



The Study of State and Local Implementation and Impact of the  
**I**ndividuals with **D**isabilities **E**ducation **A**ct

# Marking the Progress of IDEA Implementation

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# Preface

This report, *Marking the Progress of IDEA Implementation*, captures the distinctive and emerging findings and discusses the implications from the six-year Study of State and Local Implementation and Impact of IDEA (SLIIDEA). SLIIDEA addressed how states, districts, and schools made progress toward issues of concern identified by Congress in the 1997 amendments to IDEA. Abt Associates and its subcontractor, Westat, conducted this study between April 2000 and September 2006.

A three-volume *Sourcebook* has been prepared to complement the present report. Volume I of the *Sourcebook* summarizes study findings for each of the Congressional topics. Volume II consists of tables that display state, district, and school-level data for each data collection year, and that show changes, including trends over time, in responses to individual survey items for each Congressional topic. Volume III provides a complete description of the sampling design and analytic approach used in SLIIDEA. Each volume is listed below with its citation and publication date.

- Schiller, E., Fritts, J., Bobronnikov, E., Fiore, T., O'Reilly, F., & St. Pierre, R. (2006, April). *Volume I: The SLIIDEA Sourcebook Report (1999–2000, 2002–2003, 2003–2004, and 2004–2005 School Years)*. Bethesda, MD: Abt Associates Inc.
- Schiller, E., Bobronnikov, E., Fritts, J., Parsad, A., Brown-Lyons, M., Chawla, D., Simpson, L., Mahmud, F., & Marsh, M. (2006, April). *Volume II: Data Tables for the SLIIDEA Sourcebook Report*. Bethesda, MD: Abt Associates Inc.
- Price, C., Parsad, A., St. Pierre, R., & Schiller, E. (2006, April) *Volume III: Technical Appendices for the SLIIDEA Sourcebook Report*. Bethesda, MD: Abt Associates Inc.

The study's Web site, [www.abt.sliidea.org](http://www.abt.sliidea.org), provides public access to SLIIDEA reports and data tables from each survey year (the 1999–2000, 2002–2003, 2003–2004, and 2004–2005 school years), as well as reports from qualitative studies of selected special education topics, and the above-mentioned volumes. A public use data set and supporting documentation are available on CD-ROM from the U.S. Department of Education.

The Office of Special Education Programs, U.S. Department of Education, supported this special education policy study from April 2000 to September 2006, under Contract No. ED-00-CO-0026. Dr. Kelly Henderson served as the project officer from April 2000 to December 2004, and Dr. Scott Brown served as the project officer between January 2005 and September 2006. The Abt SLIIDEA study team greatly benefited from their ongoing guidance and leadership. The study's Technical Work Group also provided invaluable feedback and guidance, and consisted of the following experts: Dr. Alvin Crawley (Arlington Virginia Public Schools), Dr. Mary-Beth Fafard (Brown University),

Dr. Margaret Goertz (University of Pennsylvania), Dr. Bev McCoun (Mount Horeb Area School District), Dr. Margaret McLaughlin (University of Maryland), Dr. James Nuttall (Michigan Department of Education), Marshall Peter (Consortium for Appropriate Dispute Resolution in Special Education [CADRE]), Dr. Beth Rous (University of Kentucky), and Dr. Terrance Scott (University of Florida).





# Contents

Preface.....	i
Contents.....	i
List of Exhibits.....	iii
<b>Executive Summary: Study of State and Local Implementation and Impact of the Individuals with Disabilities Education Act (SLIIDEA).....</b>	<b>v</b>
A Look to the Future .....	vii
<b>I. Introduction.....</b>	<b>1</b>
Study Design.....	2
Major Themes .....	3
<b>II. State, District, and School Implementation of IDEA: Substantial Progress.....</b>	<b>5</b>
Aligning Special Education Policy and Standards-Based Reform .....	7
Strengthening Parental Involvement: Differing Perspectives.....	18
<b>III. State and District Implementation of IDEA: .....</b>	<b>25</b>
<b>A Fragmented Response.....</b>	<b>25</b>
Reducing the Number of Students With Disabilities Who Drop Out of School.....	25
Placing Minority Students With Disabilities in the Least Restrictive Environment (LRE).....	28
<b>IV. Schools’ Capacity to Educate Students With Disabilities: Requires More Attention.....</b>	<b>29</b>
Addressing Behavioral Problems.....	29
Building School Capacity.....	30
<b>V. A Look to the Future.....</b>	<b>37</b>
<b>References.....</b>	<b>39</b>





# List of Exhibits

Exhibit 1	Summary of Legislative Progress for Educating Students With Disabilities.....	6
Exhibit 2	States Establishing the Same Content Standards for Students With and Without IEPs in Core Academic Subjects Across Time.....	9
Exhibit 3	How Students With IEPs Participated in Statewide Reading Assessments.....	10
Exhibit 4	States That Provide Resources to Districts and Schools to Improve the Performance and Participation of Students With IEPs.....	11
Exhibit 5	States That Publicly Reported Accountability Indicators for Students With IEPs.....	13
Exhibit 6	States That Rewarded Districts or Schools Based on Accountability Indicators.....	14
Exhibit 7	States That Sanctioned Districts or Schools on Accountability Indicators.....	15
Exhibit 8	Districts Conducting Formal Dispute-Resolution Procedures With Parents of Students With Disabilities.....	20
Exhibit 9	Schools Tracked the Following Dropout Risk Factors for Students With IEPs.....	24
Exhibit 10	School-Reported Characteristics of Dropout Prevention Programs.....	25
Exhibit 11	School Principals Who Identified Most Special Education and General Education Teachers As Well Prepared in Various Areas.....	29
Exhibit 12	School Principals Who Identified Most Special Education and General Education Teachers' Participation in Professional Development on Special Education Topics.....	30
Exhibit 13	School Principals Who Reported They Had Access to Data Focused on Students With IEPs.....	32
Exhibit 14	School Principals Who Reported They Used Various Data Focused on Students With IEPs.....	33



# Executive Summary: Study of State and Local Implementation and Impact of the Individuals with Disabilities Education Act (SLIDEA)

More than 30 years ago, federal, state, and local governments invested in providing services to children and youths with disabilities. In 1975, the Education for All Handicapped Children Act (EHA) guaranteed children and youths with disabilities a free public education to meet their individual and unique education needs in the least restrictive environment possible. Prior to this federal intervention, certain children with disabilities could be excluded from school, including children who were deaf, blind, or mentally retarded. Many of these children lived in state institutions with limited, if any, education or rehabilitation opportunities. Today, more than 200,000 infants and toddlers and their families receive services; and more than 6 million children and youths with disabilities receive special education and related services to meet their individual needs. Most of these children are educated in their neighborhood schools, regardless of the extent of their disability.

The 1997 reauthorization of IDEA shifted legislative attention toward improving educational results for children and youths with disabilities while maintaining the emphasis on equal access to an education. Standards-based reforms provided the policy framework for this IDEA reauthorization, thus ensuring that students with disabilities could have access to the same challenging curriculum as other students and participate in assessments as a way to mark their progress toward improved results. Further, the No Child Left Behind Act (NCLB) of 2001 placed additional requirements on states, districts, and schools to report separately on the academic performance of students with disabilities, track their progress over time, and report regularly to parents and the community.

Congress authorized an evaluation to track state and local progress in meeting these expanded legislative goals, the Study of State and Local Implementation and Impact of IDEA. Since 2000, the SLIDEA findings have been based on survey data collected from all 50 states and the District of Columbia, a national sample of school districts, and a national sample of schools nested within those districts. The survey data is buttressed by data from four qualitative studies of districts nested in five states.

This report summarizes the results of this landmark six-year national undertaking commissioned by the Office of Special Education Programs of the U.S. Department of Education. The study found that:

**Substantial Action Was Taken by States to Align Special Education Policy with Standards-Based Reform.** States responded quickly to federal special education mandates by establishing an accountability infrastructure, and they took substantial action to support districts and schools in

aligning special education policies with standards-based reform. For example, at least 96 percent of students with disabilities participated in statewide assessments; almost all states established the same content standards for students with disabilities as for students without; and almost all states publicly reported on the performance of students with disabilities on state- or district-wide assessments.

**States and Districts Strengthened Parent Involvement.** At every level, education agencies took action to strengthen the involvement of parents of children with disabilities. States provided resources and established guidelines. Districts and schools used their resources to develop written materials for parents – focused on such issues as understanding IDEA, transitioning from secondary schools to adult life, and participating in assessments – and to offer training. Few states and districts used any dispute-resolution procedure to resolve conflicts with parents of students with disabilities. About one-fourth of districts used alternative dispute-resolution procedures to resolve conflicts.

**More Coherent Action by States, Districts, and Schools Is Needed to Prevent Students from Dropping Out.** Increasingly, states are reporting publicly on dropouts among students with disabilities and rewarding and sanctioning districts and schools on the basis of dropout rates. Relatively few states or schools, however, took action to discourage students with disabilities from dropping out of school. For instance, only about half of the states allocated resources for dropout prevention and even fewer issued dropout-prevention guidelines, although more than half of the districts affirmed that they had issued such guidelines. Few secondary schools tracked multiple dropout risk factors of students with disabilities.

**More Coherent Action by States and Districts Is Needed to Appropriately Place Minority Students in the Least Restrictive Environment.** Almost all states provided districts and schools with guidelines on the placement of students with disabilities in the least restrictive environment. But only about two-fifths of states provided guidelines – and about half provided resources – focused on the placement of *minority* students with disabilities in the least restrictive environment

**Schools Lagged in Building the Capacity to Educate Students with Disabilities.** The academic performance of students with disabilities is unlikely to improve without increasing school capacity – hiring and retaining well-prepared teachers, facilitating teachers’ access to professional development, making staff members available to assist teachers, and using data to reach informed decisions. School principals reported that most of their special education teachers are well prepared to educate students with disabilities and that many of them have received professional development on teaching students with disabilities. Nonetheless, few principals reported the same for general education teachers, who have increasing numbers of students with disabilities in their classrooms. In addition, though many schools and districts are actively collecting data on test scores, dropout rates, and attendance, schools are not following through by using the data to plan professional development.

**Principals Were Able to Discipline Students with Disabilities.** The safeguards IDEA provides for students with disabilities have not impeded school administrators in addressing disciplinary issues. Principals reported that they can adequately and appropriately discipline students with disabilities, and that expulsion rates of students with disabilities are comparable to those of their general education peers.

## **A Look to the Future**

These SLIDEA findings establish the baseline against which future IDEA implementation efforts can be measured. While states, districts, and schools have made progress on implementing IDEA, much work remains.

In order to increase the rates with which students with disabilities graduate from high school and attend post-secondary school, state and local policymakers need to:

- Build the capacity of schools to educate students with disabilities. In particular, sustained professional development in educating students with disabilities must be delivered to general education teachers. Special education teachers, particularly at the secondary level, also need to receive training and professional development.
- Encourage districts and schools to learn how to use accountability data on academic performance, dropout rates, and graduation rates for planning this professional development.
- Provide training to support on-going involvement of parents of children with disabilities in their children's education, and promote strategies for resolving disagreements between parents and administrators. Such tensions are potentially natural consequences of increased parental involvement.
- Make more coherent use of policy tools (e.g., issuing guidelines, allocating resources, and supporting professional development and training). While substantial progress has been made toward aligning special education policy with standards-based reform, using policy tools will decrease the number of students with disabilities who drop out of school and will foster the appropriate placement of minority special education students.



