
EDJJ PROFESSIONAL DEVELOPMENT SERIES

MODULE 3:

**OVERVIEW OF SPECIAL
EDUCATION**

Prepared by: Megan McGlynn
Arizona State University

Table of Contents

- I. Introduction
- II. Objectives
- III. Content Outline
 - Terminology
 - Historical Development of Special Education
 - After Identification
 - Service Delivery
- IV. References
- V. Transparencies

Introduction

This module is one in a series of training packages that have been designed for working with students with disabilities in a correctional setting; it focuses on an overview of the special education process.

Objectives

Formatted: Bullets and Numbering

1. Identify some of the terminology of special education.
2. Develop an understanding of the beginnings of special education.
3. Describe what was happening in corrections in correlation to the development of special education.
4. Define what the major components of special education are in today's schools.
5. Identify what effect the IEP has on the student with a disability.
6. Describe what the prevalence rates are for students with disabilities in correctional facilities.
7. Describe what cases have impacted on students with disabilities.

Content Outline

Defining Terminology

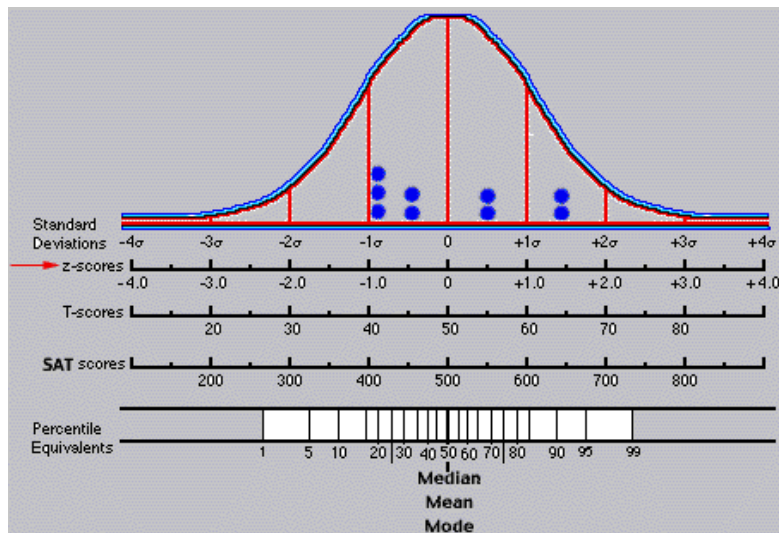
Formatted: Bullets and Numbering

A. What is exceptional?

1. Exceptionality is a concept that by its very nature changes depending on the context of the situation. Its definition is certainly one that could have as many different definitions as there are people in this group.

If we hear that a teenage boy keeps his room spotlessly clean (without constant reminders from adults), that he dusts the room regularly, makes his bed but refuses to sit on it the rest of the day so that he won't wrinkle the covers, we might initially think that this is strange behavior considering his age. However, if we learn that this adolescent is incarcerated in a correctional facility where points and privileges are earned based on this performance, then his behavior may appear not to be exceptional within that context.

The concept of exceptionality is most frequently employed in a statistical, medical, or social context. Some of us are familiar with the Gaussian or *normal*, curve that is symmetrical in shape and illustrates variability from the average in standard deviation units. (Display Transparency 1.)



(Transparency 1)

This curve is used to represent statistical normality and also allows us to make statements about exceptionality or deviation from the norm. In the normal curve, the percentage of scores that fall within any two points on the curve is known. So if you know the standard deviation for a particular score or characteristic that is being measured (e.g., I.Q. score, achievement test score) and a person's score on that characteristic, then you can make judgments regarding the relative standing of that score. The category of mental retardation, for example, is based on the assumption that intelligence is normally distributed and that a score below a certain point can be considered exceptional.

