reported data tables from OSEP's Data Analysis System. OSEP's goal in separating the text of the report from the extensive tables is to make the report usable to all readers. [For Volume 1 of the 25th Annual Report to Congress, see ED485641.]

Bejoian, Lynne M., & Reid, D. Kim. (2005). **A Disability studies perspective on the Bush education agenda: The No Child Left behind Act of 2001.** *Equity and Excellence in Education*, 38(3), 220-231.

ERIC #: EJ695456

ABSTRACT: Our educational system is undergoing great scrutiny. The success of our nation's schools and their students is under serious evaluation and interpretation. Currently, one of the most visible and pertinent "political products" impacting our schools and students is the federal legislation No Child Left Behind 2002 (NCLB). Specific concerns arise around schools' ability to include students with disabilities, among other "disadvantaged groups," in strategies for academic success. Disability Studies contends that the place and positioning of disability is fundamentally political. This article uses a Disability Studies lens to critique NCLB. The potential benefits, problematic areas, and dangerous aspects to schools, teachers, parents, students with disabilities, and the community at large are presented within this Disability Studies context.

Hoff, David J. (2005). **States to get new options on NCLB Law: More flexibility promised as special education rules eased.** *Education Week*, 24(31), 38.

ERIC #: EJ759479

ABSTRACT: In her most noteworthy policy speech since taking office in January, U.S. Secretary of Education Margaret Spellings outlined how she would give states new flexibility to implement the three-year-old law. The Department of Education will entertain proposals from states to waive rules under the federal No Child Left Behind Act. The department also will soon propose new rules for every state that would make it easier to assess students with disabilities. While Ms. Spellings said that she does not have the authority or the desire to waive certain tenets of the law, she is willing to address concerns she has heard from state and local officials.

Smith, Tom E.C. (2005). **IDEA 2004: Another round in the re-authorization process.** *Remedial & Special Education*, 26(6), 314-319.

ERIC #: EJ722325

ABSTRACT: The Individuals with Disabilities Education Act (IDEA) was recently reauthorized as the Individuals with Disabilities Education Improvement Act of 2004. Several significant changes were made in the most recent reauthorization. These included requirements for "highly qualified" special education teachers; a track that will result in full funding; changes in the composition of Individualized Education Programs (IEPs) and committee involvement in the IEP process; transition from school to post-school; identification procedures for students with learning disabilities; due process hearings; expulsion and suspension of students with disabilities; and a host of other, less significant changes. Although on the surface some of these changes appear to be major, the primary purpose of IDEA—providing a free, appropriate public education for children with disabilities—remains intact.

Turnbull, H. Rutherford. (2005). **Individuals with Disabilities Education Act Reauthorization: Accountability and personal responsibility.** *Remedial & Special Education*, 26(6), 320-326.

ERIC #: EJ722326

ABSTRACT: The reauthorized Individuals with Disabilities Education Act (IDEA) is a school-reform law closely aligned with the No Child Left Behind Act (NCLB); a civil rights law; and a "cousin" of the 1996 welfare reform law. By imposing new or strengthened accountability expectations on students with disabilities and their parents, the reauthorized IDEA conveys a message about personal responsibilities. In that respect, it makes accountability—the hallmark of NCLB, and one of the core concepts in the original (1975) and all subsequent authorizations of IDEA—a bilateral concept: Congress, the SEAs, and the LEAs will assume shared responsibilities for educating students with disabilities and benefiting their parents, but the students and their parents must take on more responsibilities for their own behavior and for their relationships with the SEAs and LEAs.

2004

(2004). **Comparison of key provisions: IDEA '97 and the IDEA as amended (IDEA '04).** *Learning Disabilities Association of America*.

ERIC #: ED485980

ABSTRACT: On December 3rd, President Bush signed into law the "Individuals with Disabilities Education Im-

provement Act of 2004,” amending IDEA ’97. These amendments continue the focus on educating children with disabilities, to the maximum extent possible, in the general education curriculum and go a step further by aligning many of the provisions with the No Child Left Behind Act. This document summarizes key provisions that of particular interest to families and the professionals that serve them. [For a related document, see ED485979.]

Nolan, Joseph E. (2004). **The U.S. Individuals with Disabilities Education Act (IDEA): Tracing inclusion and exclusion of the disabled from Ford to Bush II.** *Online Submission, paper presented at the Society of History of Education (U.K.) Conference (Dublin, Ireland, Nov 25, 2004)*

ERIC #: ED490776

ABSTRACT: The United States Individuals with Disabilities Education Act (IDEA) is 30 years of age. IDEA affords individuals with physical or cognitive disabilities (through age 21) a free appropriate public education, an individualized education plan, and many accommodations in an attempt to include those with disabilities in the educational experience. Throughout its brief history, the party in power has, through amendment of the law, presidential action or inaction, or litigation opened the door to those with disabilities in some cases and supported de facto exclusion in others. This paper displays a timeline tracing the effects of the legislation, in its various forms, on the disabled populace. All manifestations of the law will were examined: from its origin during the Ford administration; amendments in the George Herbert Walker Bush and Clinton administrations, to reauthorization under the current government. Corresponding litigation brought by advocates and opponents was dissected as to its effects on education access for those with disabilities. Additionally, the effects of educational reform on students with disabilities are examined by discussion of the controversial “No Child Left Behind” law. Finally, the paper discusses the 2004 election results and its probable implications on the future of disability education legislation.

