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Special Message For Faculty Members **Implications of Public Law 105-17 for** **Special Education Preservice Preparation**

The 1997 reauthorization of the Individuals with Disabilities Education Act (Public Law 105-17) poses new opportunities for special education, including:

- * Greater access to the general education curriculum for students with disabilities so that they, too, may strive to higher performance standards;
- * Inclusion of students with disabilities in large-scale assessments of performance; and
- * Closer interaction between special education and general education in order to achieve these purposes.

Many states have developed, or are developing, overall student performance standards and assessment procedures. Public Law 105-17 describes new competitive State Improvement Grants, which will require a State Improvement Plan. The purpose of these grants is to assist State Education Agencies and their partners in reforming and improving their systems for providing educational, early intervention, and transition services to improve results for children with disabilities. As States and public schools move in these directions, preservice special education programs will need to work closely with general teacher education programs, and consider program modifications that may be necessary to train personnel accordingly.

The attached pages display language quoted from several sections of Public Law 105-17 that underscore this message (prefaced by a section from the Senate Committee Report that accompanied the IDEA bill when it went forward for the House/Senate vote). We have discussed this with the National Association of State Directors of Special Education (NASDSE), who agree that college and university faculties should review the provisions of the new law at the earliest opportunity. Your State office will be organizing its plans in the coming months. You should stay in touch with your State Director of Special Education and State CSPD Coordinator as these plans develop.

Senator Jeffords (Senate Committee on Labor and Human Resources) submitted a Report to accompany the IDEA bill when it went forward for the House/Senate vote. Included in the Report language is the following excerpt (pp. 37-38) concerning amendments to Part D . (Emphasis in bold has been added for purposes of this paper.)

"The act creates a new part D, National Activities to Improve Education of Children with Disabilities. Subpart 1 of part D authorizes new State Program Improvement Grants. This subpart 1 **establishes a new system of grants to improve results for children with disabilities through systemic reform with an emphasis on personnel training.** State educational agencies, in close cooperation with their "**contractual partners,**" local educational agencies, and parents of children with and without disabilities, individuals with disabilities, the Governor, and other State and local agencies, organizations, and institutions concerned with the needs of and services for children with disabilities, shall develop an improvement plan after identifying the State's needs in several areas; these include assessing children with disabilities and their performance, training and personnel needs, and evaluating system effectiveness. States that receive these competitive grants will be able to use funds to implement the improvement strategies they have proposed in their plan which will be based on the needs of the State's children with disabilities and the nature of the State's capacity and methods of serving these children.

"**The legislation requires that 75 percent of State Program Improvement Grant funds be used for personnel training.** This reflected the committee's desire that subpart 1 grants be a primary means of supporting personnel training, complemented by an authorization for additional, but targeted, personnel training initiatives in subpart 2, chapter 1 of part D. The rationale for focusing personnel training funds at the State level through subpart 1, State Program Improvement Grants, is an attempt to improve results for children with disabilities through **addressing personnel training needs of States, as identified and defined by a State, not by the Federal Government.**

"Under the current program, universities receive grants based on applications made to the Department of Education. These applications generally focus on pre-service training for special education teachers. **In many States, the greatest need for training is for in-service training for general and special education teachers, and for pre-service training in addressing the special instructional needs of children with disabilities, including their integration in regular education classes, for future general education personnel.** The Committee believes that, by targeting State Program Improvement Grant funds as it has, appropriate training for teachers addressing the learning needs of children with disabilities, especially general education teachers in early grades, will help reduce inappropriate referrals to special education of learning disabled children and improve results for children with disabilities served by both general and special educational personnel. Instead of learning from a teacher whose abilities cannot properly meet the child's particular needs, learning disabled children will have been taught in a manner that they can understand from teachers whose training permitted them to understand that child's learning style."

The following excerpt from Part A, Section 601(c) of P.L. 105-17 is a portion of the findings that led to the current construction of the law and its purposes. (Emphasis in bold has been added for purposes of this paper.)

"(3) Since the enactment and implementation of the Education for All Handicapped Children Act of 1975, this Act has been successful in ensuring children with disabilities and the families of such children access to a free appropriate public education and in improving educational results for children with disabilities.