Defining social normality is similar to defining statistical or medical normality, that is, to what degree a person deviates from a given social norm. Judgments are made relative to the difference from the collective or group norm. However, an important distinction exists between statistical and medical or social normality. In medical and statistical normality, objective *facts* are compiled against which

subjective judgments regarding normality are made. Social norms are much more relative to the context in which they exist; therefore, social norms center on using subjective facts to make subjective decisions regarding normality. A more sociological view is that differences are socially constructed and are more a function of the social system than the individual (Danforth & Rhodes, 1997). Others reject the idea that disabilities are a result of society's failures and believe that it is a disservice to individuals with disabilities to treat everyone the same (Kauffman, 1999).

There is no correct definition of social normality. Since many of the decisions we make in special education are based upon the concept of normality or exceptionality, we must be careful to employ definitions that are universal, specific, and consistent. By universal we mean that all persons who meet the definition should be viewed as falling within that category or group and that the definition should be specific enough to apply to only that group. These definitions must be consistent enough that different people can apply them in such a way as to arrive at the same decisions regarding the degree to which another's behavior is normal or exceptional. These universal characteristics are discussed in this module.

In special education we have tried to move toward the use of operational definitions that are tied to specific observable behaviors or events. The term *exceptional* encompasses any student whose performance deviates from the norm to the extent the he or she requires special programming. As a result, *exceptional* has come to include both the intellectually gifted student and the student with severe mental retardation.

2. A more restrictive term that is sometimes used interchangeably with exceptional is *disabled*. The term disabled does not include gifted students. More specifically, it refers to the problem or difficulties encountered as a result of a deviation from the norm.
3. A disability is considered to be a psychological, physical, or neurological deviation in an individual's makeup that may or may not be a handicap to that individual, depending on one's adjustment to it. Handicap generally refers to the effects produced by a given disability (Vergason & Anderegg, 1997).
4. For this module, the term exceptional will be viewed as synonymous with disability.
5. What is it like to be disabled and incarcerated? One disturbing possibility is that the negative impact of the prison culture will be greater on incarcerated youth with disabilities than it will be on the average offender. (Santamour & Fanning, 1984; Keilitz & Dunivant, 1986).

Compared to youth without disabilities, youth with disabilities in correctional facilities receive a disproportionate amount of disciplinary actions. Leone (1997) found that students with disabilities received on average a disciplinary action every 25.8 days as compared to youth without disabilities who on average received a disciplinary action every 35.3 days

Youth with disabilities that are incarcerated are eligible for the same rights that students in public schools have including those regarding substantive and procedural rights (Rutherford, Quinn, Leone, Garfinkle, & Nelson, 2002). Section 504 of the Rehabilitation Act of 1973 is a civil rights statute. This law also

protects students by ensuring they are not excluded, discriminated against, or denied benefits of any program receiving federal funds.

Formatted: Bullets and Numbering

B. Areas of Difference

IDEA 97 (The Individuals with Disabilities Education Act, the US Department of Education; 1997) recognizes 12 categories of special education. School districts may receive federal financial support for educational services provided to students under any of these categories. Let us take a brief look at some of the areas of disability included in IDEA. The student may wish to refer to, or supplement information from, Module 4: IDEA. (DISPLAY Transparency 2).

- Autism
- Deafness
- Hearing Impairment
- Multiple Disabilities
- Other Health Impairments
- Speech or Language Impairment
- Visual Impairment
- Deaf-Blindness
- Emotional Disturbance
- Mental Retardation
- Orthopedic Impairment
- Specific Learning Disability
- Traumatic Brain Injury

Formatted: Bullets and Numbering

Formatted: Bullets and Numbering

Formatted: Bullets and Numbering

Historical Development of Special Education

A. Influences on special education in America

Today we will discuss the historical background of the right to education for students with disabilities, along with the prevalence figures for various disabilities and some of the existing service delivery models.

B. To understand the historical development of special education, one must view it in the

larger context of schooling in America. To begin with, there is no Federal constitutional right to education. The 10th Amendment to the Constitution clearly reserves education as a state right. Consequently, states, through legislative amendments to their constitutions, have enacted laws that authorize or require a system of public schools as well as mandatory school attendance laws.

