

*Vzdelávanie***Špeciálne vzdelávanie v USA**D.N. Ellis<sup>1</sup>, M. Kovářová<sup>2</sup>, I. Dóci<sup>3</sup>**Special Education in the USA****Súhrn**

Autori v práci načrtávajú históriu vývoja špeciálneho vzdelávania a hľadajú východiská jej ďalšieho smerovania, organizácie a realizácie. Autori diskutujú aj otázky aplikácie, výskumu, personálneho zabezpečenia, práv študentov, právneho ochrany a impakt technológií. Hoci vstup a rozvoj špeciálneho vzdelávania sa považuje za prevratnú zmenu, autori záverujú, že zmeny budú skôr evolučné ako revolučné (lit. 22).

**Kľúčové slová:** špeciálne vzdelávanie, telesné postihnutie, pracovníci v špeciálnom vzdelávaní (lit. 22)

**Summary**

This article briefly outlines the history of the field of special education and predicts how current trends and issues will affect future policy and practice. Included are discussions of inclusion, research to practice, future personnel needs, student rights and litigation, and the impact of technology on the field. Although special education appears to be in constant upheaval, the authors conclude that changes will be evolutionary rather than revolutionary (Ref. 22).

**Key words:** special education, disability, special education personnel

**Issues facing special educators in the new millennium**

In the United States, the public provision of Special Education is relatively young and has experienced many changes during the second half of the 20th century. Social, political, legal, and scientific forces have created controversy and fragmentation among professionals and parents of students with disabilities. The consistent controlling force has been and, will likely continue, to be the mandates and funding from the United States government through the fifty states to the local school systems. This paper describes historical and contemporary issues in the field of Special Education in the United States of America and offers predictions about the course of events in the coming decade.

Since the passage of The Education of the Handicapped Act (Public Law 94-142) in 1975, the government of the

United States has required a "free and appropriate public education" to all children, under 21 years old. Criteria were derived to determine which children would benefit from and, thus, were eligible for special educational services. Current eligibility categories include specific learning disabilities, mental retardation, behavioral disorders, vision and hearing impairments, speech and language disorders, orthopedic disabilities, traumatic brain injury, and autism. Eligible students receive special instruction, curriculum, and related services to maximize their benefit from public education. Further, in order to protect the students from undue segregation from their age peers, these services must be provided in the "least restrictive environment".

At the heart of special educational services are systematic instruction and the provision of an individualized educational program (IEP) for each student eligible for special services. Systematic instruction requires that instructional objectives be specified, student performance monitored, and progress evaluated. The IEP represents an informal contract mutually agreed upon by the school and the student's parents that is based on the strengths and needs of the student. The IEP establishes annual goals and short-term objectives for each student, describes the services to be provided, and

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specifies the extent to which the student will be served in segregated classroom settings.

A consistent trend in special education and in social services, in general, is a life-span perspective. This trend defines several areas of increasing professional emphasis, early intervention (3 years of age) and planning by the public schools for the transition of students to adulthood.

### **The inclusion of students with disabilities in general education classrooms**

The "full inclusion" movement defines the "least restrictive environment" for all students as the general education classroom. Full inclusion requires all students, regardless of disability or educational need, to receive their education in the same classrooms. This movement is based on a constitutional right to free association and a belief that social interaction with students without disabilities will contribute to more normative educational outcomes.

The move to abandon segregated environments has its origins in the Normalization Principle (Wolfensberger, 1972) of the late 60's. In essence, this principle stated that if deviant persons are treated in a normal manner in normative settings they would act more normally. What followed was a period of court ordered de-institutionalization and "mainstreaming" among adult and school-aged persons with disabilities. The Education for All Handicapped Children Act (1975) required that students with disabilities be educated in the least restrictive environment in which their IEP could be reasonably implemented. The most extreme application of these principles was the Regular Education Initiative that proposed a merger of special and general education bureaucracies and an end to disability labels for students and differential instructional placements.

Most of the early mainstreaming programs failed to demonstrate social and academic advantages. Special education professionals realized that in abandoning their service delivery model they had also abandoned those strategies that had proven effective in segregated settings. At the heart of these effective strategies is the ability to control environmental variables. In self-contained settings teachers were able to control schedules and routines. This control allowed for systematic, appropriately paced instruction, and tolerance for aberrant behavior.

