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ABSTRACT

Written in question and answer form, the booklet provides brief responses to often asked questions by legislators and educators concerning the education of exceptional children. Among the topics covered are state and federal legislation; planning and accountability; finance; administration, classification, and placement; personnel utilization; professional and advocacy organizations; and such major trends and issues as mainstreaming and career education. (LH)

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# QUESTIONS AND ANSWERS

## The Education of Exceptional Children

Report No. 73

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September 1975

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## INTRODUCTION

Over the past four years, the Handicapped Children's Education Project (HACHE), a program of the Education Commission of the States, has received many requests from governors and state legislators for basic information concerning special education services and concepts. In late 1973, HACHE began publishing and distributing statements and reports in the form of a binder series entitled, *Questions and Answers about Special Education*. This series was originally mailed to 250 state legislators for preliminary review and evaluation. The response was so overwhelmingly favorable that HACHE decided to distribute it in booklet form to a much wider audience, while at the same time updating and broadening the scope of the original material.

It is the purpose of *Questions and Answers* to provide brief responses and alternatives to questions most often asked by legislators and educators concerning the education of exceptional children. We hope that it will serve as a useful source of information concerning basic facts and issues relating to the needs of exceptional children.

This publication covers topics such as state/federal legislation, planning, finance, administrative placement, manpower, early childhood and career education, and major trends, events and issues.

The HACHE Project recognizes that the necessity for brevity precludes providing in-depth responses to the questions asked in this material. We thank you for your interest in this publication and hope that it will be of use to you in developing better services and programs for exceptional children in the future.

*Gene Hensley, Ph.D.*  
*Director, Handicapped Children's Education Project*  
*Education Commission of the States*

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## I. GENERAL INFORMATION

*Question: Who are exceptional children?*

*Answer:* The term "exceptional" has been generally used to describe both handicapped and gifted children. Exceptional children are most often defined as children who deviate from normal children in mental abilities, in physical characteristics, in social or emotional behavior, in communication abilities or in multiple handicaps to such a degree that they require modifications of school experiences or special services in order to develop to their maximum potential.

*Question: Who are the handicapped?*

*Answer:* Handicapped children have been described as those who deviate from the average in mental, physical or social characteristics to such a degree that they require modifications in school programs or methods in order to develop to their maximum potential.

A definition contained in the model statutes published by The Council for Exceptional Children (1971) describes the handicapped child as follows:

"'Handicapped child' means a natural person between birth and the age of 21, who because of mental, physical, emotional, or learning problems, requires special education services."<sup>1</sup>

*Question: Who are the gifted and talented?*

*Answer:* Gifted and talented children are those children identified by professionally qualified persons as possessing outstanding abilities and being capable of major performance. These are children who require differentiated educational programs and services beyond those normally provided by the regular school program in order to realize their contributions to self and society. Children capable of high performance include those who have demonstrated achievement or potential ability

<sup>1</sup>Frederick J. Weintraub, Alan R. Abeson and David L. Braddock, *State Law and Education of Handicapped Children: Issues and Recommendations* (Arlington, Va.: Council for Exceptional Children, 1971).

in any of the following areas: general intellectual ability, specific academic aptitude, creative or productive thinking, leadership ability, physical and performing arts and psychomotor ability.

The aforementioned definition is the one currently used in federal legislation. It is important because it deviates from the traditional idea that giftedness is reflected only in academic ability; the term is most meaningful when discussed in relation to specific education, social or control problems, e.g., the culturally different child.

*Question: What is special education?*

**Answer:** Special education means classroom, home, hospital, institutional or other instruction to meet the needs of handicapped children. It also includes transportation and corrective and supporting services required to assist handicapped children in taking advantage of, or responding to, educational programs and opportunities. These services may be integrated with, or in addition to, those services provided in regular education settings.