C. The first mandatory attendance law was passed in 1840 with all states requiring compulsory education by 1918. It is interesting to note that compulsory education for students with disabilities did not appear until about 135 years later. In 1975, the Education for All Handicapped Children Act or PL94-142 (the precursor to IDEA) mandated that educational services be provided to all students with disabilities, including those who were institutionalized or incarcerated. Unfortunately, since PL94-142's passage and its evolution to IDEA and the reauthorization of IDEA in 1997, implementation of special education in correctional settings has been slow. (see Transparency 4 for the major components of PL 94-142)

D. Emergence of special education

The origin of special education developed out of European physicians. Jean Itard (who researched diseases of the ear and education of students who were deaf), Philippe Pinel (an early advocate of humane treatment for those considered insane),

Formatted: Bullets and Numbering

Edouard Seguin (who advocated for educating *idiot* children), and Samuel Howe (a physician and educator who began a school for the blind in Massachusetts), to name a few (Hallahan & Kauffman, 1994).

1. Although special education programs existed in some private institutions, it was not until states passed mandatory education laws that we began to see them in public schools.

Formatted: Bullets and Numbering

These first school attendance laws forced children with exceptionalities to become more visible in the public school system. Although these children became more visible, special education programming left much to be desired. Only two options existed--either receive the same education as everyone else would in graded classes with a set curriculum, or receive education in special classes or schools totally removed from the mainstream.

These classes were viewed by most educators as clearinghouses for students who were often on their way to treatment facilities (i.e., institutions for the physically, mentally, or morally and/or behaviorally deviant members of society; Ysseldyke & Algozzine, 1984). While some of the classes were designed to serve students with specific exceptionalities, others were simply a dumping ground for those students who did not fit into the regular education classroom.

E. Right to education

1. There have been several educational movements, many of which grew out of the attempts to address the War on Poverty in the 1960s and were meant to address the failure of schools to educate certain students. It was during this time that the right-to-education movement became part of the larger movement advocating

habilitation and treatment for people with disabilities. Several court cases brought about these changes. (display Transparency 3)

2. The 1954 Supreme Court decision in *Brown vs. Board of Education* was based on the premise of equal protection. In its decision, the court held that racially segregated education violated the equal protection clause of the 14th Amendment. It found that children could not be expected to succeed in life if they were denied the opportunity of education and that education is a right which must be made available to all on equal terms.
3. In 1971, the Pennsylvania Association for Retarded Citizens (PARC) used the same equal protection clause and the precedent set by *Brown vs. Board of Education* to force the state of Pennsylvania to provide equal educational opportunities for its citizens with mental retardation. The PARC entered into a consent decree decision as opposed to a judicial decision being handed down by the courts. Therefore, while it set a tone for future litigation and legislation on behalf of individuals with disabilities, the PARC case set no legal precedent. The PARC agreement stipulated that every individual with mental retardation should be provided a free and appropriate public education (FAPE) designed to meet each individual's needs. In addition, it stated that these services were to be provided in the least restrictive environment and that there would be an automatic reevaluation of an individual's program every two years. It also ensured procedural due process consisting of prior notice and hearings, and that any change of placement required due process procedures be implemented. These became the basic tenets of special education.

4. Following closely behind the PARC case, a suit was brought in the District of Columbia on behalf of students with emotional disabilities who were being denied access to public education. The Mills vs. Board of Education of the District of Columbia decision again held no legal precedent outside the court's jurisdiction, similar to the PARC case, but was viewed by many as setting the tone for subsequent legislation. The Mills decision restated the same principles as that in PARC, but extended to all children with disabilities, regardless of any exceptional condition, the right to a free appropriate public education (FAPE).
5. In 1973, Congress passed PL 93-112, the Rehabilitation Act (Section 504), which prohibited any discrimination against individuals with disabilities under any programs which received federal funds, but this Act was interpreted only as prohibiting discrimination in term of employment. In 1974, the Rehabilitation Act was amended to broaden the definition of *handicapped* to include any student with an exceptionality who might be denied admission to school systems that were receiving federal funds (Martin, 1980).