# I. Introduction

This report, *Marking the Progress of IDEA Implementation*, identifies the progress that states, districts, and schools have made – and what they have yet to accomplish – in addressing the legislative mandates resulting from the 1997 federal reauthorization of the Individuals with Disabilities Education Act (IDEA). It presents the final analysis of data and the conclusions drawn from the Study of State and Local Implementation and Impact of the Individuals with Disabilities Education Act (SLIIDEA).<sup>1</sup>

SLIIDEA is unprecedented in scope. Conducted by Abt Associates over six years, beginning in 2000, it is a multi-method longitudinal study of the actions taken by states and districts to implement IDEA. The findings are based on data collected through surveys of all 50 states and the District of Columbia, a national sample of school districts, and a national sample of schools nested within the selected districts, as well as on public-use data. In addition, survey data were buttressed by four qualitative studies conducted in a purposive sample of school districts nested in five states.

This report provides a big-picture analysis of the implementation progress made by states, districts, and schools in carrying out their responsibilities to educate students with disabilities as articulated in the 1997 legislation. The findings focus on the timeliness, frequency, and effects of actions taken at the state, district, and school levels. In particular, we report whether all, many, or few states, districts, and schools took action, and how actions changed across data collection periods. Further, we identify the most influential actions.

A separate three-volume *Sourcebook* addresses each of the nine Congressionally mandated topics of inquiry – the establishment of accountability systems for improving the performance of students with disabilities; efforts to help students with disabilities access the general education curriculum; effective transitions, both for preschool-aged children and secondary-aged children; the placement of students with disabilities in the least restrictive environments, including minority students; efforts to decrease the risk of students with disabilities dropping out of school; the use of positive approaches for addressing behavioral issues of students with disabilities; strategies for increasing parental involvement; and the use of alternative dispute-resolution procedures.<sup>2</sup>

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<sup>1</sup> The Office of Special Education Programs, U.S. Department of Education, as part of contract number ED-00-CO-0026, supported the conduct of this study. However, points of view expressed in this report are those of the authors and do not necessarily reflect the position or policy of the Department.

<sup>2</sup> For a discussion of each Congressional topic, see *Volume I: The SLIIDEA Sourcebook Report* (2006, April), Bethesda, MD: Abt Associates Inc.; *Volume II: The Data Tables for the SLIIDEA Sourcebook Report* (2006, April), Bethesda, MD: Abt Associates Inc.; and *Volume III: Technical Appendices for the SLIIDEA Sourcebook Report* (2006, April), Bethesda, MD: Abt Associates Inc.

## Study Design

SLIIDEA collected survey data from the state directors of special education in each of the 1999–2000, 2002–2003, 2003–2004, and 2004–2005 school years. A 100 percent state-level response rate was achieved in each year. Study staff members mailed surveys to a national sample of 959 school districts in 1999–2000, 2002–2003, and 2004–2005. Local directors of special education completed the surveys; response rates for these three years were 31 percent, 87 percent, and 89 percent, respectively. A sample of 4,534 schools was drawn from the 959 districts, and surveys were mailed to these schools in 1999–2000, 2002–2003, and 2004–2005. Principals of the sampled schools were asked to designate the person “most knowledgeable about special education policies and practices” in their schools to fill out a questionnaire. Response rates for the three years were 39 percent, 74 percent, and 80 percent, respectively.<sup>3</sup>

For each school year, we provide simple tabulations of survey responses that describe all states and, through the use of sample weights, districts and schools nationwide. We present simple frequencies showing the percentage and number of states, districts, and schools that employed a given policy, practice, or resource. To make comparisons over time, we used a two-tailed test of the difference between proportions, and used the full cross-sectional samples of responding districts and schools for the waves of data collection being compared.

To provide an in-depth understanding of how parents, teachers, principals, and district administrators implemented certain aspects of IDEA, four qualitative studies were designed. Field data were collected using semi-structured interview protocols and topical guides for use with focus groups. On average, data were collected from 300 district and school staff members in each qualitative study. All interviews and focus groups were taped and transcribed.<sup>4</sup> In all four studies, we organized and indexed transcripts to create a qualitative database of all interview and focus study data collected from sites. Coding schemes were designed to focus analysis specifically on elements of implementation, as well as on incentives and barriers to implementation. We convened analytic meetings to identify and refine themes and results.

In this report, we summarize both the qualitative and quantitative data across the nine Congressional topics. This summary provides the first comprehensive profile of how states are responding to the federal mandates and addressing the issues raised by federal special education policy.

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<sup>3</sup> For a complete description of the study design, see *Volume III: Technical Appendices for the SLIIDEA Sourcebook Report*, (2006, April) Bethesda, MD: Abt Associates Inc.

<sup>4</sup> For a complete description of the design of the qualitative studies, see the qualitative final reports on the study’s Web site ([abt.sliidea.org](http://abt.sliidea.org)).



## Major Themes<sup>5</sup>

Over the six years of the study, we found:

1. States and districts took *substantial actions* to address the legislative goals set forth in the 1997 amendments to IDEA. In particular, states and districts sought to align special education policy with standards-based reform and to strengthen parental involvement. Qualitative studies confirm these findings.
2. States and districts have made a *fragmented response*, however, in trying to decrease dropout rates among students with disabilities or to place minority students in the least restrictive environment, as appropriate.
3. The capacity of schools to educate students with disabilities *requires more attention* from policymakers, particularly in the areas of: the preparedness of general education teachers to instruct such students, the teachers' access to professional development, and the use of data to plan professional development.
4. Based on the SLIIDEA findings, suggestions for marking the future progress of IDEA implementation are made for state and local policy makers to consider. The suggestions illuminate distinct roles of states, districts, and schools in the effort to increase school capacity. Both states and districts can influence what happens at the school level by issuing guidelines or allocating resources. Yet, *school-level actions are key* to improving the preparedness of teachers to meet the needs of students with disabilities.

The following chapters examine each of these topics.

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<sup>5</sup> Please note that data from states, districts, and schools are aggregated to produce national statistics. Because of confidentiality agreements between researchers and education agencies, the study does not report information on a state-by-state basis.



## II. State, District, and School Implementation of IDEA: Substantial Progress

Nearly 30 years ago, two landmark court decisions, *Pennsylvania Association for Retarded Children v. Commonwealth of Pennsylvania* (1971) and *Mills v. Board of Education of the District of Columbia* (1972), established the responsibility of states and school districts to educate individuals with disabilities. Basing their arguments on the equal protection clause of the 14th Amendment of the United States Constitution, parents led the fight to ensure that their children, and other children with disabilities, would have the right to a public education. These court decisions set the stage for the enactment of the Education for All Handicapped Children Act (EHA), P.L. 94-142, in 1975.

The EHA guaranteed that eligible children and youths with disabilities could count on: a free and appropriate public education; a program designed to meet their unique educational needs in the least restrictive environment possible; and protection of their rights, and the rights of their families, through procedural safeguards. Today, 6.8 million children with disabilities attend school in this country (U.S. Department of Education, 2002). During the 1990 reauthorization of the EHA, the legislation became the Individuals with Disabilities Education Act. In 1997, further changes allowed it to reach beyond the early federal goal of equity to focus on excellence. (See Exhibit 1.)

The history of special education has been a tale of exclusion. As stated by McDonnell, McLaughlin, & Morison (1997), “Special education policy in the United States is a direct response to a history in which students with disabilities were either excluded entirely from educational opportunities or were often segregated in inadequate programs in inadequate facilities” (p. 52). In fact, access to an education for children with disabilities was confirmed only in 1975 with the passage of the EHA.

With the advent of standards-based reform in the early 1990s, some advocates contended that children with disabilities were being excluded from the standards and accountability policies that states were adopting. Unless schools were held accountable for the performance of children with disabilities, advocates maintained, these students would fall through the cracks and remain in inadequate programs.

Those concerns had an impact on the 1994 law that reauthorized the federal Title I program (P.L. 103-382), the largest federal program providing aid to schools. The law required states to establish content standards outlining what students should know and be able to do in core subjects. It also required states to develop assessments to measure all students’ progress toward the standards, while providing “reasonable adaptations and accommodations” for students with disabilities.

These provisions were strengthened by the 1997 IDEA amendments (P.L. 105-17), which required states to demonstrate that students with disabilities were participating in state and district assessments (or in alternate assessments, when students with disabilities could not take part in regular assessments even with accommodations). The law also required states to report on the number of students with disabilities taking regular or alternate assessments, and on the performance of students on these assessments. The No Child Left Behind Act of 2001, which reauthorized Title I, went further and has required schools to demonstrate adequate yearly progress (AYP) for all groups of students, including students with disabilities. Schools that fail to demonstrate AYP for any group are subject to sanctions.

**Exhibit 1**

**Summary of Legislative Progress for Educating Students With Disabilities**

<b>Date</b>	<b>Legislation</b>	<b>Major Requirements</b>
1974	P.L. 93-380, Education Amendments of 1974	<ul style="list-style-type: none"> <li>• Free Appropriate Public Education (FAPE)</li> <li>• Procedural safeguards</li> <li>• Least restrictive environment (LRE)</li> <li>• Federal funds to states</li> </ul>
1975	P.L. 94-142, Education for All Handicapped Children Act (EHA)	<ul style="list-style-type: none"> <li>• Free Appropriate Public Education (FAPE)</li> <li>• Procedural safeguards</li> <li>• Least restrictive environment (LRE)</li> <li>• Nondiscriminatory evaluation</li> <li>• Individualized education program (IEP)</li> </ul>
1986	P.L. 99-457, Education of the Handicapped Amendments of 1986	<ul style="list-style-type: none"> <li>• Federal incentives to adopt infant/toddler programs</li> </ul>
1990	P.L. 101-476, Individuals with Disabilities Education Act (IDEA)	<ul style="list-style-type: none"> <li>• Changed language of law</li> <li>• Added students with autism and traumatic brain injury (TBI)</li> <li>• Required secondary transition plan on IEP</li> </ul>
1994	P.L. 103-382, Elementary and Secondary Education Act of 1965 (P.L. 89-10), as amended	<ul style="list-style-type: none"> <li>• States must establish content and performance standards</li> <li>• States must develop assessments measuring progress toward the standards and to include all students in the assessments, while providing “reasonable adaptations and accommodations” for students with disabilities</li> </ul>
1997	P.L. 105-17, Individuals with Disabilities Education Act Amendments of 1997	<ul style="list-style-type: none"> <li>• Ensure access to general education curriculum and broader education reforms</li> <li>• Strengthen the role of parents</li> <li>• Changes in the IEP team and content of the IEP</li> <li>• States must establish a voluntary mediation system</li> <li>• Added language regarding the discipline of students with disabilities</li> </ul>
2002	P.L. 107-110, The No Child Left Behind Act (NCLB)	<ul style="list-style-type: none"> <li>• States must implement accountability systems that included students with disabilities</li> <li>• Flexibility in using federal resources</li> <li>• Parental choice when schools fail</li> </ul>
2004	P.L. 108-446, Individuals	<ul style="list-style-type: none"> <li>• Aligns accountability and assessment requirements with NCLB</li> </ul>

In this section, we mark the progress made by states, districts, and schools toward implementing specific provisions of IDEA from 1999 to 2005. State and district actions included issuing policy guidelines, allocating resources toward a goal, issuing rewards and sanctions on the basis of performance indicators of students with disabilities, and reporting publicly on the performance indicators of students with disabilities. School principals reported on the capacity of the school to meet the legislative goals, including preparedness of teachers, participation in professional development, availability of school staff members with specific responsibilities for special education, and availability and use of funds or data. In general, SLIDEA found that a comprehensive policy response had been made toward aligning special education policy with standards-based reforms and strengthening parental involvement. A complete discussion of these topics follows.

## **Aligning Special Education Policy and Standards-Based Reform**

Previous studies have suggested that general and special education remained separate during the early years of standards-based reform. Interviews with state directors of special education and curriculum and instruction (Goertz & Friedman, 1996) indicated “that special education has not played a major role in the development of either state content standards or specific curriculum frameworks in most states. Rather, special education’s involvement has generally been limited to a review of standards and curriculum documents prepared by other educators – if that” (p.18).

