

Disabled Education

BY RUTH COLKER



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Robert Taylor

I have been a legal advocate for individuals with disabilities since 1985, but until 2000 I had little experience with special education. I learned about special education while working as an advocate for my son, Sam, and soon realized the enormous disparities in the system on the basis of class and race. I hope that looking at those disparities will open up a discussion of ways we can better work together as a community of parents, teachers, and advocates on behalf of students with disabilities.

In 2008, a parent I will call Marilyn filed a due process complaint against the St. Bernard-Elmwood Place City School District in Hamilton County, Ohio, on behalf of her son, Kevin, under the Individuals with Disabilities Education Act (IDEA).¹ Even though Marilyn received no legal help, she managed to navigate the special education system not merely to file a complaint but to request an expedited hearing.

The school district had identified Kevin as being emotionally disturbed and having attention deficit hyperactivity disorder (ADHD) when he was in the 6th grade. Kevin had been taking medication to help moderate his behavior and reduce his symptoms, but he had stopped taking it for a period of time when his mother could not afford it. He also had a behavioral intervention plan to help him maintain appropriate behavior in the classroom. When the school district suspended and then expelled Kevin for violating school policies in 8th grade, his mother filed a complaint with the Ohio Department of Education to pressure the school to recognize that his misbehavior was a result of his disability. If the complaint could not be resolved amicably, a hearing officer would render a decision after a hearing.

Marilyn wanted a more effective Individualized Education Program (IEP) that would address Kevin's educational needs and keep him in school. She also argued that "the school and parent have such a poor or broken-down relationship that the student cannot succeed or learn in the current school setting or that the school has acted in a biased or discriminatory manner towards student and his family to such an extent that the child should be sent to a different school at the local school's expense." (The record does not disclose what type of bias Marilyn meant—race, class, disability, or other.)

Marilyn initially requested an expedited hearing to avoid having her son face a long-term suspension from school. The

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Disabled Education A Critical Analysis Of The Individuals With Disabilities Education Act

L Cohen



Disabled Education A Critical Analysis Of The Individuals With Disabilities Education Act:

Disabled Education Ruth Colker, 2013-05-13 Enacted in 1975 the Education for All Handicapped Children Act now called the Individuals with Disabilities Education Act IDEA provides all children with the right to a free and appropriate public education On the face of it the IDEA is a shining example of law s democratizing impulse But is that really the case In *Disabled Education* Ruth Colker digs deep beneath the IDEA s surface and reveals that the IDEA contains flaws that were evident at the time of its enactment that limit its effectiveness for poor and minority children Both an expert in disability law and the mother of a child with a hearing impairment Colker learned first hand of the Act s limitations when she embarked on a legal battle to persuade her son s school to accommodate his impairment Colker was able to devote the considerable resources of a middle class lawyer to her struggle and ultimately won but she knew that the IDEA would not have benefitted her son without her time consuming and costly legal intervention Her experience led her to investigate other cases which confirmed her suspicions that the IDEA best serves those with the resources to advocate strongly for their children The IDEA also works only as well as the rest of the system does struggling schools that serve primarily poor students of color rarely have the funds to provide appropriate special education and related services to their students with disabilities Through a close examination of the historical evolution of the IDEA the actual experiences of children who fought for their education in court and social science literature on the meaning of learning disability Colker reveals the IDEA s shortcomings but also suggests ways in which resources might be allocated more evenly along class lines *Disability and U.S. Politics* Dana Lee Baker, 2017-01-16 More than 1 billion people worldwide have a disability and they are all affected by politics This two volume work explores key topics at the heart of disability policy such as voting race gender age health care social security transportation abuse and the environment Disability policy is no longer an area that can be adequately addressed within major areas of public policy such as welfare health labor and education Disability has become widely acknowledged in recent decades partly because of the increasing number of disabled citizens across all demographic populations Advocates argue that diversity of all kinds deserves recognition and accommodation This set examines policies targeting disability to provide a multifaceted description of the political participation of people with disabilities as well as disability policy development in the United States The first volume focuses on political participation and voting issues and the second volume covers disability public policy In these two volumes numerous scholars and experts in the social sciences and humanities explore timely topics that are key to disability policy questions including activism voting race gender age health care social security civil rights abuse the environment and even death Readers will better understand the challenges that policymakers face in grappling with controversies over issues of social engineering and public policy often attempting to reconcile majority experience with minority rights The chapters analyze the history of disability politics describe the disability policy infrastructure as it currently exists in the United States and provide insight into current disability related controversies Enduring Issues In