In spite of the amendments to broaden the impact of Section 504, the government failed to respond by putting forth regulations. Without implementing regulations, school districts as well as other agencies did not feel compelled to comply. It was not until four years later that regulations were published. Section 504 was described as the first federal civil rights law protecting the rights of individuals with disabilities. During the four years between the passage of Section 504 and the implementation of the regulations, Congress continued to push for reforms in the provision of services for individuals with disabilities. This was to evolve into

the current legislation known as the Individuals with Disabilities Education Act (IDEA).

6. Over the past thirty years, the civil rights of Americans have continually been redefined and ensured through various disability legislation and court litigation. The Education for All Handicapped Children Act of 1975 (PL 94-142) was a direct result of these historical movements. Initially passed in 1975 and implemented in 1977, this legislation has been reauthorized three times since and renamed the Individuals with Disabilities Education Act (IDEA), PL 99-475, PL 101-476, and PL 105-17. The last reauthorization was passed in 1997; the law is now referred to as IDEA '97. With each reauthorization, the law has been expanded and strengthened and now protects the education rights of children and youth with disabilities from birth to age 21. Special education can be defined by the fundamental provisions outlined in IDEA '97.

- Free and appropriate public education FAPE (including child find)
- An individualized education program
- The least restrictive environment (to be educated with nondisabled peers when possible)
- Appropriate evaluations
- Parental and student participation in decision making
- Procedural safeguards

Formatted: Bullets and Numbering

7. Although Congress thought it was clear in its intentions covering the educational guarantees it believed were necessary for children with disabilities and their families,

no legal language is perfect. The courts became involved in the clarification of the laws passed by Congress. Some cases went as far as the Supreme Court.

Movement into Corrections

- A. At the same time that the right to education for individuals with disabilities was gaining momentum, the right to treatment and habilitation for confined non-criminals and constitutional limits on treatment imposed on civilly committed individuals were also being advanced. While many of these cases initially focused on physical abuses, environmental deficiencies, and the use of certain drugs in treatment, cases that are more recent have expanded to include educational services to children with disabilities.

The movement in corrections was similar to that for individuals with disabilities in typical settings. The first cases were argued under a right to treatment, while later cases have hinged on the provision of special education services under PL 94-142 and IDEA.

- B. In 1972, around the same time as the PARC case, three important class actions suits were brought arguing the right to treatment for incarcerated juveniles. One of these suits was brought on behalf of the boys in a training school in Indiana for violation of their 1st, 9th, and 14th Amendment rights. The Nelson vs. Heyne case specified that these incarcerated juveniles had an affirmative right to treatment and that the treatment should take into consideration the individual needs of each student.
- C. In 1973, a class action addressing the right of a juvenile to treatment or rehabilitation suit was brought against the Texas Youth Council. The Morales vs. Turman case was not settled until 1977, around the time that the PL 94-142 regulations were to be implemented, but the court finally specified that juveniles have a right to treatment that included a right to education for the *educationally handicapped*.

- C. Another right to treatment case was Ruiz vs. Estelle, a Texas case involving special education for both adults and juveniles. Issues were raised at the trial, prompting a Texas Department of Corrections concession that only about 20% of the handicapped inmates were actually being served at that time.
- D. In 1977, a class action suit (Morgan vs. Sproat) was brought on behalf of the students in a juvenile facility in Mississippi. This was one of the first cases argued under PL94-142 regulations; the court ordered improvements reflecting educational and special educational needs.
- E. The first class action right-to-treatment suit brought under PL94-142 law was Doe et al vs. Bradley. It was filed in 1978 on behalf of all students with mental retardation residing in juvenile correctional facilities in the state of Tennessee. The finding of widespread abuse of inmates with mental retardation resulted in an injunction decree being issued by the court in early 1979 (Hockenberry, 1980).
- F. Another landmark case occurred in North Carolina in 1979. In the Willie M. class action suit, the State agreed to provide appropriate treatment and educational services for all incarcerated juveniles with emotional disabilities within the State. These students experienced severe emotional problems and were considered violent and aggressive. Existing correctional facilities could not provide them with appropriate treatment programs and the existing mental health programs could not provide the secure environment needed by many of these students. This consent agreement resulted in the establishment of specialized treatment facilities and programs to deal with this population of students. This was a very important case in correctional special education.