Samuels, Christina A. (2004). **Congress on verge of reauthorizing special ed. law.** *Education Week*, 24(13), 29.

ERIC #: EJ755794

ABSTRACT: Congress was poised late on November 19th, 2004 to reauthorize the main federal special education law, after a House-Senate conference committee hammered out bipartisan compromise designed to

improve the educational opportunities of some 6.7 million children with disabilities. The House voted 397-3 on November 19th to approve the latest version of the Individuals with Disabilities Education Act (IDEA). The reauthorized IDEA would mandate quality standards for special education teachers, streamline disciplinary actions involving students with disabilities, and attempt to reduce the number of lawsuits stemming from the statute.

2002

Gaddy, Barbara, McNulty, Brian, & Waters, Tim. (2002). **The reauthorization of the Individuals with Disabilities Education Act: Moving toward a more unified system. Policy brief.**

ERIC #: ED467140

ABSTRACT: This policy brief on the reauthorization of the Individuals with Disabilities Education Act (IDEA) is based on March 2002, discussions involving chief state school officers and state directors of special education from five Western states and staff of Western educational research and policy organizations. It focuses on those issues that are fundamental to successfully moving toward a more unified education system — one that incorporates both IDEA and the No Child Left Behind Act of 2001. These issues include: (1) the need for increased and more flexible funding along with accountability; (2) closer alignment between the processes and policies of IDEA and the No Child Left Behind Act; (3) an accountability system focused on learning; and (4) building teacher and administrator capacity. The paper concludes that if these issues are addressed, the unnecessary labeling of students will decrease and districts will be better able to meet the needs of students with disabilities as well as those of at-risk students. It suggests that the confluence of the reauthorization of the Elementary and Secondary Education Act, the reauthorization of IDEA, and the standards movement has provided an unprecedented opportunity to help all students meet high standards.

2001

Pizzuro, Salvatore (2001). **The Individuals with Disabilities Education Act and the nature of American politics: A handbook on public policy.**

ERIC #: ED455633

ABSTRACT: This handbook is designed to serve as a report on negotiations that took place during the 104th and 105th Congresses that lead to the passage of the Individuals with Disabilities Education Act (IDEA)

amendments of 1997. In addition, the events and changes in the cultural climate during the 106th Congress and its impact on IDEA is also discussed, along with the likely impact of the 107th Congress and the George W. Bush administration. Specific chapters of the handbook address: (1) the nature of American politics; (2) judicial and legislative beginnings; (3) special education before the 88th Congress; (4) opposition from President Nixon; (5) the guarantee of free appropriate public education; (6) the establishment of the U.S. Department of Education; (7) the politics of educational inclusion; (8) the impact of family experiences on public policy and the influence of congressional staff; (9) the results/accountability initiative; (10) the HOPPE group and final markup; (11) Republican congressional opposition to proposed regulations; and (12) the increase in students with disabilities. The book concludes that many of the same issues that were present when IDEA was passed in 1975 still exist.

1999

Knoblauch, Bernadette, & McLane, Kathleen. (1999). **An overview of the Individuals with Disabilities Education Act Amendments of 1997 (P.L. 105-17): Update 1999.** *ERIC Digest E576*.

ERIC #: ED433668

ABSTRACT: This digest summarizes changes in the Individuals with Disabilities Education Act (IDEA) in the reauthorization and amendments of 1997, Public Law 105-17. These changes include: participation of students with disabilities in state and district-wide assessment programs, development and review of the individualized education program, enhanced parent participation in eligibility and placement decisions, streamlined student evaluation and re-evaluation requirements, a required statement of transition service needs for adolescents, availability of mediation for resolving parent-school differences, standards for disciplinary procedures for students with disabilities, and flexible age limits for identifying young children as developmentally delayed. Highlights of the new law are also identified concerning: outcomes and standards (e.g., establish student performance goals and indicators); evaluations and curriculum (e.g., accommodations and modifications needed for assessment participation), procedural safeguards (e.g., parental access to all records of their child); discipline (e.g., temporary suspension of students with disabilities); early intervention and preschool services (e.g., early intervention services in natural environments); and teacher training and preparation (training for primary grade regular teachers).

1998

Gartner, Alan, Lipsky, Dorothy Kerzner. (1998). **The 1997 re-authorization of IDEA: Individuals with Disabilities Education Act.** *NCERI Bulletin, Spring 1998*.

ERIC #: ED445446

ABSTRACT: This bulletin on the 1997 reauthorization of the Individuals with Disabilities Education Act reviews ten provisions of the Act that support inclusive education, including: (1) language in the "Findings" section of the law that states the education of students with disabilities can be made more effective by having high expectations for students and ensuring their success in the general education curriculum; (2) a requirement that in the referral process schools give consideration to factors other than disability that may be affecting a student's performance; (3) a requirement that a general education teacher be on the Individualized Education Program team; (4) a requirement that a decision to exclude a student from general education must be justified; (5) a requirement that special education students be taught the general curriculum, not a separate special education curriculum; (6) a requirement that states establish performance goals for students with disabilities; (7) an end to the stricture that the use of special education funds may have only "incidental benefits" for general education students; (8) enhanced rights of parents; (9) funds for personnel preparation of general educators; and (10) a requirement that states funding formulas be placement neutral.