Special Education Barbara Bateman, John W. Lloyd, Melody Tankersley, 2015-02-20 Enduring Issues in Special Education is aimed at any course in the undergraduate or graduate special education curriculum that is wholly or partly devoted to a critical examination of current issues in special education The book organizes 28 chapters into seven sections using familiar structuring principles what who where how when why and whither Each section begins with an introduction that provides historical legal and theoretical background information and organizing commentary for the chapters that follow The book's objective in addition to informing readers about the issues is to develop critical thinking skills in the context of special education Key features include the following Dialectic Format Each of the 28 chapters presents compelling reasons for addressing the issue at hand and specific ways to do so Because each issue is written from different perspectives and focuses on a variety of aspects readers are encouraged to weigh the arguments seek additional information and come up with synthesized positions of their own Organizing Framework The book's seven sections have been arranged according to a scheme that is the essence of most investigative reporting and provides a coherent easy to understand framework for readers Expertise All chapters are written by leading scholars who are highly regarded experts in their fields and conclude with suggested readings and discussion questions for additional study Unifying Educational Systems Leonard C. Burrello, Wayne Sailor, Jeannie Kleinhammer-Tramill, 2012-11-27 Unifying Educational Systems encourages leaders to move beyond the traditional forms and rituals of leadership for special education that are caught within traditional definitions of a continuum of services Grounded in public policy debates research on teaching and learning and an emerging consensus throughout the leadership community that calls into question our current practices chapters in this volume provide a discussion of the purpose principles and paradoxes extant in the implementation of current special education policy Chapter authors discuss how students are currently served the feasibility of re conceptualizing special education leadership in the current policy context and the challenges for the future Ultimately Unifying Educational Systems calls for a new policy framework to integrate special education within the larger instructional support system in schools in order to support a social justice and inclusive practices agenda **Handbook of Special Education** James M. Kauffman, Daniel P. Hallahan, 2011-05-15 Special education is now an established part of public education in the United States by law and by custom However it is still widely misunderstood and continues to be dogged by controversies related to such things as categorization grouping assessment placement funding instruction and a variety of legal issues The purpose of this 13 part 57 chapter handbook is to help profile and bring greater clarity to this sprawling and growing field To ensure consistency across the volume chapter authors review and integrate existing research identify strengths and weaknesses note gaps in the literature and discuss implications for practice and future research Key features include Comprehensive Coverage Fifty seven chapters cover all aspects of special education in the United States including cultural and international comparisons Issues Trends In addition to synthesizing empirical findings and providing a critical analysis of the status and direction of

current research chapter authors discuss issues related to practice and reflect on trends in thinking Categorical Chapters In order to provide a comprehensive and comparative treatment of the twelve categorical chapters in section IV chapter authors were asked to follow a consistent outline Definition Causal Factors Identification Behavioral Characteristics Assessment Educational Programming and Trends and Issues Expertise Edited by two of the most accomplished scholars in special education chapter authors include a carefully chosen mixture of established and rising young stars in the field This book is an appropriate reference volume for anyone researchers scholars graduate students practitioners policy makers and parents interested in the state of special education today its research base current issues and practices and future trends It is also appropriate as a textbook for graduate level courses in special education

Cases on Leadership Dilemmas in Special Education DeSimone, Janet R., Roberts, Laura A., 2023-09-28 Children and young adults with disabilities possess unique differences and individual needs making special education programming a complex and sometimes challenging process Leaders in special education are tasked with overseeing the administration and management of these programs and must often rely on problem solving and decision making skills to be effective While many educational leaders may possess leadership training and experience they still are unfamiliar with the intricacies of special education and the best practices for services for students with disabilities Cases on Leadership Dilemmas in Special Education is designed to challenge the problem solving skills of special education leaders by presenting them with multifaceted thought provoking and practical dilemmas related to special education This collection of case studies presents contemporary scenarios that address the complex issues and dilemmas leaders encounter when developing managing and supporting special education programs and the students who rely on these services Covering topics such as decolonization parent advocates and STEM education this casebook is a valuable resource for school and district leaders teacher leaders and educational coaches consultants pre service educational leaders pre service and in service school counselors pre service and in service special educators librarians researchers and academicians