*Question: How many handicapped children are in the United States?*

**Answer:** Many attempts have been made to determine the prevalence of handicapped children in our population. Results from studies have been so diverse that many researchers hesitate to publish figures for each handicapping condition, e.g., mentally retarded, physically disabled or others. One of the reasons for this dilemma is that the line between a normal or average child and a handicapped child is not always clear. Despite problems relating to prevalence, various estimates based on different studies have been published. The U.S. Office of Education has issued estimates of the frequency of handicapped school-age children in our population since the early 1940s. Since 1967 states have been required to submit reports on the number of handicapped children in their respective states and a statement of the number being served to the Bureau of Education for the Handicapped, U.S. Office of Education, in order to obtain funds under federal regulations.

The Bureau of Education for the Handicapped has estimated that in 1968 there were approximately 75 million children in the United States from 0-19 years, and more than 7 million of the children were handicapped. This figure included preschool children and indicated that approximately 10 percent of the children were handicapped. The bureau's estimate of percentage of school-age children according to classification of disability is:

Speech impaired	3.5%	Deaf	0.075%
Emotionally disturbed	2.0	Crippled or other	
Mentally retarded	2.3	handicapped impaired	0.5
Learning disabled	1.0	Physically impaired	0.1
Hard of hearing	0.5	Multiple handicapped	0.06

Total: 10.035% of school-age children, 5-19<sup>2</sup>

*Question: How many gifted and talented children are there in the United States?*

*Answer:* The 1970 Census estimated the total school population of the United States at 51,600,000. Within that population the number of gifted and talented children requiring special education attention is estimated at 2,580,000 (a minimum of three to five percent of the school population). In the scholastic areas these are the persons who go beyond easy success with advanced academic content to unusually high levels of understanding, idea production and superior accomplishment. The creative and talented among them give evidence or promise of contributions of lasting value and require special provisions to assure development of their abilities.<sup>3</sup>

*Question: What percentage of handicapped children are presently receiving education services?*

*Answer:* Studies by the U.S. Office of Education indicate that approximately 40 percent of the handicapped received special education services in 1971. (A statistical breakdown for classification of children served and unserved, as identified by the U.S. Office of Education, Bureau of Education for the Handicapped, is available from the Education Commission of the States.)<sup>4</sup>

*Question: What percentage of gifted children are presently receiving education services?*

*Answer:* There are approximately 2.5 million gifted and talented elementary and secondary school students, but fewer than four percent are being served with programs commensurate with their needs. The federal government

<sup>2</sup>"Estimates on the Number of Children Served/Unserved in 1971-1972," *Fiscal Year Projected Activities* (Washington, D.C.: Bureau of Education for the Handicapped/U.S. Office of Education, 1971).

<sup>3</sup>"What About the Gifted and Talented?," Office of the Gifted and Talented, U.S. Office of Education (Washington, D.C.: 1974).

<sup>4</sup>"Estimates on the Number of Children Served/Unserved in 1971-1972," *Fiscal Year Projected Activities* (Washington, D.C.: Bureau of Education for the Handicapped/U.S. Office of Education, 1971).

officially recognized the problem by establishing the Office of the Gifted and Talented, which has made an enormous effort to create public awareness about the gifted over the past two years. In addition, the Education Amendments of 1974 have authorized (subject to appropriation) the sum of \$12,250,000 for programs and projects for the gifted.

*Question: Where are gifted and talented children most usually found?*

*Answer:* Contrary to the popular opinion that gifted and talented children are most usually found in white middle and upper classes, giftedness and talent exist among all races, ethnic and socioeconomic groups and geographic regions. Special efforts need to be made to provide opportunities for the gifted and talented in all of these areas.

*Question: How many states have mandatory provisions within their school codes?*

*Answer:* The first mandatory laws establishing programs for handicapped children were enacted in New Jersey in 1911, New York in 1917 and Massachusetts in 1920. In recent years states have increased their efforts to adopt some basic form of mandatory legislation.