Nagle (2005) reported on how special education has remained on the periphery of state-mandated education reform in general education. In interviews with 35 state personnel in four states, Nagle found that special education departments were seldom involved in the planning and implementation of policy initiatives in general education. When involvement did occur, it was dependent on the personnel relationships within the state offices of education.

Our survey findings show that, as early as 1999–2000, however, states had made substantial progress in including students with disabilities in standards-based reform. States had established several *standard practices* to help support the high assessment-participation rates of students with disabilities, and to improve their performance on those assessments.<sup>6</sup> These standard practices form the foundation of the accountability system for students with disabilities. They include: setting

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<sup>6</sup> A standard practice is defined as a policy, resource, or practice followed by 90 percent or more of states, districts, or schools. Conversely, when 10 percent or fewer of states, districts, or schools report using a policy, resource, or practice, then it is a standard practice *not* to follow it.

expectations by specifying both content standards and academic achievement standards for all students; issuing written guidelines; providing resources to support participation and performance of students with disabilities; creating a public accountability system by reporting publicly on key student indicators; and using rewards or sanctions with districts and schools on the basis of the performance of students with disabilities. Districts took similar actions, but to a lesser extent. Qualitative analyses confirm and illustrate these timely findings.

***States responded quickly to federal mandates.***

According to school reports, 93 percent of students with disabilities participated in a statewide assessment in 1999–2000 (Schiller et al., 2003). And the vast majority of states had policies about accommodations for students with disabilities. Of the 49 states that administered a statewide assessment, all but one reported that in 1999–2000 they had a policy specifying how decisions about accommodations should be made (Schiller et al., 2003).

Schools used many types of accommodation to enable students with disabilities to participate in assessments (Schiller et al., 2003). Test accommodations fell into four categories: presentation (e.g., simplified directions), setting (e.g., small group, separate room), timing/scheduling (e.g., extended time, extra breaks during test), and response for students with disabilities (e.g., oral responses, calculator). These types were similar to those provided to students during instruction.

Reading the directions aloud was the most common form of assessment accommodation, used by 88 percent of schools. The use of other accommodations varied widely. For example, various response accommodations were used by between 1 percent of schools (voice-activated computers) and 41 percent of schools (answers marked in test booklet), and various setting accommodations were used by between 3 percent of schools (home) and 83 percent of schools (small groups). The use of accommodations did not appear to vary substantially when types of student disability were taken into account – with one exception: schools with sensory-impaired students tended to make greater use of Braille or large print editions of tests, magnifying or amplification equipment, and tape recorders (Schiller et al., 2003).

Students with disabilities who could not benefit from accommodations to standard assessments were allowed to demonstrate their knowledge by taking an alternate assessment. In 2002–2003, more than 96 percent of states reported having alternate assessments available for measuring the performance of those students with individualized education programs (IEPs) who could not participate in the regular state- or district-wide assessment. States were more likely to use a state alternate assessment than to use a district alternate assessment (96 percent and 22 percent, respectively).

***States used the same content standards for students with or without IEPs, but academic achievement standards were more likely to be different for these two groups of student.***

Content standards spell out what students should know and be able to do. States' use of the same content standards for students with and without IEPs remained high across the study years for the core academic subjects. (See Exhibit 2.) In 2004–2005, only one state established different content standards for students with IEPs in mathematics, and one state did so for English/language arts. Some states had no content standards for certain subjects.

For example, four states reported having no content standards in science for any students, and six states reported having no content standards in social studies. The percentage of states with content standards in social studies declined from 2003–2004 to 2004–2005. States that did have such standards generally had the same standards for all students, with or without IEPs.

*“I’m required to use state standards for the student’s objectives. It gives me a little less flexibility, but a lot more structure. I’m definitely sure what the next step is, and I know that when the student goes to another teacher, that teacher will be looking at the same objectives; so it gives the student’s program more continuity.”*

– Special Education Teacher

Academic achievement standards indicate the level of performance that students ought to attain. Most states have academic achievement standards in the

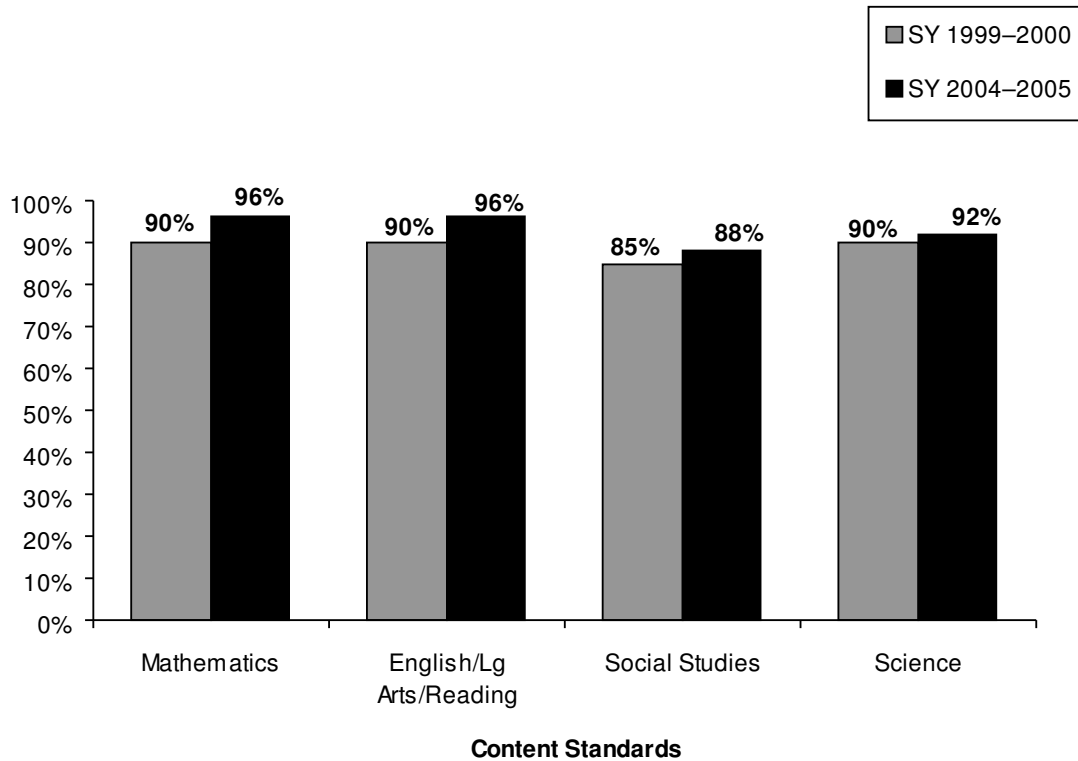
core academic areas, but these standards differ for students with and without IEPs. For 2004–2005, all states indicated they had achievement standards in mathematics and English/language arts, while 75 percent of states had achievement standards in science and 65 percent in social studies. Across the core academic subjects, only about half the states established the same grade-level academic achievement standards for students with and without IEPs.

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**Exhibit 2**

**Percentage of States That Established the Same Content Standards for Students With and Without IEPs in Core Academic Subjects Across Time**

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*States are including students with disabilities in assessments and providing both guidance and resources to districts and schools to support them.*

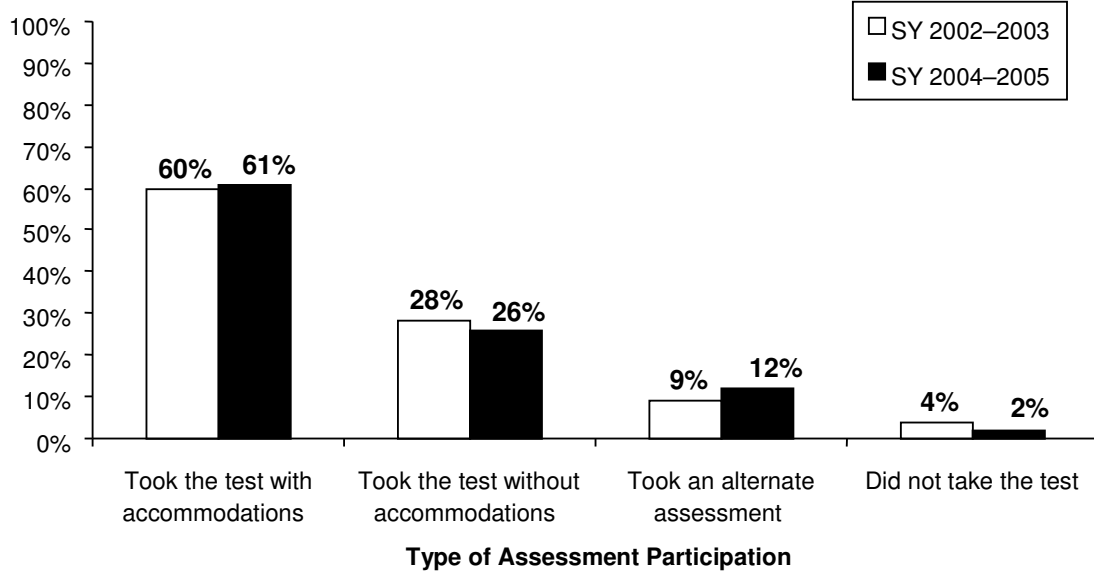
In 2002–2003 and 2004–2005, 96 and 98 percent of students with IEPs took statewide reading assessments. Approximately 60 percent of students with IEPs took the state reading assessment with accommodations, and about one-fourth of students with IEPs took the test without accommodations. The use of alternate assessments by students with disabilities has increased over time. While 9 percent of students with disabilities took an alternate assessment in 2002–2003, 12 percent did so in 2004–2005. (See Exhibit 3.)



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**Exhibit 3****Percentage of Students With IEPs Who Participated in Different Types of Statewide Reading Assessment**

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Note: The estimated participation rates apply to those students with IEPs who were in schools that administered the statewide reading assessment and in grades that were tested. The school survey asked about the participation of students with disabilities in statewide reading assessments for the prior school year.

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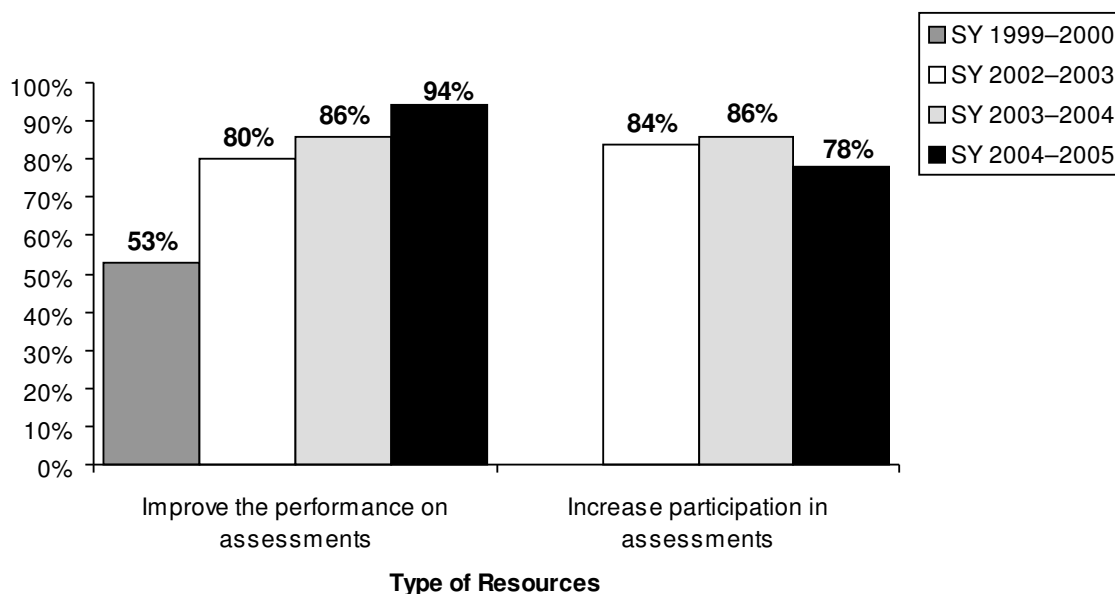
By 2004–2005, all or almost all states provided guidelines to districts and schools on the participation of students with IEPs in assessments (100 percent), on the use of accommodations on assessments (100 percent), on the use of alternate assessments for students with IEPs (100 percent), and on procedures for accessing the general education classroom (90 percent). As with states, most districts established standard practices for issuing written guidelines on the above mentioned accountability options.