1997

(1997). **Implementation of the Individuals with Disabilities Education Act: Section 618. Nineteenth annual report to Congress.** *Department of Education, Washington, DC*.

ERIC #: ED412721

ABSTRACT: The 19th annual report to Congress on the implementation of the Individuals with Disabilities Education Act (IDEA) is organized around a model which views educational results as products of three sets of factors: the context and environment in which the education is provided, student characteristics, and school programs and services. Section One, on context/environmental factors discusses five factors: (1) general education reform, (2) poverty among children: The impact on special education, (3) the cost of special education, (4) social problems such as drug abuse and violence in schools, and (5) the disproportionate representation of racial minority students in special education.

Section Two, on student characteristics, focuses on four groups of students: infants and toddlers with disabilities served under IDEA, Part H; children served under the IDEA, Part B Preschool Grants Program; other students served under IDEA, Part B; and students with attention deficit/hyperactivity disorder. Section Three, on school programs and services has seven modules on: (1) the continuum of placements (from regular classes to residential facilities); (2) inclusion of students with disabilities in statewide assessments; (3) developing a partnership between families and professionals; (4) the continuum of options in dispute resolution; (5) monitoring compliance with IDEA; (6) advances in teaching and instructional design; and (7) advances in technology for special education. A fourth section, on student results, contains two modules, the first module highlights the Part H Longitudinal Study, and the second module reports on secondary completion rates for students served under IDEA. Extensive appendices provide data tables (child count, educational environments, personnel data, exiting data, population and enrollment data, financial data, and early intervention); summaries of state agency/federal evaluation studies; profiles of the program agenda; activities of the regional resource centers; and summaries of activities and results of the state transition grants.

Turnbull, A., & Turnbull, R. (1997). **The constitutional and programmatic grounding of IDEA.** *Journal of the Association for Persons with Severe Handicaps*, 22(2), 83-85.

ERIC #: EJ599134

ABSTRACT: This commentary discusses the underlying constitutional principles in the Individuals with Disabilities Education Act (IDEA). Equal protection and equal access for children with disabilities, procedural due process and empowerment, substantive due process and self-determination, least restrictive environment and the continuum, and policy consistency and an inclusive America are discussed.

1996

(1996). **Summary of the 17th annual report to Congress on special education.** *Liaison Bulletin*, 25(10).

ERIC #: ED392186

ABSTRACT: This newsletter theme issue presents highlights from the "Seventeenth Annual Report to Congress" on the implementation, impact, and effectiveness of the Individuals with Disabilities Education Act (IDEA). It presents 19 tables and one figure reproduced

from the annual report. The issue covers: (1) funding for IDEA Part B and Chapter One of the Elementary and Secondary Education Act; (2) child count data, by year from 1976-77 to 1993-94, by disability category, by age, and by state; (3) placement (data on students served in different educational environments); (4) exit (data on number and percentage of students exiting educational programs by disability); (5) personnel (data for special education teachers and other personnel); (6) infants, toddlers, and preschool children (number receiving early intervention services by state); (7) relationship of secondary school experiences to the early post-school results of youth with disabilities; (8) state and national assessments of students with disabilities; (9) special education finance; (10) assisting states and localities; and (11) serving students with disabilities in rural areas.

(1996). **Implementation of the Individuals with Disabilities Education Act: Eighteenth annual report to Congress.** Department of Education, Washington, DC.

ERIC #: ED400673

ABSTRACT: The 18th annual report to Congress on the implementation of the Individuals with Disabilities Education Act (IDEA) describes the Department of Education's efforts to work with the States to maximize results for students with disabilities and to assess the impact and effectiveness of the Act. Current and historical service patterns for school-age students with disabilities are discussed in chapter one, including national statistics, analyses generated from State-reported data to the Office of Special Education Programs (OSEP), and analysis of federal funding patterns. Chapter two reviews the implementation of the Preschool Grants Program (included in Part B of IDEA), the Early Intervention Program for Infants and Toddlers with Disabilities (Part H of IDEA), and other OSEP-funded projects for infants and young children with disabilities. Chapter three describes the progress made toward achieving full participation of students with disabilities in their schools and communities, analyzing educational placements and systems change. Chapter four outlines the challenges to providing special education services to students from culturally and linguistically diverse backgrounds, particularly in urban settings, and describes services and programs found to be effective in serving these populations. Chapter five focuses on OSEP's efforts to ensure continuous progress in achieving educational results for children with disabilities while maintaining procedural compliance with IDEA. Extensive data tables are appended, dealing with child count, edu-

cational environments, personnel, exiting, population and enrollment, financing, and early intervention. Other appendices present summaries and abstracts of the State Agency/Federal Evaluation Studies Program, listings of activities of the Regional Resource Centers and recipients of State Transition Grants, and a description of the methodology used to project personnel needs.

Rosenfeld, S. James. (1996). *Section 504 and IDEA: Basic Similarities and Differences.*

ERIC #: ED427487

ABSTRACT: This paper is designed to familiarize parents of children with disabilities about why and how Section 504 of the Rehabilitation Act of 1973 affects the education of children with disabilities, to illustrate the differences between Section 504 and the Individuals with Disabilities Education Act, and to provide a basic explanation of how Section 504 works. The purpose of Section 504 is stated as the elimination of impediments to full participation by persons with disabilities. Section 504 is described as protecting all persons with a disability who have a physical or mental impairment which substantially limits one or more major life activities, have a record of such impairments, or are regarded as having such impairment. Information is provided on Section 504 regulations that address: (1) free appropriate public education; (2) student evaluation; (3) placement decisions; (4) procedural safeguards, including parental notice, consent, and impartial hearings; and (5) complaints and compliance.