In 1981, *Green vs. Johnson*, another corrections case, also affirmed the right of inmates to special education services under PL 94-142. In this Massachusetts case, the court ruled that students with disabilities not yet 22 years of age did not forfeit their rights to a free and appropriate public education (FAPE) simply because they were incarcerated.

The Bobby M. case in Florida and the Nick O. case in California in 1989 reinforced the special education rights of incarcerated youth. These two cases dealt with Free and Appropriate Education, (FAPE), identification, evaluation, and the provision of special education and related services. These two cases addressed special education in corrections and the appropriate components. (Display Transparency 3: court cases in chronological order)

While it is the responsibility of the state education agency to ensure that all students with disabilities regardless of institutionalization or incarceration receive an appropriate education, there are several mitigating factors that make this, at best, a difficult task. The problem of coordination of services is usually exacerbated by the number of agencies that are actually involved in the provision of services and the variety of administrative arrangements that are involved in the provision of such services. Moving Public Law 94-142 into the correctional setting and bringing correctional facilities into compliance in the provisions of special education and related services was and continues to be a contentious task, in spite of the stronger provisions included in IDEA '97.

G. Juveniles referred to the adult system do not forfeit their right to the IDEA provisions because of this referral. The IDEA provisions apply if the juvenile has special

Formatted: Bullets and Numbering

education needs identified before age 18 and these services should continue until age 22.

H. According to the IDEA Amendments of 1997, students with disabilities who are convicted as adults, imprisoned in adult prisons, or whose eligibility will end due to age, are not required to participate in general assessment or receive transition planning and services [Sec. 614 (d) (6) (B)]. If they are convicted under state law as an adult or in an adult prison, their IEP may be modified if the state can show a security issue or other compelling interest [Sec. 614 (d) (6) (B)]. Local Education Agencies (LEAs) or state agencies are not prohibited from reporting crimes or exercising responsibilities regarding the application of state or federal law for crimes committed by youth with disabilities [Sec. 615 (k) (9)].

Formatted: Bullets and Numbering

Special Education in Today's Schools

A. Prevalence figures

1. Prevalence is the term professionals use to refer to the total number of individuals with disabilities at a given time. When Congress passed the first version of IDEA in 1975, estimates were that special education would serve about 12% of school-age children. According to the Twenty-second Annual Report to Congress , 5,541,166 children and youth from age 3 to 21 were served in 1998-1999 (U.S. Department of Education, 2000).
2. Incidence is the term used to describe the number of individuals with disabilities within a specific population. The incidence of disabilities among the population of incarcerated youth indicates that a disproportionate number of individuals in correctional facilities are eligible for special education placement. This can be between 30 and 50%; 6 through 17 are being served in special education programs under IDEA (U.S. Department of Education, 1998); representing 10.78% of all children and youth in this age group. Moreover, it is known that a significant percentage of youth who would qualify are not being served.

B. Incidence figures

1. Mesinger (1976) found that approximately 80% of the youthful offenders processed at the Virginia State Reception and Diagnostic Centers had problems in *psychosocial adjustment* along with a possible 14 % incidence rate of mental retardation.

Estimates of the number of incarcerated youth with disabilities vary greatly. In 1985, Nelson, Rutherford, and Wolford estimated that 28% of the juvenile corrections population had disabilities. Data from the U.S. Department of

Formatted: Bullets and Numbering


Education, Office of Special Programs, indicate that on Dec 1, 1996, 15,930 students with disabilities were served in correctional facilities. The majority of these students had emotional, behavioral, and learning disabilities.

- C. Doren, Bullis and Benz (1996) found that males with disabilities were 2.4 times more likely than females with disabilities to be arrested in their school careers. Students with emotional/behavioral disabilities were 13.3 times more likely to be arrested than students with other disabilities during their school career. From the increased number of arrests, one can conclude that a large number of these students would eventually be incarcerated.