"(4) However, the implementation of this Act has been impeded by low expectations, and an insufficient focus on applying replicable research on proven methods of teaching and learning for children with disabilities.

"(5) Over 20 years of research and experience has demonstrated that the education of children with disabilities can be made more effective by --

"(A) having high expectations for such children and ensuring their **access in the general curriculum** to the maximum extent possible;

"(B) **strengthening the role of parents** and ensuring that families of such children have meaningful opportunities to participate in the education of their children at school and at home;

"(C) coordinating this Act with other local, educational service agency, State, and Federal school improvement efforts in order to ensure that such children benefit from such efforts and that **special education can become a service for such children rather than a place where they are sent**;

"(D) providing appropriate special education and related services and aids and supports **in the regular classroom** to such children, whenever appropriate;

"(E) supporting high-quality, intensive **professional development** for all personnel who work with such children in order to ensure that they have the skills and knowledge necessary to enable them --

"(i) **to meet the developmental goals and, to the maximum extent possible, those challenging expectations that have been established for all children**; and

"(ii) to be prepared to lead productive, independent, adult lives, to the maximum extent possible;

"(F) providing incentives for **whole-school approaches and pre-referral interventions** to reduce the need to label children as disabled in order to address their learning needs; and

"(G) focusing resources on teaching and learning while reducing paperwork and requirements that do not assist in improving educational results."

Part D, Subpart 1, of P.L. 105-17 addresses State Program Improvement Grants for Children with Disabilities, including the development of State Improvement Plans. The following is relevant language from Section 651, which explains the findings that support this section and its purposes. (Emphasis in bold has been added for purposes of this paper.)

"(5) Research, demonstration, and practice over the past 20 years in special education and related disciplines have built a foundation of knowledge on which State and local systemic-change activities can now be based.

"(6) Such research, demonstration, and practice in special education and related disciplines have demonstrated that an effective educational system now and in the future must --

"(A) **maintain high academic standards and clear performance goals for children with disabilities, consistent with the standards and expectations for all students in the educational system, and provide for appropriate and effective strategies and methods** to ensure that students who are children with disabilities have maximum opportunities to achieve those standards and goals;

"(B) create a system that fully addresses the needs of all students, including children with disabilities, by **addressing the needs of children with disabilities in carrying out educational reform activities**;

"(C) **clearly define, in measurable terms, the school and post-school results** that children with disabilities are expected to achieve;

"(D) **promote service integration**, and the coordination of State and local education, social, health, mental health, and other services, in addressing the full range of student needs, particularly the needs of children with disabilities who require significant levels of support to maximize their participation and learning in school and the community;

"(E) ensure that children with disabilities are provided assistance and **support in making transitions** as described in section 674(b)(3)(C);

"(F) promote **comprehensive programs of professional development** to ensure that the persons responsible for the education or a transition of children with disabilities possess the skills and knowledge necessary to address the educational and related needs of those children;

"(G) disseminate to teachers and other personnel serving children with disabilities **research-based knowledge about successful teaching**

practices and models and provide technical assistance to local educational agencies and schools on how to improve results for children with disabilities;

"(H) create school-based **disciplinary strategies** that will be used to reduce or eliminate the need to use suspension and expulsion as disciplinary options for children with disabilities;

"(I) establish **placement-neutral funding formulas** and cost-effective strategies for meeting the needs of children with disabilities; and

"(J) involve individuals with disabilities and parents of children with disabilities in planning, implementing, and evaluating systemic-change activities and educational reforms."

Section 653(b)(2)(A) of the new Part D requires the following analyses as part of the State Improvement Plan. (Emphasis in bold has been added for purposes of this paper.)

"(A) an analysis of all information, reasonably available to the State educational agency, on the performance of children with disabilities in the State, including –

"(i) their **performance on State assessments and other performance indicators established for all children**, including drop-out rates and graduation rates;

"(ii) their **participation in postsecondary education and employment**; and

"(iii) **how their performance on the assessments and indicators** described in clause (i) **compares to that of non-disabled children**;

"(B) an analysis of State and local needs for professional development for personnel to serve children with disabilities that includes, at a minimum --

"(i) the number of personnel providing special education and related services; and

"(ii) relevant information on current and anticipated personnel **vacancies and shortages** (including the number of individuals described in clause (i) with temporary certification), and on the extent of **certification or retraining necessary to eliminate such shortages**, that is based, to the maximum extent possible, on existing assessments of personnel needs;

"(C) an analysis of the major findings of the Secretary's most recent reviews of State compliance, as they relate to improving results for children with disabilities; and

"(D) an analysis of other information, reasonably available to the State, on the **effectiveness of the State's systems of early intervention, special education, and general education** in meeting the needs of children with disabilities."