The decades of the 70's and 80's witnessed the development of inclusive practices that promoted accommodation of students in general education settings. Currently there are many models and intervention packages that describe patterns of staffing, instruction, accommodation, and support for children with disabilities in inclusive settings.

The inclusion movement has had its impact on subsequent amendments to The Education of the Handicapped Act, now called Individuals with Disabilities Education Act (IDEA). The amendments of 1997, PL105-17, place clear responsibilities on educators to involve students with disabilities in the general education curriculum and to consider supplemen-

tary aids and services as part of the IEP process in order to accomplish inclusion. These amendments have strengthened the presumption that students with disabilities will receive general education placement and clarified procedures for effectively accomplishing this end (Etscheidt and Bartlett, 1999). The law specifies a clear role for general educators in planning and implementing IEPs.

Like many trends in education, parents, advocacy organizations, and professionals drive inclusion with an admirable focus on advocacy for the rights of children. Many special education professionals have resisted the change from educating children with disabilities in segregated special classrooms and schools to a model in which all students are swerved in common general education settings. Proponents of inclusion are strong in their beliefs but have yet to establish an empirical research regarding the goals and relative benefits of inclusive practice.

Many proponents foresaw improved social skills in addition to the civil rights goals of the movement, but the social goals were never clearly defined to allow for meaningful evaluation. Intuitively, educational settings that mirror community, residential, and vocational settings have the highest likelihood of success. However, demonstrated effects on social behavior have not received attention in the research literature.

The most striking feature of the inclusion movement has been that general educators have not included in decision-making with regard to inclusive practices. In order to accomplish a unified service delivery model special educators have promoted collaboration, consultation, and co-teaching. The unilateral nature of the inclusion movement tended to alienate many general educators who resented the adversarial tone of forced compliance. Still many general and special educators are willing to test inclusion given adequate administrative support and opportunities to work together (Villa et al., 1996).

Students with severe disabilities who exhibit extremely aberrant behavior and those with behavioral disorders may continue to be excluded to ensure public safety. Many receive alternative school placements when there is a perceived potential for violence. What we can hope for in the future is that the warring factions within special education can learn to work from common ground. The internal bickering has not shown our profession in its best light. There are many other institutionalized barriers to a unification of efforts among special and general educators. Funding from federal and state sources dictates a separate system of education for students with disabilities as do teacher credentialing practices and increased pressure to raise educational standards for all students.

### **Current research and future practice**

The field of special education can be characterized by its tendency to change direction and practice. We are, however, a field without a strong, the research derived basis for practice. Since the Eisenhower administration there has been

ample funding for field research into the nature, needs, and treatment of children and adults with disabilities. There is still far less agreement about best practice within our field than there is about the general, albeit unmeasured, goals of education programs. Many believe that the gap between substantiated, effective methods and accepted practice is a particularly striking (Walker et al., 1998).

Some have argued that, not unlikely many social services, we approach special education from a social rather than a strictly perspective (Elkind, 1998). This viewpoint attacks what we profess to know about instruction of persons with disabilities as dogmatic and an impediment to further innovation. Social, legal, and political initiatives seem to drive innovation in special education. Due to the threat of litigation many special educators defensively focus on paper-based compliance with the myriad of requirements rather than best practice. Some argue that it is this forced compliance with the letter of the regulations themselves that distracts from their intent (Edgar, 1999).

The power of social initiatives in the absence of regular, frequent, reliable evaluation of programs has led many schools and districts to abandon technically adequate strategies for more palatable, popular packages. Consumers of special education services are frequently not satisfied with the slow modest gains achieved through conventional methods although delayed and slow learning are to be expected from students with significant disabilities. Many parents are desperately seeking a cure and, for them, a reasonable rate of skill acquisition does not represent adequate progress. In part as a result of this dissatisfaction, we have weathered fantastic approaches such as mega-dose vitamins, special diets, facilitated communication, multiple intelligences, and sensory integration therapy.

Problems do exist with the research literature in special education. Biases exist due to politics, an over reliance on expert opinion, and the ubiquitous screening of negative results in the professional literature. In addition, critics argue that research has not been practitioner oriented and that consistent application of research-based strategies can't occur until collaborative models are adopted that establish bridges between researchers and consumers (Abbott et al., 1999).