By 2004–2005, almost all states (94 percent) provided resources to districts and schools for improving how students with IEPs performed on standardized assessments. This represents an increase of 41 percentage points from 1999–2000. (See Exhibit 4.) Most states also provided resources to districts and schools in order to help students with disabilities access the general education curriculum.

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**Exhibit 4****Percentage of States That Provided Resources to Districts and Schools to Improve the Performance and Participation of Students With IEPs**

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The qualitative findings illustrate how districts and schools benefited from existing state accountability infrastructures for students with disabilities, particularly focusing on approaches to including students with IEPs in assessments and helping them gain access to the general education curriculum. Administrators and teachers often said that the focus on including students with disabilities in a statewide assessment system was driven partly by the requirements of IDEA and partly by state policy and guidance (Schiller et al., 2002; O'Reilly et al., 2003). As one administrator emphasized during the field visit conducted in 2001:

*I really see the assessment just driving the entire country. And that ties to the curriculum and that push. Without federal requirements, this move wouldn't have happened at the local level.*

From most of the respondents, we learned that participation in assessment systems has been one of the approaches for helping students with disabilities access the general education curriculum. As one district administrator stated:

*I think improving the test scores for students with IEPs [has been a priority]. Inclusion has provided significant opportunities for kids. We have provided consultation for the general ed staff and the special ed staff on working together. And I think we're seeing it [in the test scores].*

One study district developed a curriculum-mapping project to assist teachers in linking state standards with the district curriculum. This had the effect of clarifying for all teachers the appropriate content standards for all students. As one special education teacher in that district explained:

*Before [the mapping]. . . , we had a pool of objectives. Or it could just be something that the parent and I thought that the child needed . . . to move on to the next skill level. It was just something I wrote independently . . . or I drew from other resources. Since we have our standards now, each child with a disability in the state is required to meet these standards. But most of my kids have academic goals and so they're required to meet those standards too.*

Similarly, a special education teacher in another district said:

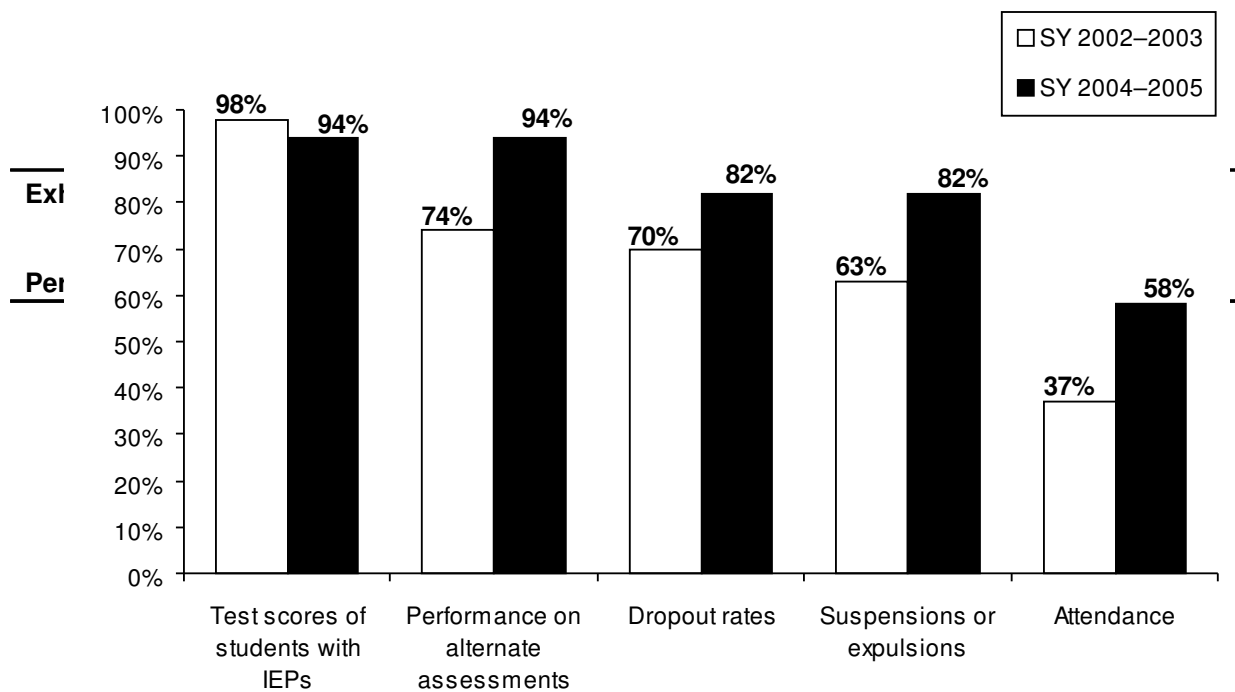
*We're just using the [state] standards much more widely this year than we did last year. Last year we began to incorporate them in every IEP and to teach to them specifically. But this year we're doing it very consistently.*

By using state content and achievement standards as guides for developing IEPs, schools have established the expectations that must be set forth in a student's individualized program – and by doing this, has helped him or her gain access to the general education curriculum. Moreover, the student's progress toward reaching the content standards and academic performance standards is being monitored by the participation in state assessments.

***States are holding schools accountable for the performance of students with disabilities.***

Since the advent of standards-based reform, states have held schools accountable for student performance by publicly reporting results, issuing sanctions for poor performance, and rewarding high performance. States have used all three methods in holding schools accountable for the performance of students with disabilities, and the use of rewards and sanctions is increasing.

Almost all states publicly reported the test scores of students with IEPs who participated in state- or district-wide assessments, as well as on additional accountability indicators. Increasingly, states




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reported on student attendance records, the performance of students who took an alternate assessment, the dropout rates of students with disabilities, and suspensions and expulsions of students with disabilities. (See Exhibit 5.)

Public reports on how students with disabilities performed on alternate assessments have increased sharply. In 2003–2004 and 2004–2005, 94 percent of states reported publicly on the performance of students with IEPs who participated in alternate assessments at the state level, up 20 percentage points from 2002–2003.

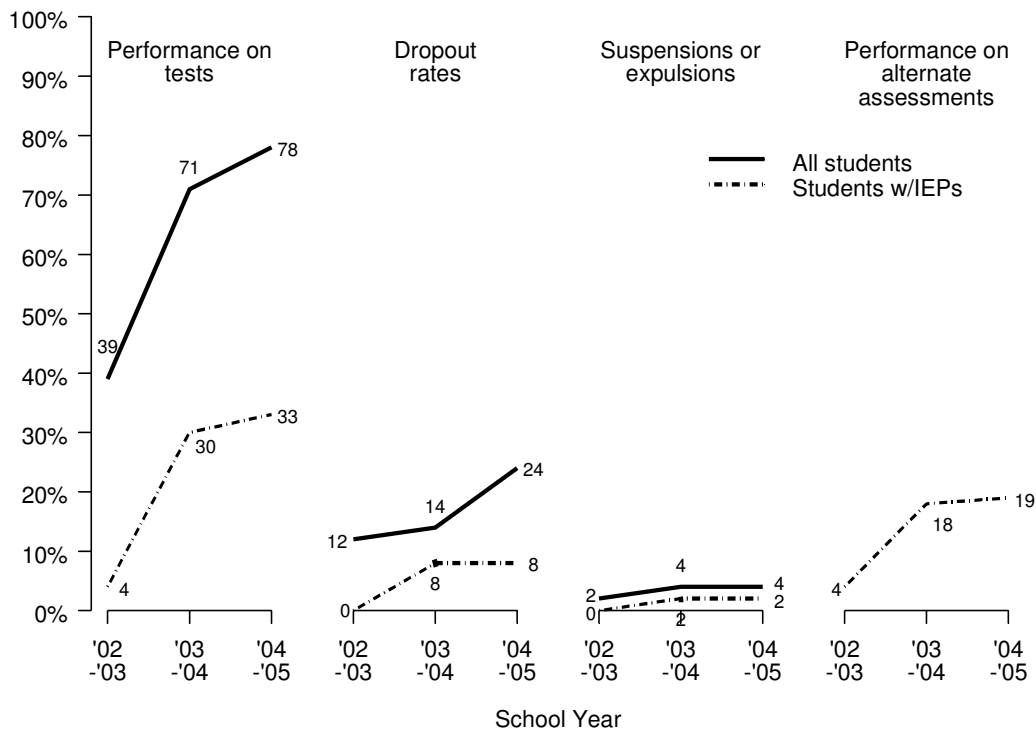
States increasingly are disaggregating test results and reporting the results for students with disabilities separately from those for other students. In 2004–2005, 84 percent of states reported data separately for students with and without disabilities, a 10 percentage point increase since 2002–2003. In 2004–2005, more than half the states (57 percent) reported the results of students with disabilities on alternate assessments aggregated with the results of students taking other standard assessments, an increase of 21 percentage points from 2002–2003.

States have increased their use of rewards to influence districts and schools to improve outcomes for students, including those with disabilities. For example, state use of rewards for all students doubled

from 2002–2003 to 2004–2005, including rewards for: improving student performance on state- or district-wide assessments (an increase from 39 percent to 78 percent); decreasing student dropout rates (an increase from 12 percent to 24 percent); and decreasing suspensions and expulsions (an increase from 2 percent to 4 percent). (See Exhibit 6.)

**Exhibit 6**

**Percentage of States That Rewarded Districts or Schools Based on Accountability Indicators**

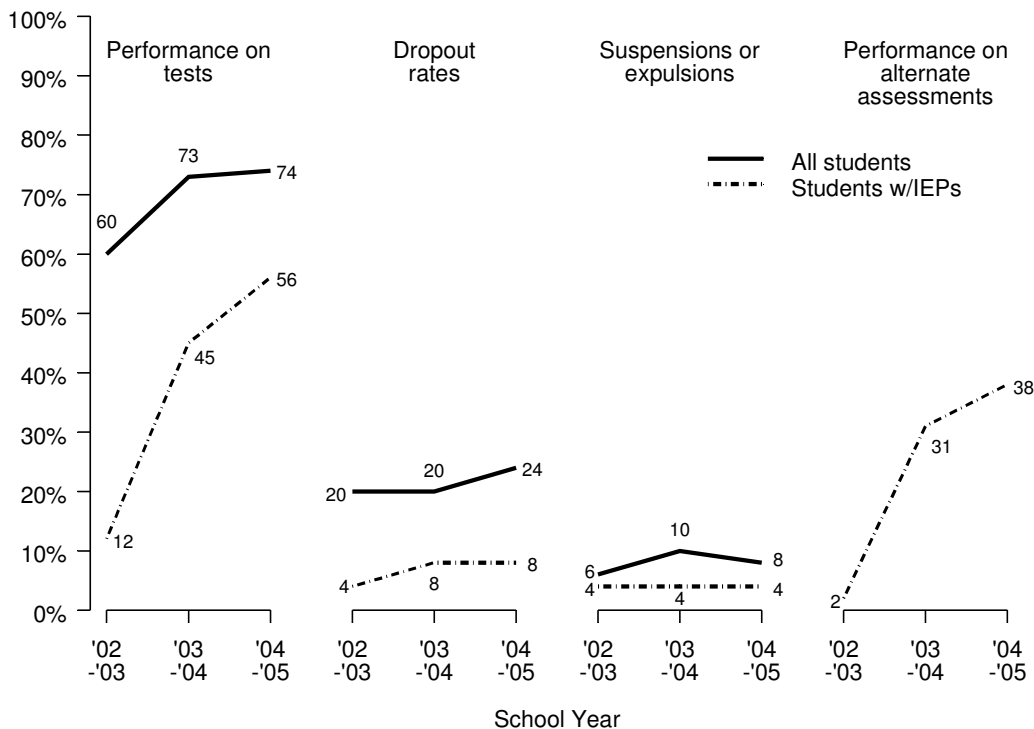


Note: Responses to *Students with IEPs* were specific to them, whereas the responses to *All Students* were not necessarily independent of students with IEPs. The survey questions were worded as follows: “During the past 12 months, did your state education agency reward or recognize districts or schools on the basis of any of the following?” “In determining these sanctions, did your state education agency take into account any of the following related to students with IEPs separately from other students?”