The following from Section 653(c)(2)(D) shows how preservice and inservice preparation must be described in applications for State Improvement Grants. (Emphasis in bold has been added for purposes of this paper.)

"(D) **how the State will address the identified needs for in-service and pre-service preparation** to ensure that all personnel who work with children with disabilities (including both professional and paraprofessional personnel who provide special education, general education, related services, or early intervention services) have the skills and knowledge necessary to meet the needs of children with disabilities, including a description of how --

"(i) the State will prepare general and special education personnel in the **content knowledge and collaborative skills** needed to meet the needs of children with disabilities, including how the State will work with other States on **common certification criteria**;

"(ii) the State will prepare professionals and paraprofessionals in the area of **early intervention** with the content knowledge and collaborative skills needed to meet the needs of infants and toddlers with disabilities;

"(iii) the **State will work with institutions of higher education and other entities that** (on both a pre-service and an in-service basis) prepare personnel who work with children with disabilities to ensure that those institutions and entities develop the capacity to support quality professional development programs that meet State and local needs;

"(iv) the State will work to develop collaborative agreements with other States for the **joint support and development of programs to prepare personnel** for which there is not sufficient demand within a single State to justify support or development of such a program of preparation;

"(v) the State will work in collaboration with other States, particularly neighboring States, to **address the lack of uniformity and reciprocity in the credentialing** of teachers and other personnel;

"(vi) the State will enhance the **ability of teachers and others to use strategies, such as behavioral interventions**, to address the conduct of children with disabilities that impedes the learning of children with disabilities and others;

"(vii) the State will acquire and disseminate, to teachers, administrators, school board members, and related services personnel, significant **knowledge derived from educational research and other sources**, and how the State will, when appropriate, adopt promising

practices, materials, and technology;

"(viii) the State will **recruit, prepare, and retain qualified personnel, including personnel with disabilities and personnel from groups that are under-represented** in the fields of regular education, special education, and related services;

"(ix) the plan is integrated, to the maximum extent possible, with other professional development plans and activities, including plans and activities developed and carried out under other Federal and State laws that address personnel recruitment and training; and

"(x) the State will provide for the **joint training of parents and special education, related services, and general education personnel**;

"(E) strategies that will address systemic problems identified in Federal compliance reviews, including shortages of qualified personnel;

"(F) how the State will disseminate results of the local capacity-building and improvement projects funded under section 611(f)(4);

"(G) how the State will address improving results for children with disabilities in the **geographical areas of greatest need**; and

"(H) how the State will assess, on a regular basis, the extent to which the strategies implemented under this subpart have been effective. . . ."

Section 673 of Part D is titled "Personnel Preparation to Improve Services and Results for Children with Disabilities." The language concerning preparation of personnel for high-incidence disabilities includes the following. (Emphasis in bold has been added for purposes of this paper.)

"(e) HIGH-INCIDENCE DISABILITIES; AUTHORIZED ACTIVITIES --

"(1) IN GENERAL. -- In carrying out this section, the Secretary shall support activities, consistent with the objectives described in subsection (a), to benefit children with high-incidence disabilities, such as children with specific learning disabilities, speech or language impairment, or mental retardation.

"(2) AUTHORIZED ACTIVITIES. -- Activities that may be carried out under this subsection include the following:

"(A) **Activities undertaken by institutions of higher education**, local educational agencies, and other local entities --

"(i) **to improve and reform their existing programs** to prepare teachers and related services personnel --

"(I) **to meet the diverse needs** of children with disabilities for early intervention, educational, and transitional services; and

"(II) to work collaboratively in regular classroom settings; and

"(ii) to incorporate best practices and research-based knowledge about preparing personnel so they will have the knowledge and skills to improve educational results for children with disabilities."

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