There have been some problems in reconciling prevalence and incidence figures among incarcerated youth just as there is in the public school system. Some of the discrepancies in both systems may be a result of a reluctance to identify large number of students with disabilities because of the programming and financial burden placed on the institution. In the correctional setting, other discrepancies may be attributed to inadequate assessment and identification processes used in correctional facilities, difficulties in accessing records, a multiplicity of earlier diagnoses, and failed treatments. The transient nature of corrections could also account for the discrepancy. For whatever reason, there is a great degree of variability in reported incidence rates, as some states count almost all incarcerated youth as having a disability while others identify very few.

1. Part of the Free and Appropriate Public Education (FAPE) states that schools are obliged specifically to seek out and identify all children with disabilities. This obligation is referred to as child find. Correctional settings carry the same

obligation, although this practice has had some difficulty being implemented there.

 **Formatted:** Bullets and Numbering

After Identification

- A. After a student has been evaluated and found to be eligible for services under IDEA, the Individual Education Program (IEP) is developed. This individualized program is a written statement of the goals and objectives that are to be met in providing an appropriate education for the student. The IEP must be in effect before any special education or related services are provided and must be implemented as soon as possible following its development.
- B. It is the responsibility of the school or agency to initiate and conduct an IEP meeting whenever it is necessary to develop, review, or revise the individual program of the student with the disability. When a student is referred to special education for the first time, an IEP meeting must be held within 30 calendar days from the date eligibility is determined. Once a student is receiving services, periodic reviews of his/her programs must be conducted at least annually. Any member of the IEP team can initiate more frequent reviews and revisions when necessary.
- C. The IEP is an evidence-based document and therefore conclusions, goals, and recommendations must be based on this evidence. In other words, there should be some documentation of the fact that the student's needs are not being met. There are specific components each IEP must contain--the current level of performance, the goals and objectives for the coming year, and a statement on how those goals will be met. These statements should be specific and include what supports are needed to reach these goals.
- D. The IEP meeting should be scheduled at a convenient time to facilitate parental (and student, when appropriate) participation in the development of the educational program. Other participants involved in IEP meetings would include a representative

of the school or agency, the student's special education teacher, a regular education teacher, an individual qualified to interpret assessments, parents, and other individuals associated with the student as deemed necessary by the team and the parent.

- E. The IEP should be signed by the parent but if this is not possible, a surrogate parent trained by the state can substitute. A corrections staff person is not allowed to sign the IEP in place of a parent. This is one of the important provisions of IDEA '97 that is most often overlooked in secure care settings.
- F. To ensure that the parents of students with disabilities are afforded the opportunity to participate, they should be notified early enough so that they can plan to attend the IEP meeting. The meeting must also be held at a mutually agreed on time and place. The notification sent to parents should state the purpose, time, and location of the meeting and who will attend. Otherwise, it can be contested. Also the parent may be unhappy with the IEP and can refuse to sign it. All the provisions included in regular public school policy apply.
- G. Behavioral plans and functional behavioral assessments have to be included as well. (assessment is delineated in Module 5)
- H. Aside from designating who is to take part in the development of the IEP, the law also stipulates the basic content of the document. First, a statement of educational performance must be provided. Based on the present level of performance, a list of annual goals and short term instructional objectives should be developed and included (for instructional methods, refer to Module 7). Once those have been written, a statement must be provided which delineates the specific special education and

related services that are to be provided and the extent to which the student will participate in regular education programs.

A projected date for initiation of services is also required along with some indication of the duration of the service to be provided. Finally, the IEP must include objective criteria, evaluation procedures, and schedules for determining whether the objectives are being met.

Service Delivery

A. Continuum of services

Since the passage of IDEA (PL94-142) in 1975, school districts have been required to develop a continuum of services for students with disabilities within their districts. IDEA '97 reaffirms the belief that a continuum of services be available to children and youth with disabilities and their families. The law does not suggest that a single service delivery option should be the only alternative. This means that a student should not be placed in a program based on the disability alone, but based on the level of services needed for the student to succeed (refer to Module 8: Transition and Module 6: Curriculum).