In 1971 seven states had adopted mandatory legislation in all categories of exceptionality, in addition to 26 states already having some form of mandatory provisions. At the close of the 1975 regular legislative sessions across the United States, a total of 46 states had some form of mandatory legislation.

*Question: What are the basic forms of mandatory legislation that have been enacted by state legislatures?*

*Answer:* Six basic forms of mandatory legislation have been enacted by state legislatures:

a. *Full Program.* Full program laws require that once children are identified as meeting the criteria to define the condition, programs shall be provided.

b. *Planning.* Laws that mandate only a requirement for planning.

c. *Planning and Programming.* Laws that require planning prior to required programming.

d. *Conditional.* Laws that require meeting certain conditions before programs are required.

e. *Mandatory Legislation by Petition.* Laws that place the responsibility for program development on the community, wherein, for example, parents may petition where a certain number of handicapped children exist.

f. *Selective.* Laws whereby not all disability areas are treated equally, e.g., where programs for the mentally retarded or other disability grouping may be selectively required.

Mandatory provisions vary from state to state. It should be pointed out that mandatory legislation, without provisions for enforcement, may be of limited value.

*Question:* Which states have legislation that defines local district responsibility for the handicapped?

*Answer:* All states have some legislation that defines some of the local district responsibilities for handicapped children.

*Question:* How widespread are civil actions dealing with the failure of states or institutions to consider the rights of handicapped children and adults to equal educational opportunity?

*Answer:* Increasingly, civil actions are being filed relating to the rights of handicapped children and adults. The majority of these actions have to do with public responsibility to provide education and treatment for this country's handicapped persons. These cases have started to have the effect of class action suits, that is, guaranteeing every child regardless of the handicapping condition, the right to an education.

#### *Right To an Education*

Mills v. D.C. Board of Education\*

Pennsylvania Association for Retarded Children v. Commonwealth of Pennsylvania\*

Catholic Social Services, Inc. v. Delaware Board of Education

Reid v. New York Board of Education\*

Doe v. Milwaukee Board of School Directors\*

Marlega v. Milwaukee Board of School Directors\*

Wolf v. Utah State Legislature\*

Maryland Association for Retarded Children v. State of Maryland

North Carolina Association for Retarded Children v. State of North Carolina

Hamilton v. Riddle

Harrison v. State of Michigan\*

Barnett v. Goldman

\*Decisions rendered

Panitch v. State of Wisconsin\*  
Case v. State of California\*  
Burnstein v. Contra Costa County School Board  
Tidewater Association for Autistic Children v. Commonwealth of Virginia\*  
Uyeda v. California State School for the Deaf  
Kivell v. Nemointin\*  
In Re Held\*  
North Dakota Association for Retarded Children v. Peterson  
Colorado Association for Retarded Children v. State of Colorado

*Right To Treatment*

Wyatt v. Aderholt\*  
Burnham v. Department of Public Health\*  
Ricci v. Greenblatt  
New York Association for Retarded Children v. Rockefeller;  
Parisi v. Rockefeller  
Welsch v. Likins\*  
Horacek v. Exon

*Placement*

Larry P. v. Riles\*  
Lebanks v. Spears\*  
Guadalupe Organization, Inc. v. Tempe Elementary School District\*  
Stewart v. Philips  
Ruiz v. State Board of Education  
Walton v. Glen Cove City School District\*

\*Decisions-rendered

*Question:* What was the Pennsylvania decision?

*Answer:* Pennsylvania Association for Retarded Children v. Commonwealth of Pennsylvania, Civil Action No. 71-42.

*Plaintiffs:* The Pennsylvania Association for Retarded Children and 14 mentally retarded children and all others similarly situated.

*Defendants:* The state secretaries of education and public welfare, the State Board of Education and 13 school districts representing all of the state's districts.

*Complaint:* The suit was filed in January 1971. The public policy in law, which postponed or denied public education to mentally retarded children, was questioned. Free access to public education opportunities for mentally retarded children was sought.