Underwood, Julie, & others. (1996). *Individuals with Disabilities Education Act: A legal primer.*

ERIC #: ED399637

ABSTRACT: The concept of integrating children with disabilities into public school classrooms has paralleled the movement to integrate children of different races. In 1975, Congress enacted the Education for All Handicapped Children Act of 1975 (EAHCA), which became effective in 1977. Through regulations detailing precise procedural guidelines, EAHCA has attempted to define the major components of a free appropriate public education for children with disabilities. In 1990, Congress reauthorized the EAHCA and changed its title to the Individuals with Disabilities Education Act of 1990 (IDEA). This guidebook describes court litigation defining the application of the act with respect to the following areas: eligibility, assessment, individualized education program, appropriateness, least restrictive environment, related services, residential placements, changes in placement, expulsion, private schools, due process procedures, and remedies for violations. Ap-

pendices contain subchapters I and II of IDEA, selected federal regulations, and a U.S. Department of Education memorandum on discipline of children with disabilities.

1995

(1995). *Individuals with Disabilities Education Act Amendments of 1995: Reauthorization of the Individuals with Disabilities Education Act (IDEA).* Office of Special Education and Rehabilitative Services (ED), Washington, DC.

ERIC #: ED399739

ABSTRACT: This prospectus describes the U.S. Department of Education's legislative proposal for the reauthorization of the Individuals with Disabilities Education Act (IDEA), as reflected in two bills: H.R. 1986 and S. 1075. The report outlines the purposes of IDEA and its positive impact. The report then presents six principles of the Department's vision for IDEA: (1) align IDEA with state and local education improvement efforts, (2) improve results for students with disabilities through higher expectations and access to the general curriculum, (3) address individual needs in the least restrictive environment for the student, (4) provide families and teachers with necessary knowledge and training to effectively support students' learning, (5) focus on teaching and learning, and (6) strengthen early intervention to help ensure that every child starts school ready to learn. Specific proposals address the issues of assessment, individualized education programs, state performance goals, student evaluations, eligibility, federal and state funding formulas, record-keeping and paperwork, services for minority students, comprehensive support programs, the connection between families and schools, and safe and disciplined classrooms. Appendices include information on parents' rights and due process.

Wenkart, Ronald D. (1995). *The Americans with Disabilities Act and its impact on public education.* A Legal Memorandum, Apr 1995.

ERIC #: ED381912

ABSTRACT: This paper summarizes implications of the Americans with Disabilities Act (ADA) on public education. It notes similarities between the ADA and Section 504 of the Rehabilitation Act of 1973 which already prohibits discrimination against people with disabilities in most public schools. The ADA is seen as having its main impact in the area of employment, with school districts being required to make reasonable accommodations for people with disabilities and prohib-

ited from requiring a medical examination prior to an offer of employment. The ADA is not seen as affecting requirements of the Individuals with Disabilities Education Act to provide students with disabilities a free and appropriate education. The paper first addresses general provisions of the ADA, then reviews provisions of Title I regarding employment, Title II regarding public services, and Title V (miscellaneous provisions). Case law interpreting Section 504 and IDEA is then reviewed, addressing the issues of: (1) the definition of a "qualified individual with a disability"; (2) what "reasonable accommodations" include; and (3) what is a "free appropriate public education."

1994

(1994). *Implementation of the Individuals with Disabilities Education Act: Sixteenth annual report to Congress. Special Education Programs (ED/OSERS), Washington, DC.*

ERIC #: ED373531

ABSTRACT: The 16th annual report to Congress describes progress in implementing the Individuals with Disabilities Education Act (IDEA) based on data collection and analysis of the Office of Special Education Programs (OSEP). A list of acronyms and an executive summary providing highlights of the report by chapter precede the report's main body. The seven chapters then present comprehensive information on the following topics: (1) school-age students with disabilities served, placement and exiting patterns, and personnel who provide special education and related services; (2) the role of IDEA, Part H and the Preschool Grant Program in meeting the needs of infants, toddlers, and preschool children with disabilities; (3) aspects of the school programs and educational results for students with disabilities in regular secondary schools based on the National Longitudinal Transition Study; (4) special efforts to achieve better results for children and youth with serious emotional disturbance; (5) results for students with disabilities based on work of the National Center on Educational Outcomes; (6) OSEP efforts to assist states and localities including the three-year staggered review process and training in developing state plans; and (7) a review of the literature on provision of services to Native American students with disabilities. Extensive appendices include: 64 data tables, information on OSEP personnel training activities, a listing of special studies contracts concerned with evaluation of IDEA, summaries and abstracts of state agency/federal evaluation studies programs, profiles of the program agenda, a summary of Regional Resource Cen-

ter activities, and information on OSEP activities supporting transition services for youth with disabilities.