Reliable data are lacking that relate to outcomes for students who receive special education services. Large scale testing of students in public schools has excluded students with disabilities (Vanderwood et al., 1998). With increased participation in district- and state-wide assessments by students with disabilities, it is likely that the new century will create the possibility for large scale, heretofore prohibitively expensive, evaluations and comparisons of program options. A beneficial side effect of this trend will be allow follow-up and follow-along protocols. Thus students with disabilities will be tracked during and after their public school education.

Lindsley (1992) stated that effective instructional strategies have been researched and developed. He characterized them as "mostly behavioral, structured, fast paced, and re-

quire a high proportion of regular daily practice (p. 21)". These highly technical efficient methods are frequently discarded in favor of instruction that is less effortful or more intuitively appealing. Can we expect some unification and consistency within our fields as we approach a new century? Such agreement would require a consensus among the leaders within our field about what is certain, what requires further study, and what should be abandoned (Fuchs and Fuchs, 1994).

### Supply and demands for special education personnel

Demand has always exceeded the supply of special educators. Teacher shortages are neither universal nor uniform and this suggests that shortages should be evaluated on a local or district level basis (Sindelar et al., 1995). The Bureau of Labor Statistics (Judy and D'Amico, 1997) lists special education teachers as the only teaching field in the 25 fastest growing occupations for the period of 1994–2005. It is estimated that a 53 % growth in employment will result in a net job growth of 205,000 special education teachers in the USA. Despite pressure from school districts and incentives from state and federal governments, teacher attrition still out paces the supply of new personnel and retention efforts. Teachers often cite as reasons for leaving the profession the paperwork, time spent in meetings and inadequate materials and other resources to assist them in instructional efforts and classroom management for their diverse learners.

It is ironic that one of the criticisms leveled by reformers at special education was that it should be reformed because it had been ineffective. But if special education has been ineffective, it was in part due to a chronic lack of trained professional personnel. And, it is that lack of trained personnel which makes it very difficult to implement reforms.

### Student's rights, legislation and litigation

Students with disabilities have reaped many direct benefits due to the passage of legislation and the litigation on which it is based. The two most influential decisions are *PARC v Commonwealth of Pennsylvania* (1972) and *Mills v Washington, D.C. Board of Education* (1972). Nearly two decades before these landmark cases, the Supreme Court (*Brown v Board of Education*, 1954) has established non-segregation and non-discrimination on the basis of race or ability. The basic rights established are the right to a free, appropriate education, the right for students with disabilities to be educated in the same schools and programs as students without disabilities, and procedural safeguards.

In an analysis of 20 years of litigation (1975–1995) related to IDEA, Newcomer and Zirkel (1999) found that two-thirds of the cases dealt with the location of schooling. Surprisingly, parents sought less restrictive settings in only one fourth of these cases. It is likely though that this proportion will

be reserved in the future given the current trend toward inclusive service delivery patterns.

The U.S. Supreme Court has held that if students' behavior is a manifestation of their disability, the current law forbids the total removal of that child from school (Honig v Doe, 1988). Concerns for school safety have been expressed in a variety of "zero-tolerance" (for potentially dangerous actions in school) rules. It is likely that public sentiment will be instrumental in passage of a federal law that permits the removal of students from school even though the behavior they exhibited was related to their disability.

Few people would argue with the removal of students who harm or are likely to harm themselves or others from regular school programs. The issue rests with ensuring that such removal is not summary or arbitrary. Documented acts or threats of violence by students with disabilities should be dealt with expeditiously. However, when school personnel or other students perceive some potential for aggressive behavior then the mechanisms of evaluation and due process should be invoked. Not to do so is reactionary and could be perceived as shirking professional responsibility to gain public favor.

Because alternative schools are perceived as punitive or prison-like by some parents and professionals resist the removal of students who exhibit aberrant behavior from general education settings. We would be the first to admit that not all students who brandish weapons or otherwise threaten acts of violence in school settings are emotionally or behaviorally disordered. But the criteria for eligibility for special education services under this category are valid in that some students experience profound and enduring problems through no fault of their own. The current state of thinking prevents punishing offenders for acts that are believed to emanate from their disabling condition.

Future changes to IDEA will only be palatable to advocates for students with disabilities if due process rights are protected, and alternative placements for students with disabilities are therapeutic in orientation and explicitly seek to return the students to the general education community at the earliest possible date. These assurances would provide a deliberate and compassionate course of action for children while at the same time protecting the rights of all students to a safe school environment.