The Least Restrictive Environment Clause of the Individuals with Disabilities Education Act and Institutional Ableism Laura C. O'Laughlin, 2013 Abstract This study focused on terms anchored in special education and associated stigma of disability in schools The Individuals with Disabilities Education Act ensured the right to education in US public school systems for students with disabilities An associated term asserted that children with disabilities must be educated in the least restrictive environment LRE Yet IDEA did not address the institutional or social stigma arising in the wake of labeling students as disabled The stigma a result of ableism promotes a premise of normalcy and marginalizes students with disabilities This study was a critical discourse analysis CDA of the LRE clause This intensive CDA investigated LRE from macro policy terms through interpretations at state and local levels into one public school system among selected elementary school principals Theoretical frameworks of positivism have dominated research and professional practices in the field of special education However the terminology and discourse associated with IDEA has largely gone

unchallenged CDA was used to answer the following research questions Does the LRE clause of the IDEA create or reinforce institutional ableism What discourse themes can be interpreted from the textual choices within case law interpretations and federal regulations related to LRE What discourse themes can be interpreted from the textual choices in the LRE section of the South Carolina Office of Exceptional Children Process Guide What discourse themes can be interpreted from the textual choices within a selected urban district s policies and guidelines related to LRE What discourse themes can be interpreted from the textual choices found in face to face interviews with five traditional elementary school principals Three cycles of coding were applied to elicit discourse strands or themes within the data Resulting themes included use of dichotomous language individual deficit models of disability hegemonic struggles between students parents teachers school administrators and central office support staff Additionally the voices of participants provided an opportunity to expand the study and consider additional themes and an emerging theory about the educational ecosystem of a school

Durant v. State of Michigan; Schmidt v. State of Michigan, 456 MICH 175 (1997) ,1997 104458 104492 **Individuals with Disabilities Education Law Report** ,1997 **Critical Issues in Special Education** Audrey McCray Sorrells,Herbert J. Rieth,Paul T. Sindelar,2004 This book represents the contributions of prominent researchers teacher educators policy makers teachers and parents on current and emerging issues facing the field of special education and their critical thinking on how to ensure that students with disabilities receive free appropriate education in the least restrictive environment The authors present divergent perspectives on the issues and concerns including a the emergence of more constructivistic instruction approaches that focus increasingly on higher order thinking b new organization structures for administering schools c standards based reform and the use of high stakes testing for evaluating students d the changing population and the increasingly diverse demographics of the students served in the public schools e the onset of the information age and the increasingly visible role of technology in the schools and the workplace f concerns about student discipline and violence in schools g the continuing shortage of qualified and certified special education teachers and h trends in higher education focused on the reform of teacher education such as changing standards for knowledge and skills preparing teachers for changing roles as mentors and changes in the teacher education process that may have precipitated or influenced issues in the field For special education providers such as parents and teachers and for anyone interested in the field of special education *Exceptional Lives* Rud Turnbull,2004 This best selling volume is widely recognized for its innovation and accessibility it equips the reader with principles values and practices that support teaching the majority of students with disabilities within the scope of general education programs The authors showcase real students with real disabilities letting their stories illustrate as nothing else could the challenges faced by people with exceptionalities and the myriad factors those working with them must consider when making decisions about how where and what to teach Through four engaging themes universal design for learning inclusion collaboration and multicultural awareness this book explores the processes necessary

for using best practices to achieve the goals set forth by the Individuals with Disabilities Education Act of 1997 Packaged with a CD ROM that contains more than an hour of actual classroom footage this book actually puts the reader in the classroom This engaging book addresses general learning disabilities emotional or behavioral disabilities attention deficit hyperactivity disorder giftedness mental retardation severe and multiple disabilities autism physical disabilities traumatic brain injury communication disorders hearing loss and visual impairments For special education educators curriculum planners therapists school administration employees and parents of children with special needs Doe V. Eagle-Union Community School Corporation ,2000 **Dale M., Alice M., V Board of Education of Bradley-Bourbonnais High School District No. 307** ,2001 The Massachusetts register ,2007 *Summary of Legislation* ,2006 Powers V. Indiana Department of Education, Division of Special Education ,1994 *Journal of Disability Policy Studies* ,2011

Integrating Disability Content in Social Work Education Stephen F. Gilson,2002 *Special Analysis Report* ,1999

An Introduction to Students with High-incidence Disabilities Janine P. Stichter, Maureen A. Conroy, James M.

Kauffman,2008 Educating Students with High Incidence Disabilities provides a comprehensive and engaging overview of characteristics assessment and current issues related to the education of students with high incidence disabilities Separate chapters detail well researched and up to date information on learning disabilities behavioral disorders mild mental retardation as well as other high incidence disabilities within applied educational settings Each chapter provides practical examples to highlight important concepts providing specific tips for teachers and related practitioners Information is presented relevant to current federal initiatives with an emphasis on current best practices regarding inclusion and multicultural issues

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