*Decision:* This case was filed in 1971, and in June of the same year, a stipulation stated that due process procedures, notice and hearing must accompany any change in status of a mentally retarded child.

*Note:* In October, an injunction provided that no mentally retarded child could be denied an education. All named plaintiffs were to be placed in special programs by October 1971, and all mentally retarded children in the state were to be placed in special programs by September 1972. Also, any districts providing preschool education to children must also provide the same to the mentally retarded. The decrees were finalized by the court, May 5, 1972, and two masters were appointed to oversee the orders.

*Question:* What was the Mills decision?

*Answer:* *Mills v. Board of Education*, Civil Action No. 71-42.

*Plaintiffs:* Seven handicapped children and the class similarly situated.

*Defendants:* The District of Columbia Board of Education, the Department of Human Resources and the mayor.

*Complaint:* It was alleged that children were denied educational opportunities and exclusion procedures violated due process requirements of the Fifth Amendment. It was also alleged that the Board of Education had an opportunity to provide services but had not done so. Appropriate educational opportunities for plaintiffs and guarantee of their rights were sought.

*Decision:* On December 20, 1971, the court ordered the placement of plaintiffs by January 3, 1972, and the identification of all handicapped children. The court further declared that insufficient funds were no excuse for noncompliance and individual program plans were required within 20 days. The court retains jurisdiction.

*Question:* Where may additional information be obtained concerning litigation relating to the rights of handicapped children and adults to equal educational opportunity?

*Answer:* The Council for Exceptional Children's State-Federal Information Clearinghouse for Exceptional Children (SFICEC) publishes a continuing summary of relevant litigation, which includes the above cases. For detailed information concerning these and other cases, the reader may contact:

State-Federal Information Clearinghouse for  
Exceptional Children  
Council for Exceptional Children  
1920 Association Dr.  
Reston, Va. 22091

Additional information is available from:

National Center for Law and the Handicapped  
1235 N. Eddy St.  
South Bend, Ind. 46617

Mental Health Law Project  
1751 N St., NW  
Washington, D.C. 20031

Education Commission of the States  
Suite 300, 1860 Lincoln St.  
Denver, Colo. 80203

Lawyer's Committee for Civil Rights Under Law  
Suite 520, 733 - 15th St., NW  
Washington, D.C. 20005

## II. STATE AND FEDERAL LEGISLATION

*Question: What are some of the major considerations relating to improved state legislation and services for handicapped children?*

*Answer:* Historically, parents and handicapped children have relied upon state and federal governments, as well as the courts, to deal effectively with issues relating to educational injustices. The question is no longer whether handicapped children will be provided educational opportunities, but rather how can these opportunities be most efficiently provided and what alternatives exist for improving legislation and educational programs. While there are a number of issues that are unique to individual states and must be addressed in relation to a variety of considerations relating to general education, e.g., finance, interagency cooperation and the allocation of resources, it is possible to identify a number of areas of common concern that must be carefully assessed if comprehensive services are to be provided to all children. Among these are:

a. *The right of handicapped children to an education.* This right involves factors such as the repeal of provisions in compulsory school attendance laws that exclude handicapped children, and the right of handicapped children and their parents to due process in the event that the child is excluded from school or the educational placement is disputed.

b. *Definitions and terminology.* Children who are handicapped may be legally referred to as "exceptional" in one state and "handicapped" in another. In either case, these children may have a specific disability described, labeled or classified in terms that differ from state to state. States are beginning to reexamine ways of defining and classifying children in an effort to determine to what extent current definitions, categories or labels do, in fact, stigmatize children, as well as whether the existing means of classifying children are related to their educational needs.