(1994). *Reauthorization of the Individuals with Disabilities Education Act: Issues and perspectives. Policy Forum Report (Washington, D.C., September 22, 1994).*

ERIC #: ED379893

ABSTRACT: This document describes a policy forum convened to consider the reauthorization of the Individuals with Disabilities Education Act. The forum focused on three critical issues: (1) categorical eligibility, (2) initial assessment, and (3) triennial assessment. For the topic of categorical eligibility, comments are summarized in five sections: comments in support of elimination of the categorical approach; comments opposing change at this time; comments supporting revisions within the categorical approach; general comments related to eligibility; and state specific comments. Comments concerning assessment and triennial re-evaluation are also excerpted from the forum discussion. A summary statement by Tom Hehir, Director of the Office of Special Education Programs, Department of Education, cautions that these issues be looked at holistically and that the total system including better personnel preparation must be examined. Appendices include a participant list, the meeting agenda, a paper titled "A Study of the Three Year Reevaluation Process" by Lucian Parshall and James R. Nuttall, and a position statement of the National Association of School Psychologists.

(1994). *Recommendations for the reauthorization of the Individuals with Disabilities Education Act. National Association of State Directors of Special Education, Alexandria, VA.*

ERIC #: ED389124

ABSTRACT: Recommendations for changes to the Individuals with Disabilities Education Act (IDEA) are offered by the National Association of State Directors of Special Education. Definitions of terms used in the legislation are provided. The following provisions are covered: regulation requirements/negotiated rulemaking, flexible funding, content of state plans, local application, maintenance of effort, procedural safeguards, monitoring standards, a developmental delay category, age extension for preschool grants, regional resource and federal centers, programs for children with severe disabilities, postsecondary education, secondary education and transitional services, programs for children with serious emotional disturbance and pilot programming for the hearing impaired, grants for personnel training, grants

to State Education Agencies and institutions for traineeships, clearinghouses, research and demonstration projects for dealing with children in a range of settings, and school-wide programs. In addition, general recommendations are offered regarding: full funding of IDEA, deletion of references to "disability category," triennial evaluations, and a protection and advocacy system.

1993

(1993). *Implementation of the Individuals with Disabilities Education Act: Fifteenth annual report to Congress*. Office of Special Education and Rehabilitative Services.

ERIC #: ED363058

ABSTRACT: This fifteenth annual report is intended to provide Congress with a status report on the nation's progress in providing a free appropriate public education for all children with disabilities, as required under the Individuals with Disabilities Education Act (IDEA). First, an executive summary identifies report highlights. Among these highlights are: a 3.9 percent increase in the number of children and youth with disabilities; full implementation of Part H requirements (services to infants, toddlers, and preschool children) by 18 states; a movement towards greater independence for out-of-school youth with disabilities; and increased training for federal officials responsible for reviewing and approving state plans. Chapter one provides national statistics and child count data for school year 1991-92 on numbers of children receiving services in various categories and settings, exit status, and personnel employed and needed. Chapter two discusses early childhood programs for children with disabilities, with emphasis on Part H and Section 619 of IDEA as well as two discretionary programs to improve service delivery. The independence of out-of-school youth with disabilities is the subject of chapter three, which reports data from the National Longitudinal Transition Study on outcomes for youth with disabilities three to five years after leaving school. Chapter four describes federal efforts to assist states and localities in implementing special education and related services, with particular attention to activities of the Office of Special Education Programs (OSEP). Additional detail is provided in appendices which include data tables, OSEP special education personnel training information, information about special studies contracts on evaluation of IDEA, summaries and abstracts of state agency/federal evaluation studies, information about additional special populations, and profiles of the program agenda.

Kupper, Lisa, ed. (1993). **Questions and answers about the IDEA**. *NICHCY News Digest*, 3(2).

ERIC #: ED370273

ABSTRACT: This digest examines the mandates and requirements of the Individuals with Disabilities Education Act (IDEA). (Its scope does not include the IDEA's Part H program.) The digest gives a brief history of the IDEA, procedures for obtaining a copy of the IDEA and its regulations, and procedures for obtaining a copy of an individual state's special education law. A section on the purposes and promises of the IDEA reviews the definition of a free appropriate public education, eligibility requirements, the concept of the least restrictive environment, and types of related services. The next section discusses how to access special education services, focusing on evaluation of the child, parental disagreement with evaluation results, use of evaluation results, and re-evaluations. The Individualized Education Program (IEP) is described, and information is provided on the role of educators and parents in developing the IEP. Procedural safeguards established to protect the rights of parents and students and to provide a mechanism for resolving disputes are reviewed. The IDEA's definitions of disabilities and IDEA regulations concerning selected components of the IEP are attached.

1992

(1992). *Implementation of the Individuals with Disabilities Education Act. Fourteenth annual report to Congress*. U.S. Department of Education's Office of Special Education Program.

ERIC #: ED347779

ABSTRACT: This 14th annual report to Congress describes the nation's progress in providing a free appropriate public education to all children with disabilities. Chapter one provides statistics on numbers of children receiving special education and related services, numbers of children receiving special education services in various settings, the exiting status of special education students, and the numbers of school personnel available and needed to provide such services. Early childhood activities are the focus of Chapter two which discusses the implementation of Part H of the Individuals with Disabilities Education Act (IDEA), Section 619 which contains incentives for States to serve more children with disabilities between the ages of three and five, personnel issues, and the Early Childhood Program for Children with Disabilities. Chapter three reports on a national study addressing the transition of youth with disabilities from secondary school to early adulthood. The last chapter describes administrative and program-

matic efforts to assist State and local education agencies. These include formula and discretionary grant programs, monitoring the development and implementation of State policies, grants supporting systems change, and technical assistance. Extensive appendixes include data tables; data on special education personnel training; summary reports concerning needed improvements, IDEA, state agency/federal evaluation studies; special populations; children with deaf blindness; and tables showing educational placement trends.