States' use of sanctions based on performance of students with disabilities has increased dramatically, from 12 percent to 56 percent for performance on state- or district-wide assessments and from 2 percent to 38 percent for performance on alternate assessments. (See Exhibit 7.)

**Exhibit 7**

**Percentage of States That Sanctioned Districts or Schools Based on Accountability Indicators**



Note: Responses to *Students with IEPs* were specific to them, whereas the responses to *All Students* were not necessarily independent of students with IEPs. The survey questions were worded as follows: “During the past 12 months, did your state education agency sanction districts or schools on the basis of any of the following?” “In determining these sanctions,

did your state education agency take into account any of the following related to students with IEPs separately from other students?"

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States were more likely to use sanctions than rewards, but districts showed the opposite pattern. About twice as many states used sanctions, rather than rewards, based on student performance on state- or district-wide assessments (56 percent versus 33 percent), on alternate assessments (38 percent versus 19 percent), and on suspensions and expulsions (4 percent versus 2 percent) in 2004–2005.

***Districts are focusing their actions on the alignment of special education policy with standards-based reform, but to a lesser extent than states.***

Although most states have allocated resources to support districts and schools, fewer than half of all districts targeted resources to schools based on the performance of students with disabilities and on the participation of students with disabilities in assessments in 2004–2005 (42 percent and 37 percent, respectively). Compared to states, few districts chose to reward or sanction on the basis of test scores. Thirty-two percent of districts rewarded schools on the basis of the performance of all students, whereas only 2 percent chose to sanction schools. Less than 1 percent of districts separately considered the scores of students with IEPs when issuing rewards or sanctions. The changes from the previous data collection years were insignificant.

Although districts lagged behind states in acting to improve the performance of students with IEPs, districts have been influenced by federal and state reforms. According to the interviews with district administrators, these policies have provided the link for students with disabilities to participate in assessments, and have led to helping the students gain access to the general education curriculum. District administrators shared, as examples, the following types of actions that districts took to help students meet the state standards and make academic progress:

- Demonstrating the effects of including students with disabilities in statewide assessments took a couple of years.
- Prior to the state standards, students with disabilities were placed in a number of specialty classrooms, such as a cognitively delayed resource room and a learning disabilities resource room. As a result, the students did not have the opportunity to participate in the general curriculum. When the district focused on including the student in the general education classes, the students had more opportunity to access the general education curriculum.
- District leadership teams looked at district scores to figure out how to help all students achieve the competencies on the state test. They also had established school councils (which allowed input from parents and teachers) to also look at the data. This strategy helped the

districts, schools, and community to focus on the students' needs in order to meet the state standards.

- Training and professional development were key to helping teachers understand that there was one curriculum, along with the state standards and the types of instructional approaches and modifications needed for students with disabilities to learn.

## **Strengthening Parental Involvement: Differing Perspectives**

Involving families in students' education is important for all students, and particularly for students with disabilities. The National Longitudinal Transition Study (NLTS), and the more recent second such study (NLTS2), produced the most compelling evidence of the benefits of parental involvement and parental expectations for students with disabilities. Students with disabilities whose parents were more involved in their education, the studies found, missed fewer days of school and were much less likely to fail courses than students whose parents were less involved. The Special Education Elementary Longitudinal Study (SEELS) produced similar findings for the elementary school population (Blackorby et al., 2005). Students with disabilities whose families were more involved in their school (e.g., attending meetings or classroom events, volunteering) had better grades, and tended to participate in organized group activities and to have individual friendships. Research also has demonstrated that the earlier the involvement of parents, the greater the benefits for the child and the family.

Federal policy has long recognized the importance of parental involvement in the schools. The EHA established important roles for parents, such as entrusting to them critical safeguards to ensure that their children had access to a free and appropriate education. The 1997 IDEA amendments continued to protect these rights and strengthen the parental role by granting parents the opportunity for shared decision making with schools. The amendments encouraged parents and schools to work together to meet the needs of children and to ensure that school officials consider parents as decision-making partners in providing special education and related services to their children (U.S. Department of Education, 2002).

Standards-based reform places additional responsibilities on parents of children with disabilities. In addition to serving as primary advocates for their children's rights, and as key participants in the IEP process, parents are expected to understand the various assessments available and their implications for the type of diploma their children will receive. By the same token, districts have the responsibility of providing accessible and accurate materials to parents about the options and their implications.

The SLIDEA surveys presented new evidence on the actions that states, districts, and schools took to increase the involvement of parents of children with disabilities in their child's education, and to



mitigate disputes between parents and districts when disagreements occurred. Qualitative findings augmented that evidence.

***Almost all states have established policies to support parental involvement and many have allocated resources to support it.***

During the period of this study, almost all states provided written guidelines to districts or schools on involving parents of students with disabilities in their child's education (90 percent of states and 92 percent of districts). About half of the states (49 percent) also provided written guidelines on the provision of services (such as babysitting, transportation, or translators) to parents to aid them in their participation in IEP meetings.

States provided several types of resources to districts and schools to increase the participation of parents of children with disabilities. In 2004–2005, most states (88 percent) provided resources, beyond money for direct services, to districts and schools and 64 percent provided support to evaluate parent participation. Almost one-third of states (32 percent) provided resources specifically for helping parents attend IEP meetings in 2004–2005. This finding has remained consistent since 1999–2000.

This form of support from states matters to schools. Schools in states that offered funding for logistical support reported higher rates of parental participation in the meeting to discuss evaluation, eligibility, and placement results than schools in states that did not offer such funding ( $p < 0.05$ ) (Schiller et al., 2003).

***Districts and schools have leveraged their resources to make written materials available to parents of children with disabilities and to offer training to them.***

Most schools in 2004–2005 developed, revised, or adapted written materials for parents, or were located in districts that provided such materials. These materials focused most frequently on understanding IDEA (95 percent), making transitions from secondary school (85 percent), and participating in assessments (80 percent). About two-thirds of schools offered, or were located in districts that offered, workshops or discussion and support groups. The most frequent topics of these meetings were transition from secondary school (73 percent), understanding disabilities and making the transition from early childhood programs (70 percent each), and understanding IDEA (66 percent).

***Despite state and district actions to foster parental engagement (e.g., written guidelines and other resources), the qualitative findings indicated that parents of students with disabilities have different and less satisfying experiences with schools than do parents of students without disabilities.***

Parents of students with disabilities were more likely than parents of students without disabilities to be involved with schools primarily to advocate for services for their own children (O'Reilly et al,

2003). They stated that involvement included “advocating for your child,” being “proactive,” and, in some cases, “fighting for your child.” Most parents who were interviewed commented that they felt parent involvement encompassed more for parents of students with disabilities “because of all the IEP meetings they attend,” a thought shared by some teachers and administrators.

Parents of students without disabilities talked about their involvement differently. Where parents of students with disabilities tended to focus on the relation between their children and the school, parents of students without disabilities were more likely to be involved in the school as a whole, mentioning activities such as chaperoning, fund-raising, and sporting events. As one parent of students with disabilities explained it:

*I think it [parent involvement] has a wide range. It can be parent involvement in the child's classroom as a room parent, or as a person who comes in and facilitates writing instruction or doing science experiments. It could be at that level, which is very important. It has a different connotation for those of us who have children on IEPs. I think it means that we have to be advocates for our children, and we have more meetings to go to. But they are important, and we go and communicate our concerns and try to ensure that our children get the best education they can.*

Another parent articulated it a bit differently:

*Maybe for parents of special ed kids, it's not so different than for the parents of regular ed kids who aren't succeeding. But I think if you've got an average regular ed kid, you're involved with their successes. And when you've got a special ed kid, you're involved with their struggles. And it puts a whole different slant on school involvement.*

Further, districts and schools did not appear to distribute much information about services outside the school system (e.g., developmental disability services, mental health services). Despite the availability of support services from public and private agencies and other organizations, few parents were aware of the existence of such services (O'Reilly et al., 2003). From interviews with parents and administrators, those parents who availed themselves of such services typically found out about them on their own (e.g., networking with other parents), or from district or school staff members who could help them make a connection.

School counselors and district administrators, rather than teachers, tended to make the connection with other agencies. As special education teachers told us:

*I do not contact the community [agency]. I have never contacted community mental health. I work through guidance, or through our social worker, or our school psychologist.*

*Because I work with the kind of population that I work with, the guidance people and the social worker and the sped people [administrators] all know of the outside community service providers and always are trying to work with them and hook them up with parents.*

Similarly, a special education administrator indicated:

*Those agencies – [mental health, social services, rehabilitation] – hold periodic meetings where they invite special ed directors and we learn about their systems and how they work. We learn what they need from us in terms of information and timelines. We get to know them, so that we call them up and invite them to come to a meeting. It always helps if you know who you’re working with.*

***States’ and districts’ use of formal dispute-resolution procedures is low. Only one-fourth of districts use alternative dispute-resolution procedures.***

Since its inception in 1975, EHA, now IDEA, has afforded parents of children with disabilities procedural safeguards to protect the rights of their children and to ensure them a free appropriate education. One of those safeguards is access to formal dispute-resolution procedures: mediation and impartial due process hearings, state administrative review, state and federal court review, and litigation. The 1997 amendments asked states to use and promote alternatives to dispute-resolution procedures to reduce the use of formal hearings. These alternative procedures were designed to be less adversarial and potentially more conducive to addressing the issues at the center of conflicts.

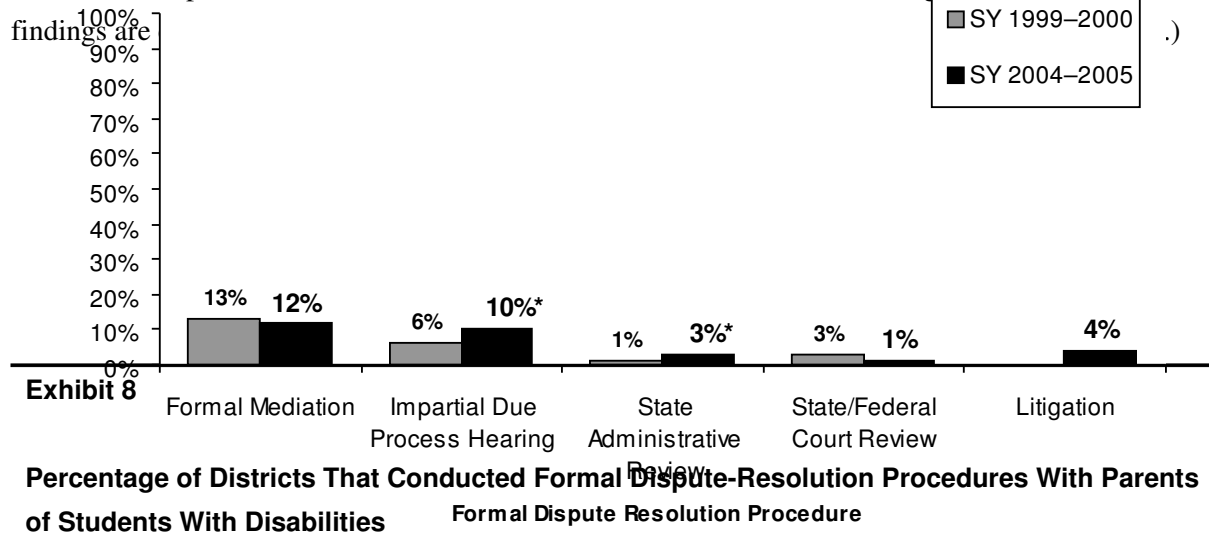
To date, a paucity of state or district data has been available regarding the number of special education formal dispute procedures or the more recent alternative procedures.