c. *Identification.* Many serious questions concerning the identification and placement of handicapped children have been raised in recent years. In some states the identification process begins at birth, while in others there is little attempt to classify children until they reach school age. Also, in some states the identification and placement of children must be based on procedures that include evaluation on the basis of

norms consistent with the culture of the child, evaluation conducted in the primary language of the child, due process hearings and the careful maintenance of records. In other states special education placement is possible on the basis of a single test, with little attention to procedures which assure that children are reevaluated annually or that due process rights are recognized.

d. *Finance.* The financing and allocation of resources for educational programs serving handicapped children are major considerations. This is particularly true in states that have recently passed comprehensive legislation designed to provide equal educational opportunity for all children. At the present time a number of studies are under way to determine appropriate means of financing programs for the handicapped.

e. Other considerations related to administrative structures and organization include the size of school districts and cooperative arrangements between districts and states, ancillary services (e.g., effective educational programs for handicapped children often require supportive services of various kinds), private schools and manpower.

*Question:* At present, how many states have mandatory legislation for the education of the handicapped?

*Answer:* The following chart indicates that 46 states now have some form of mandatory legislation.

**Comprehensive and Mandatory Legislation**

<u>State</u>	<u>Type of Legislation</u>	<u>Year* Enacted</u>	<u>State</u>	<u>Type of Legislation</u>	<u>Year* Enacted</u>
Alabama	Act 106**	1971	Idaho	SB 1362:	1973
Alaska	CSHB 592, Ch. 79**	1974		Sect. 33-2202A**	
Arizona	HB 2256, Ch. 181**	1973	Illinois	HB 322 and HB 323**	1972
Arkansas	SB 19, Act 102**	1973	Indiana	HB 1071, Ch. 396**	1969
California	AB 4040, Ch. 1532*	1974	Iowa	SF 1163**	1974
Colorado	HB 1164**	1973	Kansas	HB 1672**	1974
Connecticut	PA 627**	1966	Kentucky	KRS 157224**	1970
Delaware	Permissive	1935	Louisiana	Act 306**	1972
Florida	SB 89X, SB 77X**	1968	Maine	HB 751**	1973
Georgia	Mandatory	1968	Maryland	SB 649, Ch. 359**	1973
Hawaii	Act 29: Sect. 301-21**	1949	Massachusetts	HB 6148, Ch. 766**	1972
			Michigan	PA 198**	1971
			Minnesota	MS 12017**	1957

\*This represents the year state legislatures made major revisions in the education statutes relative to the education of handicapped children.

\*\*Mandatory

\*\*\*Permissive

State	Type of Legislation	Year* Enacted	State	Type of Legislation	Year* Enacted
Mississippi	HB 74**	1973	Pennsylvania	Stat.1371-721*	1955
Missouri	HB 474**	1973	Rhode Island	Ch. 24/ Title 16**	1952
Montana	HB 386**	1974	South Carolina	Act 977**	1972
Nebraska	LB 403**	1973	South Dakota	Act 108**	1972
Nevada	Permissive	1973	Tennessee	HB 2053, Ch. 839**	1972
New Hampshire	RSA 186.A**	1971	Texas	SB 230**	1969
New Jersey	Ch. 85, 178, 179, 180 PL**	1954	Utah	HB 105: Sect. 58-18- 1-10**	1969
New Mexico	SB 14, Ch. 95**	1972	Vermont	S98, Ch. 16, VSA 2941-2954***	1972
New York	Sect. 4404**	1956	Virginia	SB 132 and HB 770**	1972
North Carolina	Ch. 1293**	1974	Washington	Ch. 28A.13**	1971
North Dakota	HB 1090**	1973	West Virginia	HB 1271**	1974
Ohio	SB 405*** (Mandate planning only)	1973	Wisconsin	SB 185**	1973
Oklahoma	HB 1155, S13101**	1971	Wyoming	Ch. 15**	1969
Oregon	HB 2244**	1973			

\*This represents the year state legislatures made major revisions in the education statutes relative to the education of handicapped children.  
 \*\*Mandatory  
 \*\*\*Permissive

*Question: How are federal legislation and programs for exceptional children related to state and local programs?*