(1992). **The Individuals with Disabilities Education Act (IDEA)**. *Legal Foundations, Number 2. Special Education Programs (ED/OSERS)*, Washington, DC.

ERIC #: ED357553

ABSTRACT: This paper describes highlights of the Individuals with Disabilities Education Act (IDEA) that have a high impact on the delivery of special education services. IDEA's eight parts are outlined, and then two parts are discussed in more detail: (1) Part B, which authorizes federal grants to states to help underwrite the costs of educating children with disabilities and sets out the conditions states must meet to qualify for these grants; and (2) Part H, which provides grants to states for children from birth to two years of age who have developmental delays, have conditions that typically result in delay, or are at risk of substantial developmental delay. Components of an Individualized Education Program, an Individualized Family Services Plan, and a Transition Services Plan are listed. Nine print or organizational resources are also listed.

1991

Zirkel, Perry A. (1991). **Special Education Law Update II**. *West's Education Law Reporter*, 66(3), 901-08.

ERIC #: EJ427014

ABSTRACT: An annotated outline provides recent case law in special education since the last update in volume 56 of this journal. Based on the 1990 amendments to the Education of the Handicapped Act, references are in the form of the acronym for its new title, the Individuals with Disabilities Education Act.

1989

Heslep, Robert D. (1989). **Education in PL94-142**. *Journal of Research and Development in Education*, 22(4), 1-13.

ERIC #: EJ398429

ABSTRACT: The Education for All Handicapped Children Act of 1975 (EAHCA) is examined with regard to the law's view of education. This inquiry maintains that EAHCA holds that education is not only academic instruction but also whatever makes academic instruction possible.

1982

Ballard, Joseph, ed., et al. (1982). **Special education in America: Its legal and governmental foundations**. ERIC #: ED276232

ABSTRACT: The text presents six chapters on the legal and governmental bases of special education. In the Introduction, F. Weintraub and J. Ballard cite the legislative and litigative history of P.L. 94-142, the Education for All Handicapped Children Act, and briefly address information sources on such policy issues as procedural safeguards, underserved populations, and standards of practice. In Chapter 2, "The Education for All Handicapped Children Act of 1975 (P.L. 94-142): Its History, Origins, and Concepts," J. Zettel and J. Ballard review court cases and state and federal legislation, and list the rights of handicapped children, including the right to an appropriate education and the right to be educated in the least restrictive environment. J. Zettel in "Implementing the Right to a Free Public Education" analyzes five aspects of P.L. 94-142: zero reject, individualized education programs, least restrictive environment, nondiscriminatory testing and evaluation, and due process. In "Section 504: The Larger Umbrella," M. Gerry and J. Benton examine Section 504 of the Rehabilitation Act of 1973 in terms of its litigative background, statutory and regulatory setting, and enforcement. "The Education of Gifted and Talented Children from a Federal Perspective" by J. Zettel describes the cyclical nature of support and interest in education for gifted students. In the final chapter, "Interpreting the Rights of Exceptional Citizens through Judicial Action," B. Smith and J. Barresi summarize significant cases concerning issues that have surfaced since passage of P.L. 94-142, including compensatory services, suspension and expulsion, and bilingual special education. Appendixes include a paper by J. Barresi and B. Ramirez, "The Federal Program Presence Accompanying P.L. 94-142," a list of federal laws for the handicapped from 1827 to 1981, and a list of resources.

Johnson, T. Page. (1982). **The Supreme Court and the education of handicapped children**. *A Legal Memorandum, Sept., 1982*.

ERIC #: ED224096

ABSTRACT: By deciding some cases and refusing others, the United States Supreme Court has begun to provide answers to some of the legal questions concerning the interpretation of two federal statutes: Section 504 of the Rehabilitation Act of 1973 and the Education for All Handicapped Children Act of 1975 (Public Law 94-142). The first of these statutes imposes a duty on recipients of federal funds to avoid discriminating against "otherwise qualified" handicapped persons. In *Southeastern Community College v. Davis*, the Court determined that "otherwise qualified" meant qualified "in spite of a handicap." The ruling in this case has since served as a standard in several other cases. The Court refused to review some cases involving alleged violations of Public Law 94-142, despite the apparent disregard by lower courts of a related Court decision that disallowed the establishment by Congress of retroactive conditions on acceptance of federal funds. The Court did determine in *Board v. Rowley* that Public Law 94-142 provided an adequate definition of the "free appropriate public education" it mandated, a definition involving the provision of personalized instruction with sufficient support services to permit affected children to benefit educationally, though not guaranteeing a particular level of education.

1977

Abeson, Alan, & Zettel, Jeffrey. (1977). **The end of the quiet revolution: The Education for All Handicapped Children Act of 1975.** *Exceptional Children*, 44(2), 114-28.

ERIC #: EJ171888

ABSTRACT: Introduced by an editorial comment (by F. Weintraub), the article reviews the history, background, and implementation of the Education for All Handicapped Children Act of 1975 (Public Law 94-142).