SLIDEA found that almost all states had conducted at least one formal dispute-resolution procedure to resolve conflicts with parents of students with disabilities in every data collection year, but each state conducted very few. The rate of state-level formal mediations and impartial due process hearings was low and decreased slightly over time, but this decrease could be attributed to the increase in the number of children who were classified as disabled.<sup>7</sup>

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<sup>7</sup> The median number of students aged 3-19 with IEPs per state increased from 82,991 in 1999–2000 to 91,033 in 2002–2003 and 92,905 in 2004–2005.

The study also found that the rate of disputes at the district level was consistently low. In 2004–2005, 12 percent of districts conducted or participated in one or more formal mediations following a due process request, and 10 percent engaged in impartial due process hearings. Few districts conducted or participated in the remaining types of formal dispute proceeding. For each of these procedures, a median of one procedure was conducted in each district, and this did not change over time. These findings are



\*p<0.05

Note: Wording for the “Formal Mediation” item changed from “mediation” in the SY 1999–2000 survey to “mediation following a due process request” in the SY 2002–2003 and SY 2004–2005 surveys. The “Litigation” item was not included in the SY 1999–2000 survey.

Significant changes were found from 1999–2000 to 2004–2005 for two of the district formal dispute procedures. Six percent of districts conducted impartial due process hearings in 1999–2000, compared to 10 percent in 2004–2005. One percent of districts conducted state administrative reviews of hearing decisions in 1999–2000, compared to 3 percent in 2004–2005.

The use of informal dispute-resolution procedures, as required by the 1997 amendments to IDEA, was also low. States and districts reported the following data on ADRPs for 2004–2005:

- States varied considerably in the number of ADRPs conducted, as the number ranged from one to 1,850 procedures. This was also true in the previous data collection year.
- Twenty-six percent of districts conducted or participated in at least one ADRP to resolve conflicts with parents of students with IEPs. This was consistent with the previous data collection year.

The topics of concern in formal or informal dispute-resolution procedures focused most frequently on students' education programs as set forth in the IEP and students' educational placement at both the state and district levels.

Although the number of formal disputes has been low over the years, district and school personnel have reported lingering negative effects on the district when disputes have occurred (Kirlin et al., 2004). District administrators and school staff members perceived a need for excessive documentation of compliance with IEP requirements to protect the district and staff in case of a due process filing or litigation. Districts involved in recent proceedings were most sensitive to this need. For example, a state director of special education reported:

*I think it's a trickle down effect. . . . The impact of the requirement is this: somebody figures he'd better have a piece of paper . . . to document that he did something, even though the requirement itself doesn't require him to have it on paper. Everything now has to have a paper trail."*

*This year we . . . have been in a due process situation, so we have a heightened awareness of procedures, and it's just that added stress of once you get hit with this experience, it overshadows all of the work.*

Similarly, a focus group of special education teachers conveyed sentiments from districts that had participated in a formal hearing:

*If you don't document everything on the IEP, you worry about going to IEP jail.*



### **III. State and District Implementation of IDEA: A Fragmented Response**

#### **Reducing the Number of Students With Disabilities Who Drop Out of School**

The 1997 amendments to IDEA stipulated that states should establish performance indicators to assess progress toward reducing dropout rates among students with disabilities. Among other requirements, states had to report dropout rates for these students. The Office of Special Education Programs held itself accountable for raising graduation rates and lowering dropout rates among students with disabilities (U.S. Department of Education, 2000). And the President's Commission on Excellence in Special Education (2002) recommended that states be held accountable for indicators such as graduation rates, and that attention be placed on the types of diploma earned by students with disabilities, to ensure employability.

Researchers have examined the reasons why students drop out and how to prevent it. For example, ABC Researchers (1995) reported that dropping out is part of a process of disengagement and alienation, not a discrete event, so intervention should begin early. The process comprises absenteeism, tardiness, class failure, suspension, and movement from school to school. Thus, schools that track risk factors associated with dropping out, and that create dropout prevention programs addressing these essential factors, are more likely to decrease the number of students dropping out and the dropout rate for all students, including students with disabilities.

*States are increasingly reporting publicly on dropouts of students with disabilities and rewarding or sanctioning schools on the basis of dropout rates. States and schools have taken some action to discourage students with disabilities from dropping out of school, such as issuing guidelines, allocating resources, or tracking individual risk factors.*

Most states reported publicly on dropout rates for students with IEPs, and the percentage of states that provided rewards or issued sanctions based on dropout rates increased over time, as discussed earlier. (See Exhibit 9.) Twenty-four percent of states and 51 percent of districts responded that they had issued guidelines for dropout prevention in any or all of 2002–2003, 2003–2004, or 2004–2005. More than half of all states in 2004–2005 (51 percent) reported that they had provided districts or schools with resources to support dropout prevention or recovery for students with IEPs, whereas only 19 percent of districts provided professional development to schools.

Few secondary schools tracked multiple dropout risk factors of students with disabilities. In 2004–2005, 15 percent of schools tracked all eight risk factors, 20 percent did not track any of them, and 77 percent tracked at least one. Significant changes were not observed from 2002–2003.

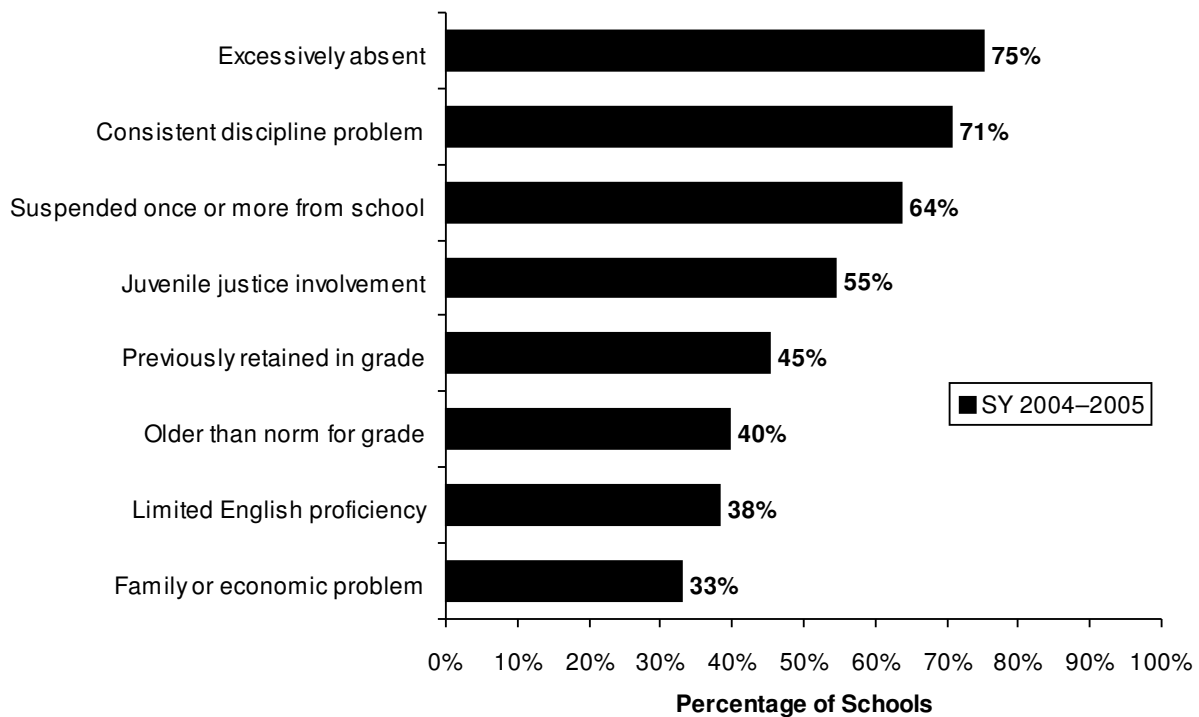
Many schools, on the other hand, tended to track individual risk factors associated with dropping out. Schools that tracked such factors were more likely to be able to intervene with students. When tracking risk factors for students with disabilities, secondary schools typically tracked absenteeism (75 percent), consistency of discipline problems (71 percent), or suspension of students from school (64 percent). Again, significant changes were not observed from 2002–2003. (See Exhibit 9.)

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**Exhibit 9**

**Percentage of Schools That Tracked Dropout Risk Factors for Students With IEPs**

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Note A: Analyses of school and district survey responses were limited to the subsets of schools that served students in 9th grade or above and districts that served 12th grade students.

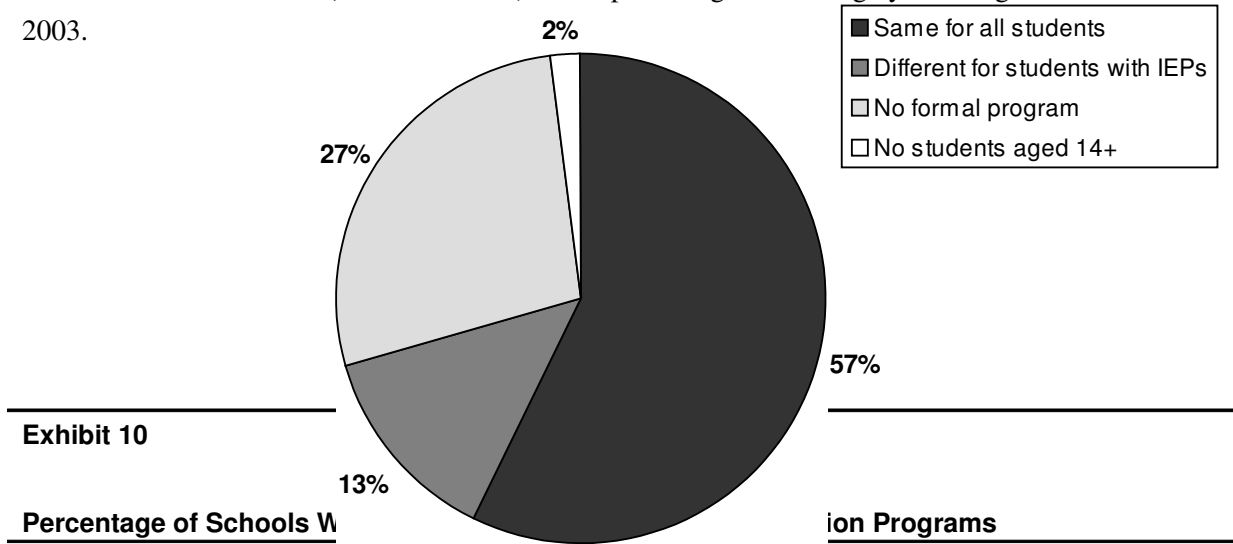
Note B: Only schools with students aged 14+ were asked to answer the question on dropout prevention programs.

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In 2004–2005, however, significantly more schools tracked students who had involvement with the juvenile justice system than in 2002–2003 (55 percent from 47 percent, respectively;  $p < 0.05$ ).