*Answer: Federal programs supplement state and local programs; money is distributed to states in proportion to numbers of children identified. With S.6, for example, states may identify up to but not more than 10 percent of their children as handicapped. State legislation is much more comprehensive than federal legislation and relates more directly to the needs of exceptional children.*

*Question: What were the original provisions of S.6 (Education for All Handicapped Children Act) and H.R. 70 (Education for Handicapped Children Act)?*

*Answer: Some highlights of the original provisions are described below:<sup>5</sup>*

<sup>5</sup>This material is taken directly from summaries provided by the Council for Exceptional Children. For more detailed information, please contact the Council for Exceptional Children, 1920 Association Dr., Reston, Va. 22091.

*Definition of  
handicapped*  
S.6                      Mentally retarded, hard of hearing, deaf, speech  
impaired, visually handicapped, emotionally dis-  
turbed, crippled, other health impaired or children  
with serious learning disabilities.

H.R. 70                      Mentally retarded, hard of hearing, deaf, speech  
impaired, visually handicapped, emotionally dis-  
turbed, crippled, other health impaired or children  
with specific learning disabilities.

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*When  
introduced*  
S.6                      Introduced 93rd Congress, First Session, Jan. 4, 1975

H.R. 70                      Introduced 93rd Congress, First Session, Jan. 3, 1975

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*Purpose*  
S.6                      To insure that all handicapped children have available  
to them not later than 1976 a free appropriate public  
education, to insure that the rights of handicapped  
children and their parents or guardian are protected,  
to relieve the fiscal burden placed upon the states and  
localities when they provide for the education of all  
handicapped children and to assess the effectiveness  
of efforts to educate handicapped children.

H.R. 70                      To effect special educational services commensurate  
with the needs of all handicapped children through  
programs operated by state and local educational  
agencies.

---

*Formula*  
S.6                      The amount by which the per-pupil expenditure for  
handicapped children, age 3-21 years, inclusive, ex-  
ceeds the per-pupil expenditure for all other children,  
aged 5-17 years, inclusive, in the public elementary  
and secondary schools of the state.

H.R. 70                      Amount by which the average per-pupil expenditure  
for handicapped children minus average per-pupil  
expenditure for nonhandicapped children exceeds  
\$800.

---

*Grants*  
S.6                      Commissioner shall allot to each state amount by  
which per-pupil expenditure for handicapped children  
age 3-21 exceeds per-pupil expenditure for all other  
children age 5-17 in public school multiplied by  
federal share of 75 percent.

H.R. 70                      Pending approval of state plan, commissioner shall  
grant amount obtained by multiplying number of  
handicapped children age 3-21 in the state by \$600  
and amount obtained by multiplying the excess cost  
by 75 percent of the total number of handicapped  
children. Funds insufficient for full appropriations in  
any fiscal year shall be prorated.

*Individualized written plan*  
S.6

A written plan for a child developed and agreed upon jointly by the local education agency, the parents or guardians of the child, and the child when appropriate, which includes: (a) a statement of the child's present levels of educational performance; (b) a statement of the long-range goals for the education of the child, and the intermediate objectives related to the attainment of such goals; (c) a statement of the specific educational services to be provided to such child; (d) the projected date for the initiation and anticipated duration of such services; and (e) objective criteria and evaluation procedures and schedule for determining whether intermediate objectives are being achieved.

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H.R. 70                      Not comparable

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*Authorization*  
S.6

Appropriations for fiscal years beginning July 1, 1973, and ending June 30, 1977.

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H.R. 70                      Appropriations for fiscal year ending June 30, 1974, and for the four fiscal years thereafter.

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*Criteria*  
S.6

The commissioner shall prescribe basic criteria to be applied by state agencies in submitting an application for assistance.

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H.R. 70                      The commissioner shall establish standards, criteria and procedures for determining which children are handicapped and these shall be applied uniformly by all states.