Heinmiller, Joseph L., & Semmel, Melvyn I. (1977). **The Education for All Handicapped Children Act of 1975: National perspectives and long range implications.** *Viewpoints*, 53(2), 1-16.

ERIC #: EJ163188

ABSTRACT: The authors review the legislative antecedents of the Education for All Handicapped Children Act, 1975 (PL 94-142), an overview of the purpose and intent of Congress in enacting the legislation, and discuss some long-range implications for society.

1976

Healey, William C. (1976). **The Education for All Handicapped Children Act of 1975.** *Language, Speech, and Hearing Services in Schools*, 7(2), 67-73.

ERIC #: EJ138099

ABSTRACT: Described briefly are major features of the Education for All Handicapped Children Act of 1975 (Public Law 94-142).

Documents from the National Library of Medicine PubMed search at www.pubmed.com are listed below:

2007

Browder, D.M., Meier, I., McColl, A., & Wakeman, S.Y. (2007). **The implications of No Child Left Behind for Students with developmental disabilities.** *Mental Retardation and Developmental Disabilities Research Reviews*, 13(2), 143-50.

PMID #: 17563897

ABSTRACT:

In a review of current research and the No Child Left Behind (NCLB) legislation, this paper focuses on two specific issues: (a) how students with developmental disabilities show adequate yearly progress, including a description of the assessments in which this population may participate, and (b) the policy issues surrounding NCLB including technical requirements of alternate assessments, alignment of content standards, assessments, and instruction, the requirement of all teachers to be highly qualified, and the relationship between NCLB and the Individuals with Disabilities Education Improvement Act (IDEA, 2004). Areas for future research are identified through a review of relevant literature. (c) 2007 Wiley-Liss, Inc. MRDD Research Reviews 2007; 13:143-150.

2003

Altshuler, S.J., & Kopels, S. (2003). **Advocating in schools for children with disabilities: What's new with IDEA?** *Social Work*, 48(3), 320-9.

PMID #: 12899279

ABSTRACT: All social workers who work with children and families, regardless of their practice setting, should be aware of the important educational rights to which children with disabilities and their families are

entitled. The Individuals with Disabilities Education Act (P.L. 101-476), one of the most sweeping laws protecting children with disabilities, was substantially amended in 1997, and its regulatory provisions became legally effective in October 1999. This article provides information about the requirements of the law and the impact of those changes on children's educational rights. The changes discussed and their practice implications include expansion of categories of children with disabilities; new requirements for mobile, homeless, or culturally diverse populations and participants in the individualized education program process; payment for private school placements for children with disabilities; discipline of children with disabilities; and provision of social work services in the schools.

2001

(2001). **Assistance to States for the education of children with disabilities. Office of Special Education and Rehabilitative Services, Department of Education. Final regulations.** *Federal Register*, 66(5), 1474-8.
PMID #: 11503752

ABSTRACT: The Secretary amends the regulations for the Assistance to States for the education of children with disabilities program under Part B of the Individuals with Disabilities Education Act (IDEA; Part B). This amendment is needed to implement the statutory provision that for any fiscal year in which the appropriation for section 611 of the IDEA exceeds \$4.1 billion, a local educational agency may treat as local funds up to 20 percent of the amount it receives that exceeds the amount it received during the prior fiscal year. The amendment is intended to ensure effective implementation of the 20 percent rule by clarifying which funds under Part B of IDEA can be included in the 20 percent calculation, and, as a result, to reduce the potential for audit exceptions.

McNamara, K., & Telzrow, C.F. (2001). **New directions in assessment for students with disabilities.** *Work*, 17(2), 105-116.
PMID #: 12441609

ABSTRACT: Three influences in American education during the past decade – increased parental involvement, an emphasis on accountability and student outcomes, and the refinement of assessment technologies — are reflected in the 1997 Amendments to the Individuals with Disabilities Education Act [31]. Relevant assessment provisions contained in IDEA 97 are reviewed, including requirements for (a) parental participation in the review and planning of student evaluations

and eligibility decisions; (b) the participation of students with disabilities in statewide assessments; (c) the use of assessments that have treatment utility; and (d) data-based evaluation of student progress. Assessment characteristics and methods that are consistent with IDEA 97 requirements are described. Examples include problem-solving assessment, functional behavioral assessment, and direct assessment approaches such as naturalistic observation, analogue assessment, and self-monitoring.

1995

Bernstein, H.K., Ellis M., & Stettner-Eaton, B. (1995). **Individuals with Disabilities Education Act: Early intervention by family physicians.** *American Family Physician*, 52(1), 71-3, 76-7.
PMID #: 7604773
No abstract is available.

1994

(1994). **Individuals with Disabilities Education Act (PL 101-476).** *ASHA*, 36(8), 123-4.
PMID #: 7524511
No abstract is available.

1993

Dewart, T. (1993). **“Putting words into action”: The Individuals with Disabilities Education Act and the poor.** *Health PAC Bulletin*, 23(4), 21-5.
PMID #: 10171829
No abstract is available.