In 2004–2005, more than half of school principals reported that they had a staff member with specific responsibilities for developing and implementing strategies to decrease the number of students with IEPs who drop out of school (58 percent) and almost three-fourths of schools had a formal dropout-prevention program (70 percent). In more than half of schools (57 percent) the program was the same for students with or without IEPs. Only 13 percent reported that they had a special program for students with disabilities. (See Exhibit 10.) These percentages were largely unchanged from 2002–2003.



**Exhibit 10**

**Percentage of Schools With**

**Dropout Prevention Programs**

Note A: Analyses of school and district survey responses were limited to the subsets of schools that served students in 9th grade or above and districts that served 12th grade students.

Note B: Only schools with students aged 14+ were asked to answer the question on dropout prevention programs.

Note C: Percentages do not add to 100 percent due to rounding.

## **Placing Minority Students With Disabilities in the Least Restrictive Environment (LRE)**

The overrepresentation of minority students in special education has been a topic of much debate and documentation over the past three decades (e.g., Donovan & Cross, 2002; Heller, Holtzman, & Messick, 1982; Hosp & Reschly, 2004; MacMillan & Reschly, 1998; Patton, 1998; Valles, 1998; Zhang & Katsiyannis, 2002). Both social and special education process factors have been identified as contributing to this complex issue. Social factors include poverty, health risks, and the interpretation of cultural and language differences as signs of disability. Process factors believed to contribute to the minority-overrepresentation problem include the misidentification of students during the referral process, limited participation of minority parents in the special education identification and planning process, and lack of culturally appropriate interpretations of assessment results. The misidentification and misclassification of minority students for special education can in turn lead to inappropriate placements, increasing the time these students spend in separate or segregated settings.

*State and district actions supporting the placement of students with IEPs in the least restrictive environment more often target all students with disabilities, with only some attention to the specific issue of the placement of minority students with disabilities.*

Almost all states provide written guidelines on the placement of students with IEPs in the least restrictive environment (92 percent). Fewer states provide schools with guidelines on the placement of minority students with IEPs in the least restrictive environment (41 percent). Similarly, while most states in 2004–2005 provided resources to districts and schools to support the placement of students with IEPs in the least restrictive environment, fewer states provided such resources to support the placement of minority students with IEPs in the least restrictive environment (82 percent and 57 percent, respectively).

## **IV. Schools' Capacity to Educate Students With Disabilities: Requires More Attention**

Although we noted substantial progress at the state, district, and school levels in responding to increased calls for accountability as a mechanism for improving student outcomes, new accountability systems may be necessary but insufficient to raise student achievement (Fuhrman, 2004; the President's Commission on Excellence in Special Education, 2002). States, districts, and schools need to strengthen the capacity of schools to educate students with disabilities.

A prerequisite for improving teaching and learning, however, is a school environment that is conducive to learning. The ability to apply appropriate discipline is essential – for example, providing school principals with proactive behavior strategies and the authority to appropriately discipline students. Only then can teachers and principals create classroom conditions that foster higher levels of learning for all students.

Such conditions allow principals and teachers to maximize their instructional capacity by increasing the preparation of general and special educators, increasing the availability of staff members focused on supporting specific needs of students with disabilities and their families, and accessing and using data for school improvement.

### **Addressing Behavioral Problems**

To support educators in creating such conditions, Congress in the 1997 amendments to IDEA introduced provisions that required schools to assess troubling behavior of students with disabilities and to develop positive interventions to address that behavior. These provisions reflected high Congressional and public concern that children with disabilities were being inappropriately protected from the actions that would discipline non-disabled students for the same behavior (U.S. Department of Education, 1999). Educators were also apprehensive because schools were serving an increasingly diverse population, with a growing number of students entering schools with limited family supports, significant learning or behavior problems, and a need for assistance (Sugai et al., 2000; Schiller et al., 2002). Concerns about safety and the prevention of violence and aggression in schools resulted in tougher discipline codes, many of which relied heavily on suspensions and expulsions as behavior management tools (Skiba, Peterson, & Williams, 1997). Yet school administrators contended that special education laws effectively exempted students with disabilities from these codes.

***Principals are able to appropriately discipline students with disabilities.***

In 1999–2000, 2003–2004, and 2004–2005, more than four in five principals reported that their schools were able to adequately and appropriately discipline students with IEPs who presented challenging, disruptive, or dangerous behaviors (88 percent, 83 percent, and 86 percent of principals, respectively).

***Principals use proactive strategies, such as school-wide behavior management approaches to limit inappropriate behavior, as well as crisis-intervention and other reactive strategies to respond to behavioral problems.***

Positive behavioral strategies included school-wide and classroom-wide behavior-management techniques, individual behavior-management plans, social-skills training, crisis-intervention approaches, counseling, individual functional-behavior assessments, and student conflict-resolution methods. During 2004–2005, almost all schools (99 percent) used at least one of these to some extent, and more than half of schools (58 percent) used all of them. These data were consistent with findings from 2002–2003.

***Students with disabilities are seldom expelled from school, but are more likely than those without disabilities to be suspended.***

Less than 1 percent of students with disabilities were expelled from school in 2004–2005, a rate comparable to the expulsion rate of non-disabled students. However, students with IEPs received both in-school and out-of-school suspensions at about twice the rate of students without IEPs. Thirteen percent of students with IEPs, compared with 7 percent of students without IEPs, received in-school suspensions, while 12 percent of students with IEPs and 6 percent of students without IEPs received out-of-school suspensions.

## **Building School Capacity**

Increasing educational opportunities for students with disabilities will, to a large extent, depend on district and school success in expanding their capacity to educate students with diverse learning needs. This goal is particularly challenging because it requires changes to the “core technology of schooling” – that is, schools’ instructional capacity, or teaching . Districts and schools must develop and implement a unified continuum of instructional opportunities and supports that are responsive to the needs of all students, regardless of their categorical eligibility for special education and related services. Such innovation implies fundamental shifts in pedagogy, curriculum, instructional practice, and school and classroom organization. At a minimum, these changes would place much greater

demands on teachers, because recent reforms envision teaching that requires deeper knowledge of subject matter, as well as sophisticated pedagogical decision making that is complex and contingent on individual students' needs, classroom situations, and curriculum .

Improving the “instructional capacity” of both general and special education teachers is a key element in the successful implementation of recent educational reforms. Clear standards and strong incentives (e.g., sanctions for inadequate student achievement) alone are insufficient to dramatically change teaching and learning. Capacity-building strategies (such as targeted professional development and teacher planning that translate these standards and incentives into effective instruction) and strong student performance are also needed.

This report, for the first time, provides an illustrative profile of how school principals describe the capacity of their schools, including the preparedness of teachers to meet the needs of students with disabilities, the participation of teachers in professional development, the extent to which general and special education teachers plan and teach together, schools' access to additional support staff members, and use of data to improve programs.

***Special education teachers are well prepared to educate students with disabilities, but general education teachers are less well prepared. Special education teachers are more likely to pursue professional development.***

During 2004–2005, most principals reported that their special education teachers were well prepared in the areas of IEP implementation (91 percent), improving student performance (81 percent), accessing the general education curriculum (74 percent), and using positive behavioral approaches (67 percent). About half the principals reported that special education teachers were well prepared in the area of parent participation (54 percent). These findings were consistent with those from 2002–2003.

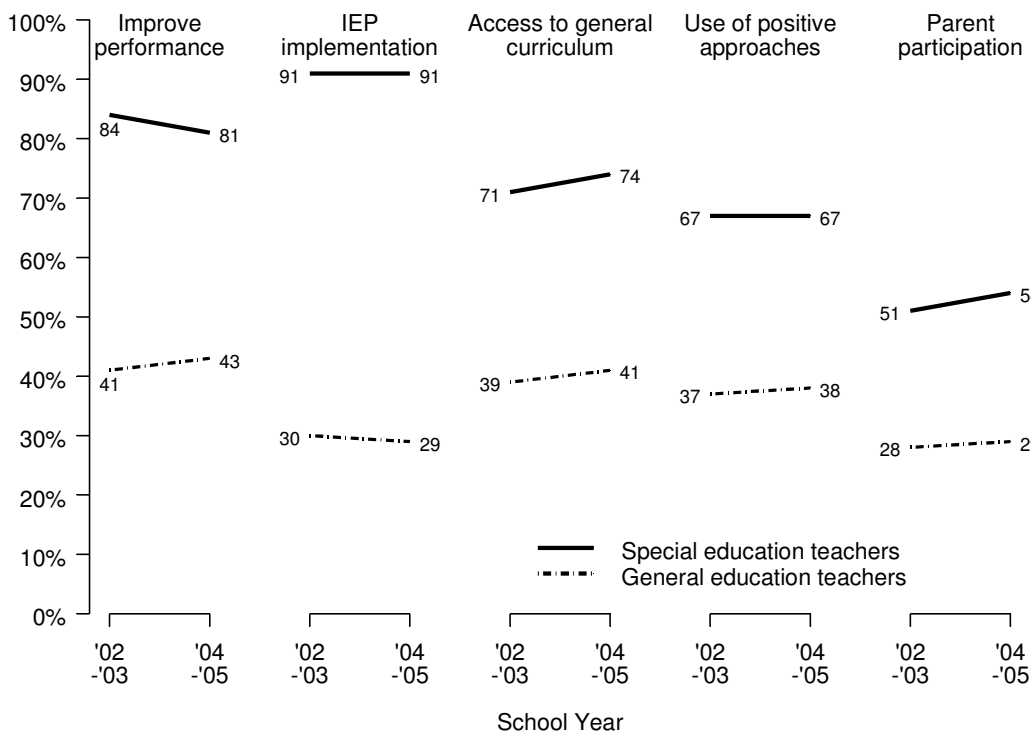
In contrast, fewer than half the principals reported that most of their general education teachers were well prepared in improving performance (43 percent), accessing the general education curriculum (41 percent), and using positive behavioral supports (38 percent). Less than a third indicated that general education teachers were well prepared in IEP implementation (29 percent) and parent participation (29 percent). (See Exhibit 11.)

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## **Exhibit 11**

### **School Principals Who Identified Most Special Education and General Education Teachers As Well Prepared in Various Areas**

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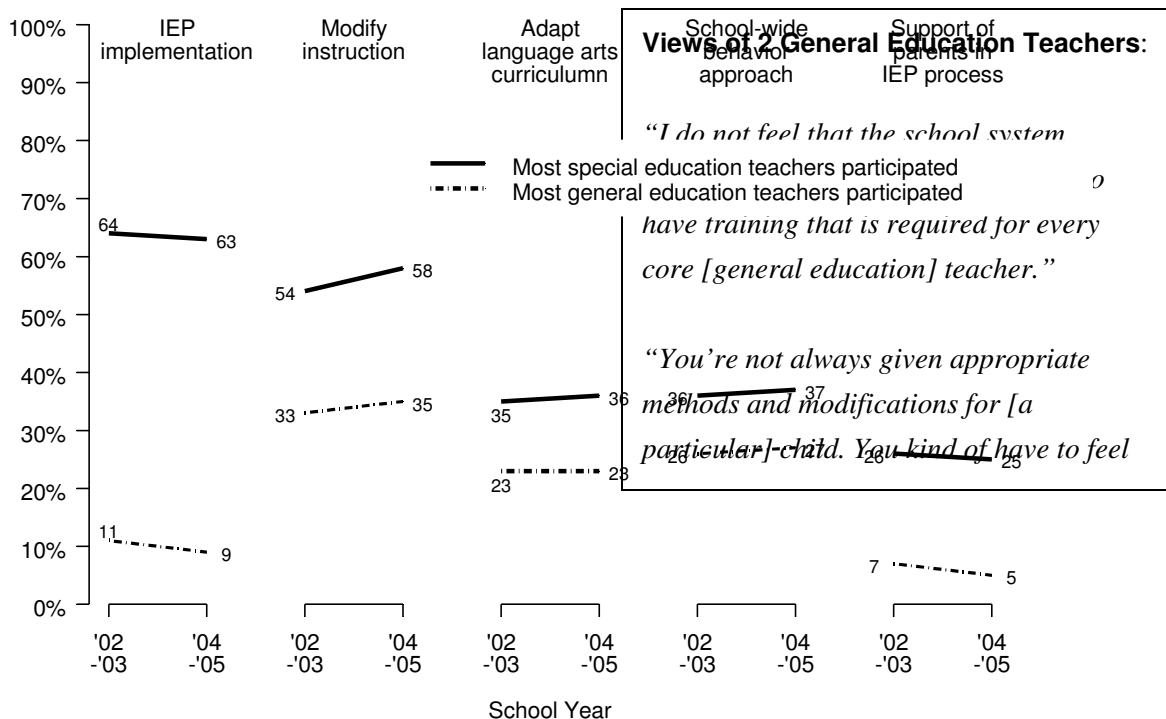


*Discrepancies in the preparedness of general and special education teachers are not surprising, as most special education teachers participate in professional development, whereas general education teachers, who have increasing responsibility for students with disabilities, do so to a lesser extent.*

During 2004–2005, about three-fifths of principals reported that most special education teachers participated in professional development on IEP implementation (63 percent) and modifying instruction (58 percent). Fewer principals indicated that most special education teachers participated in professional development related to adapting the language arts curriculum (36 percent), school-wide behavior approaches (37 percent), and supporting parents in the IEP process (25 percent). Participation during 2002–2003 occurred at similar rates. (See Exhibit 12.)