The concept implies a full range of alternatives. A key factor in this process is the analysis of the goals for each student. The educational decisions are based on the learning needs of the student as opposed to the particular disability of the student. The balance between the Free and Appropriate Public Education (FAPE) and the Least Restrictive Environment (LRE) requirements of IDEA is often a difficult but necessary aspect of the law.

- B. Special education law requires that students with disabilities be educated in the least restrictive environment. It also requires that, to the maximum extent possible, students with disabilities be educated with nondisabled peers. This does not mean, however, that all students with disabilities are to be placed in the regular classroom, nor does it mean that it is appropriate for all to be placed in special schools or classrooms. Appropriateness has to be determined on the basis of individual student needs.

The continuum of services represents the movement from the most restrictive to the least restrictive environment based on the services required for the student to benefit from their special education program. In the continuum, the least restrictive environment is the regular education classroom and the most restrictive is the special residential school. Although some students may require a more restrictive placement to receive appropriate services, IDEA mandates that all students with disabilities, to the maximum extent possible, be educated with nondisabled peers.

Aside from the continuum of services, special educators also speak of services in terms of whether they are direct or indirect. Direct services can be provided in several ways. Any time a student with an exceptionality attends a special class, sees the speech therapist, occupational therapist, adaptive physical education teacher, or receives specialized training, they are receiving direct services from a special educator.

Many school districts, as well as some correctional education programs, have adopted consulting teacher models to augment their direct service options. This involves the special education teacher consulting with the regular education teacher with regard to adapting the curriculum and ensuring the student is receiving the appropriate special education services as written in the IEP. This consultation can take many different forms from direct instruction by the special education teacher in the regular classroom to in-service training and support of the regular education teacher.

- C. The area of related services has been a hot issue since the publishing of the PL 94-142 implementing regulations. As mentioned earlier, major lawsuits have further clarified PL 94-142 into the rules and regulations we see today. Related services were shaped the same manner. Related services can include--but are not limited to--speech

therapy, physical or occupational therapy, transportation services, counseling or guidance services, psychological services, medical evaluations required for diagnostic services, interpreter services, catheterization, adaptive physical education, and other services that are required in order for a student to benefit from their special education program. In one case, clean intermittent catheterization was required in order for a student to remain in school during the day and thereby benefit from her special education program. As a result, the court ruled this was a legitimate related service and required that it be provided.

References

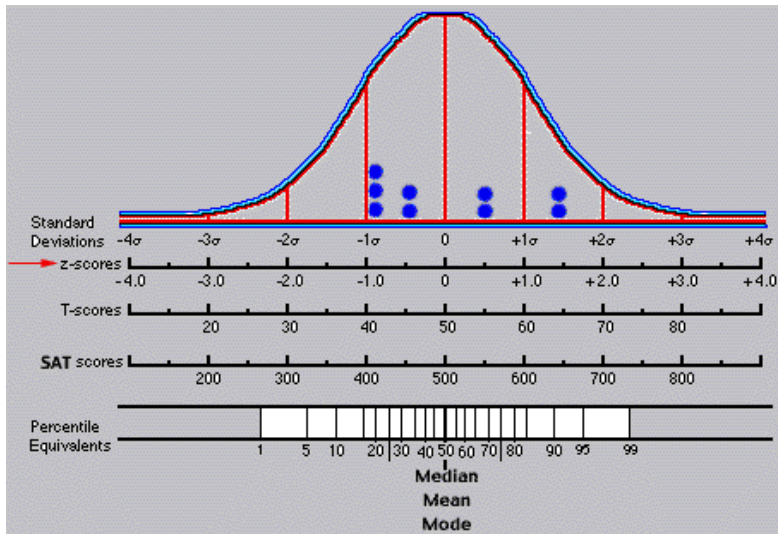
- Danforth, J., & Rhodes, W. R., (1997). Deconstructing disability: A philosophy for inclusion. *Remedial and Special Education, 18*(6), 357-66.
- Doren, IB., Bullis, M., & Benz, M, M. (1996). Predicting the arrest status of adolescents with disabilities in transition. *The Journal of Special Education, 29*, 363-380.
- Hallahan, D. P., & Kauffman, J. M. (1994). *Exceptional children: Introduction to special education* (6th Ed.). Boston: Allyn and Bacon.
- Hockenberry, C. M. (1980). *Education of adjudicated handicapped youth. Policy issues and implications*. Reston, VA; Council for Exceptional Children. ERIC Clearinghouse on Handicapped and Gifted Children.
- Individuals with Disabilities Education Act Amendments of 1997, Public Law 105-17(June 4, 1997), 20 U.S.C. 140 et.seq.
- Kauffman, J. M. (1999). How we prevent the prevention of emotional and behavioral disorders. *Behavioral Disorders, 7*(3), 189-191.
- Keilitz, I., & Dunivant, N. (1986). The relationship between learning disability and juvenile delinquency: Current state of knowledge. *Remedial and Special Education, 7*(3), 18-26.
- Leone, P. E. (1997). Education services for youth with disabilities in a state operated juvenile correctional system: Case study and analysis. *Journal of Special Education, 28*(1), 43-58.
- Martin, R. (1980). *Discipline of special education students*. ERIC Document Reproduction Service No. ED 194966.