1990

Espin, C.A., & Yell, M.L. (1990). **The Handicapped Children's Protection Act of 1986: Time to pay the piper?** *Exceptional Children*, 56(5), 396-407.
PMID #: 2137417

ABSTRACT: The Education for All Handicapped Children Act (EAHCA), Public Law 94-142, provides for a free, appropriate public education for handicapped children, as well as due process procedures. However, the EAHCA does not directly address relief available to parents who successfully allege inappropriate actions by school. In this article, we examine case law that has provided three primary types of relief (injunctive relief, tuition reimbursement, and attorneys' fees) in special education lawsuits. The Supreme Court's decision in *Smith v. Robinson*, (1984) which removed attorneys' fees for action under the EAHCA, is analyzed. The congressional reaction to *Smith v. Robinson* and the Handicapped Children's Protection Act of 1986, Public Law 99-372, is described, and case law relying on that act is examined.

1989

Bodner-Johnson, B., & Sass-Lehrer, M. (1989). **Public Law 99-457: A new challenge to early intervention.** *American Annals of the Deaf*, 134(2), 71-7.

PMID #: 2801456

ABSTRACT: Congress enacted and President Reagan signed into law on October 8, 1986, P.L. 99-457, the Education of the Handicapped Act Amendments. These amendments reauthorize the Education of the Handicapped Act (EHA) and include a rigorous national agenda pertaining to more and better services to young special needs children and their families. This agenda was fueled by the recent recognition of the needs and competence of infants, the importance of early life experiences and by the documentation of the benefits of early intervention and preschool services. P.L. 99-457 recognized the unique role of families in the development of handicapped children. The most sweeping changes to EHA since P.L. 94-142, these amendments expanded the provisions of P.L. 94-142 to include handicapped infants and preschool children. The enactment of P.L. 99-457 provides a challenge to the field of education of the deaf and to early childhood educators to re-examine basic assumptions about the range of services, the professionals providing those services, and the role of families who have children with hearing impairments.

1984

(1984). **Sixth annual report to Congress on the implementation of Public Law 94-142: The Education for All Handicapped Children Act.** U.S. Department of Education, 1984. *Exceptional children*, 51(3), 199-202.

PMID #: 6239780

No abstract is available.

1982

Pati, G.C., & Morrison, G. (1982). **Enabling the disabled.** *Harvard Business Review*, 60(4), 152-3, 156, 158.

PMID #: 10255945

ABSTRACT: In 1974, Congress passed Public Law 93-516, the Vocational Rehabilitation Act, and in 1975, Public Law 94-142, the Education of All Handicapped Children Act. The spirit of both laws is to bring people with physical or mental impairments into the mainstream of American life. At school, dealing with a fear of disability and adjusting to the special needs of others is to become part of everyone's education. At work, the handicapped are to have a fair chance to do the jobs they are qualified for, and employers are to make reasonable accommodations to their handicapped employees' needs. Many companies have taken up the spirit of these laws. The authors describe how clear job descriptions and practical adjustments have made their rehabilitation and hiring programs work. The success of these programs offers

encouragement to companies that are just starting out in such efforts.

1980

Adams, R.M. (1980). **P.L. 94-142: Education for All Handicapped Children Act, 1975.** *The Journal of School Health*, 50(5), 242-3.

PMID #: 6445446

No abstract is available.

Palfrey, J.S. (1980). **Commentary: P.L. 94-142: The Education for all Handicapped Children Act.** *The Journal of Pediatrics*, 97(3), 417-9.

PMID #: 6447774

No abstract is available.

1979

Dunst, C.J. (1979). **Program evaluation and the Education for All Handicapped Children Act.** *Exceptional Children*, 46(1), 24-31.

PMID #: 159177

No abstract is available.

1965

Chalfant, J.C., & Wirtz, M.A. (1965). **Elementary and Secondary Education Act: Implications for handicapped children.** *Exceptional Children*, 32(3), 139-46.

PMID #: 4220651

No abstract is available.

Quick Looks



Education Policy Issues from the Technical Assistance Alliance for Parent Centers website:

<http://www.taalliance.org/research/education.htm>

Families and Advocates Partnership for Education:

<http://www.fape.org>

Federal Resource Center for Special Education:

<http://www.rfcnetwork.org>

Individuals with Disabilities Education Act Data website:

<https://www.ideadata.org>

IDEA Partnership:

<http://www.ideapartnership.org>

National Center for Learning Disabilities Parent Guide to the Individuals with Disabilities Education Act:

<http://www.nclld.org/content/view/900/456084>

Parent Advocacy Coalition for Educational Rights:

<http://www.pacer.org>

Technical Assistance Alliance for Parent Centers:

<http://www.taalliance.org>

U.S. Department of Education IDEA website:

<http://idea.ed.gov>

What Works Clearinghouse:

<http://www.whatworks.ed.gov>

Search Terms for Education Policy and Persons with Disabilities

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- 📖 Education for All Handicapped Children Act
- 📖 Education
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 - Post Secondary*
 - Preschool*
 - Private*
 - Public*
 - Special Education*
 - Vocational*
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- 📖 Legislation
- 📖 Mainstreaming
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- 📖 No Child Left Behind Act
- 📖 Outcomes
- 📖 Parent Participation/Responsibility/Rights
- 📖 Performance Standards
- 📖 Persons with disabilities
- 📖 Policy
- 📖 Program Accessibility/Descriptions Effectiveness/Evaluation/Implementation
- 📖 Rehabilitation Act 1973
- 📖 Reform
- 📖 Regulations

- 📖 Rehabilitation
- 📖 Section 504
- 📖 Service Delivery
- 📖 Social Work
- 📖 State Department of Education
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- 📖 Teacher Competencies/Education Effectiveness/Qualifications
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