**Exhibit 12**

**School Principals Who Identified Most Special Education and General Education Teachers’ as Participating in Professional Development on Special Education Topics**



Less than one-third of principals reported that, in 2004–2005, most general education teachers participated in professional development on school-wide behavior approaches (27 percent), adapting the language arts curriculum (23 percent), and IEP implementation (9 percent). Only 5 percent of principals indicated that most general education teachers participated in professional development related to supporting parents in the IEP process. These participation rates were fairly consistent with reports from 2002–2003. (See Exhibit 12.)

***Schools offer planning time and opportunities for general and special education teachers, as well as support staff members with responsibility for working with teachers, to work together.***

During 2004–2005, about three-quarters of schools (76 percent) reported that their general and special education teachers routinely planned together, whereas fewer than half the schools (46 percent) indicated that general and special education teachers routinely taught together. There were no significant changes from 2002–2003 in these patterns.

Also during 2004–2005, most schools reported having staff members available for supporting secondary transitions (82 percent), positive student behavior (72 percent), and student access to the general education curriculum (71 percent). Just over half the schools had support staff members

available to address the areas of increasing parent involvement (58 percent) and decreasing the number of dropouts among students with disabilities (58 percent).

Seventy-one percent of schools reported staff availability for accessing the general education curriculum, compared with 63 percent in 2002–2003. The proportion of schools with staff availability for involving parents rose to 58 percent from 53 percent during that period.

One school district in the study provides an illustration of support-staff assistance to teachers. According to the principal:

*These inclusion specialists, who are special education trained, help the teachers to deliver the best instruction. They also, on a daily basis, communicate with all teachers. A teacher can say, “This unit is coming up, or this particular part of math in third grade is coming up, and I haven’t got a clue how I’m going to present it to these children.” This inclusion specialist would not only give ideas, but come in and model for the teacher – sit down and teach that group of children for a week or a week and a half or two, until that unit of study is done. And again, it’s done K through three here for every room.*

The support person explains his role as follows:

*It generally starts with some kind of whole school professional development. . . . And that leads to principals’ asking if I can follow up with some individual work with teachers. So the way the model has evolved here is that they had a system in [the district] whereby certain classes were designated as inclusion classrooms. I would focus my energies there, and I would spend some time observing in the classroom, and then follow that up with a half an hour or so interviewing the teacher one-on-one. Then I’d spend a longer period of time talking with all the special educators about their role, and their perception of how the kids were doing and what was needed, and then we developed a professional development plan that was based on what the teachers identified as concerns, any impressions I had when I was in the classroom, and input from the special educators.*

***Schools have access to data on critical accountability indicators and use the data for program evaluation, but not for professional development planning.***

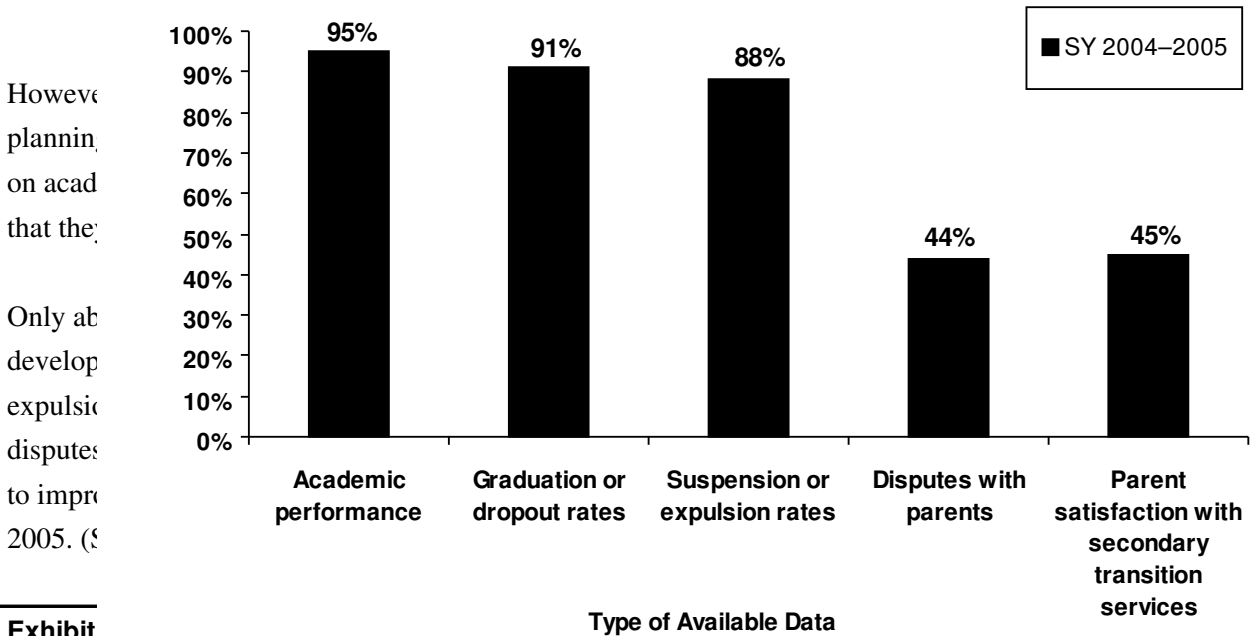
A key element of school capacity is the availability and use of data on students with disabilities. In 2004–2005, the vast majority of schools reported having access to data on academic performance (95 percent), graduation or dropout rates (91 percent), and suspension or expulsion rates (88 percent).



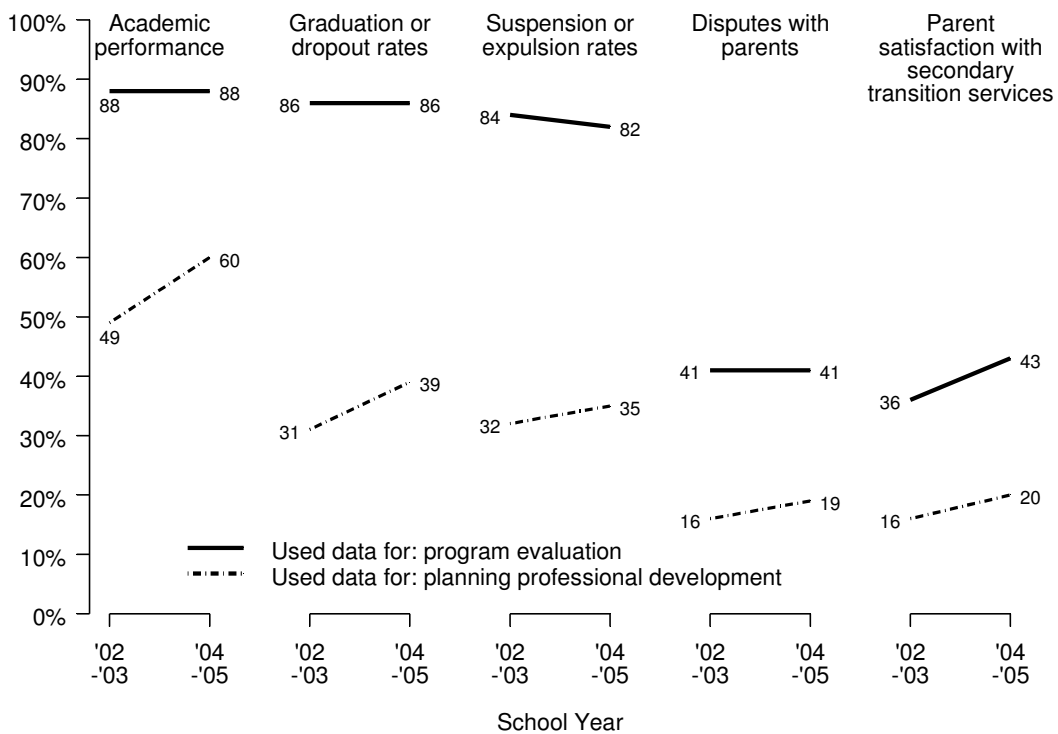
Fewer schools reported having access to data on disputes with parents (44 percent) and on parent satisfaction with secondary transition services (45 percent). (See Exhibit 13.)

**Exhibit 13**

**Percentage of Schools That Reported They Had Access to Data Focused on Students With IEPs**



**Percentage of Schools That Reported They Used Various Data Focused on Students With IEPs**



## V. A Look to the Future

This report has synthesized the key SLIIDEA findings and has documented the progress that states, districts, and schools have made in implementing IDEA from 1999–2000 to 2004–2005. The findings provide a yardstick against which future IDEA implementation efforts can be measured.

Despite the IDEA successes that states, districts, and schools can claim, much work remains. Recent national studies indicate low reading and math performance on standardized tests by students with disabilities (Wagner & Blackorby, 2004). Among 7- to 14-year-olds, 66 percent of students with disabilities scored below the 25th percentile on the Woodcock-Johnson III reading comprehension sub-test; on the math calculation sub-test, 40 percent scored below the 25<sup>th</sup> percentile.

An increased emphasis on improving the capacity of schools to meet the educational needs of students with disabilities would likely lead to better results. Our findings suggest that state and local policy makers must pay particular attention to the preparedness of teachers. More specifically:

- With increased expectations for students with disabilities to make progress toward achieving state content standards, resources need to be allocated at the school level to ensure that both general and special education teachers are sufficiently prepared to teach children and youth with disabilities. A number of strategies could help, such as offering sustained professional development and providing additional staff members to support teachers in meeting the needs of students with disabilities.
- With tougher standards for high school graduation, states, districts, and schools must ensure that special education students receive support and interventions aimed at helping them earn their diplomas.
- With increased parental involvement and differing viewpoints, tensions between school leaders and parents perhaps will intensify. Although districts have reported few formal disputes, the use of impartial due process hearings has significantly increased over time. Therefore, school leaders and educators will need more training in a wide range of approaches for resolving conflicts, including mediation.
- With increased emphasis on student academic improvement, both districts and schools need assistance in using accountability data (e.g., test scores, dropout rates, attendance rates, and suspension and expulsion rates) for planning school level professional development for teachers that can improve instructional capacity.

SLIIDEA revealed that states, districts, and schools made substantial progress toward including students with disabilities in accountability systems and strengthening parental involvement. But the use of policy tools to decrease the number of students with disabilities who drop out of school and to foster the appropriate placement of minority special education students has been uneven. As appropriate, states need to set goals and provide direction for districts and schools to address these timely topics.

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