- Mesinger, J. F. (1976). Juvenile delinquents: A relatively untapped population for special education professionals. *Behavioral Disorders*, 2(1), 22-28.
- Mesinger, J. F. (1977). Juvenile delinquents: A relatively untapped population for special education professionals. *Behavioral Disorders*, 2(2), 95-101.
- Nelson, C. M., Rutherford, R. B., & Wolford, B. I. (1985). Special education for handicapped offenders. In J. E. Gilliam & B. K. Scott (Eds.), *Topics in emotional disturbance* (pp. 311-315). Austin, TX: Behavior Learning Center.
- Robinson, T. R., & Rapport, M. K. (1999). Providing special education in the juvenile justice system. *Remedial and Special Education*, 20(1), 19-26.
- Rutherford, R. B., Quinn, M. M., Leone, P. E., Garfinkle, L., & Nelson, C. M. (2002). Education, disability, and juvenile justice: Recommended practices. In L. M. Bullock & R. A. Gable (Eds.), *Addressing the diverse needs of children and youth with emotional/behavioral disorders: Programs that work*. Reston, VA: The Council for Children with Behavioral Disorders.
- Santamour, M. B., & Fanning, J. W. (1984). *An overview of the mentally retarded and the Staunton Developmental Disabilities Unit*. Paper presented at the Correctional/Special Education Training Project Conference, Arlington, VA.
- U. S. Department of Education (1998). *Twentieth annual report to congress on the implementation of the Individuals with Disabilities Education Act*. Washington, DC: author.
- U. S. Department of Education (2000). *Twenty-second annual report to congress on the implementation of the Individuals with Disabilities Education Act*. Washington, DC: author.

Vergason, G. A., & Anderegg, M. L. (1997). *Dictionary of special education and rehabilitation* (4th Ed.). Denver: Love.

Ysseldyke, J. E., & Algozzine, B. (1984). *Introduction to special education*. Boston, MA: Houghton Mifflin.

Transparency 1



Transparency 2

Autism

Deafness

Hearing Impairment

Multiple Disabilities

Other Health Impaired

Speech or Language Impairment

Visual Impairment

Deaf-Blindness

Emotional Disturbance

Mental Retardation

Orthopedic Impairment

Specific Learning Disability

Traumatic Brain Injury

Transparency 3

Brown vs. Board of Education

PARC

Mills vs. Board of Education

Rehabilitation Act 1973

(Sec 504)

Education for All Handicapped Children Act

(PL 94-142)

IDEA

Transparency 4

Major Provisions of PL 94-142

Due Process

Least Restrictive Environment (LRE)

Individualized Education Plan (IEP)

Confidentiality

Personal Development

Parent/Guardian Consultation

Identification

Full Service at no Cost

Nondiscriminatory Evaluation

From Hallahan & Kauffman (1994)