There are two other notable federal entitlements in addition to IDEA. The first of these is the Rehabilitation Act of 1973. The second is the so-called Tech Act (the Technology-related Assistance to Individuals Act of 1988) (Turnbull et al., 1999). Two more federal acts, which are very similar, are Section 504 (the 1975 amendment to the Rehabilitation Act) and the 1990 Americans with Disabilities Act (ADA). Both of these laws serve to protect individuals with disabilities from discrimination in various aspects of living.

While insufficient funding is a chronic complaint, the legal rights bestowed on individuals with disabilities were hard-won and enjoy a broad base of support. The litany of rights covered under IDEA is probably secure from change or diminution in the immediate future.

## Scientific and technological advances and the character of special education

Perhaps the greatest changes that occur will not be unique to special education. These changes are related to the exponential growth in technology in our global culture. Every aspect of education is affected from instructional media to curriculum. Advances in telecommunications are accelerating the exchange of information and the pace at which one must function in order to be an effective citizen.

Many students with special education require alternate curricula. Their educational content is based on those skills required to function effectively in their current and future environments. Since 1990, IDEA has required that specific plans for transition from school to adulthood for secondary-aged students who receive special education services. This transition plan anticipates the future occupational, educational, and residential roles (among others) for the student. This plan represents a prediction that establishes the knowledge and skill goals for the remainder of their public school tenure. In order to accomplish this task, special education professionals must look 10 years into the future.

We can anticipate changes in the population of children with disabilities based on medical advances. There are many conditions and risk factors associated with reproduction and birth lead to poor developmental outcomes. Although many more infants currently survive the neonatal period due to medical advances who previously would not have, many that do survive face cognitive and physical disabilities during their lifetime. A common question in college classrooms is whether we should expect a reduction in the rate of new students with disabilities due to improved neonatal care. The answer must be that for every child who survives with no long-term effects, another survives with effects who previously would not have. It has been our experience that children with much more challenging conditions and, therefore, greater needs are now entering school.

The future appears brighter in the area of genetics. Informed professionals are aware of recent advances in relating human characteristics and defects to genetic structures. Within the field of disability research, genetic material has been associated with specific patterns of behavior. It will not be long before cures for some genetic disorders are tested and applied.

Advances in technology have changed the profession of education. Increases in the quantity of information and the speed with which it can be accessed, coupled with overall growth in our field have led to some confusion. Web pages of unknown origin and intent coexist with those of sound scientific foundation and altruistic motivation. Hopefully, the availability and currency of relevant practical information will lead to improved services for with disabilities.

## Conclusions

The fact that special education is charged with serving multiple constituents compounds the effects of professional frag-

mentation. Differences exist with regard to methodological orientation, delivery and placement patterns, and motivation. Many children with disabilities manifest extremely challenging behavior and learning problems. Professionals, parents, and advocates who expect a cure are quickly disenchanted with service providers. Modest gains disappoint when qualitative change is promised.

Technological advances could contribute to increased efficacy in the schools. We predict dramatic changes in the field of education related to technological capabilities. Unfortunately it is already apparent in many school districts that technology represents another area in which schools can fall behind due to inadequate funding and expertise.

It is likely that the movement toward increased accountability for schools will lead to greatly increased program evaluation in all areas of special education. Not only will program goals be reexamined but support for non-inclusive programs such as those with alternate curricula will be reconsidered. Long range goal-setting and the establishment of living and working potential will be encouraged as ways to make transition planning begin earlier and be more effective.

Social movements have impacted political and legal institutions independent of validated pedagogy. This influence has resulted in the modification of federal research funding priorities and federal and state regulations for accepted practice. Researchers have modified their research agendas in order to receive continued funding. But frequently practitioners have based their efforts upon the tenets of the social movements rather than research validated practices. What has resulted is the current system of beliefs and practices.

The constitutional foundations of special education remain sound but the legal and legislative framing may be eroding. Regardless of this trend, special education has remained remarkably resilient. Across the short history of special education we have consistently improved services for students with disabilities and nothing foreseeable will change this course. Any changes are likely to be evolutionary as opposed to revolutionary and are likely to be shaped by the same forces which have shaped the field for the last half-century.

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