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*Eligibility*  
S.6

In order to qualify for assistance a state shall identify all its handicapped children, the location of the child and the services the child receives, including maintenance of a list of the local education agency within the state responsible for the education of each such child.

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H.R. 70                      Subject to receiving commissioner's approval for grants, each state shall submit a plan through the state education agency which provides for the identification of all handicapped children, the services they are receiving, location of and agencies responsible.

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*Least restrictive alternative environment*  
S.6

That to the maximum extent possible, handicapped children are educated with children who are not handicapped and that special classes, separate schooling or other removal of handicapped children from the regular environment occurs only when the nature or severity of the handicap is such that education in regular classes cannot be achieved satisfactorily.

---

H.R. 70                      Not comparable

*Institutionalized children*  
*S.6* The evaluation of the state's procedures for the institutionalization of handicapped children, including classification and commitment procedures, services provided within institutions and an evaluation of whether institutionalization best meets the educational needs of handicapped children (mandated to the commissioner).

*H.R. 70* The evaluation of institutionalization procedures, appropriateness of services and provisions for deinstitutionalizing children when such best meets their needs.

---

*Evaluation*  
*S.6* Tests and other evaluation procedures, used to classify children as handicapped must not be racially or culturally discriminatory.

*H.R. 70* An annual objective assessment of the program, services, testing and evaluation procedures, so as not to be racially or culturally biased.

---

*Due process*  
*S.6* Each local education agency will maintain an individualized written program for each handicapped child, to be reviewed at least annually and to be amended when appropriate with the agreement of the parents. In the development of the individualized plan, parents are offered due process which includes: prior notice when the education agency proposes a change in the educational status of the child; an opportunity for due process hearing, including the right of parents to obtain an independent educational evaluation of the child; and procedures to protect the rights of the child when parents or guardian are absent or not known. Decision rendered in due process hearing binding on all parties pending administration of judicial appeal.

*H.R. 70* The classification procedure, including notice and opportunity for hearing, access to records, an independent evaluation to be given to the parents before classification is made or changed.

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*Withholdings*  
*S.6* If after notice and opportunity for hearings, a state fails to comply with provisions of approved plan, commissioner shall stop payment to state agency and/or subsequent local agencies until failure is corrected.

*H.R. 70* If after notice and opportunity for hearing, a state fails to comply with provisions of approved plan or to demonstrate effort in that behalf, the commissioner shall stop payment to the state agency and/or local agencies until failure is corrected.

*Judicial  
review*  
S.6

Not comparable

*H.R. 70*

Any state dissatisfied with commissioner's action on approval of state plan may file with U.S. Court of Appeals. Findings of commissioner, if substantiated, shall be conclusive. If not, case may be remanded for filing of further proceedings. Court's judgment shall be subject to review by Supreme Court.

*Question: What are the current provisions of S.6 and H.R. 7217 (formerly H.R. 70)?*

*Answer: Current provisions of S.6 and H.R. 7217 are described below:<sup>6</sup>*

*Formula*

H.R. 7217 establishes a formula in which the federal government makes a commitment to pay at least half of the national average expenditure (around \$600) per public school child times the number of handicapped children being served in the school districts of each state in the nation. S.6 proposes a formula based upon a flat sum per child, i.e., \$300 times the number of handicapped children being served in each of the states.

*Pass-through*

H.R. 7217 is a total pass-through, i.e., federal monies are passed-through to the local school districts based upon the number of handicapped children being served in each of the localities. S.6 would distribute on a flat percentage basis to the state education agency and the local education agencies. Forty percent of the funds going to a given state would be distributed to the localities on the basis of the number of handicapped children in each district who are in need (required and receiving) of special education. The remaining 60 percent would be retained by the state education agency to be used for the priorities cited in the previous heading of this document.

*Limitation*

Both bills address the potential threat of "over-counting" children as handicapped in order to generate the largest possible federal allocation. S.6 stipulates that, in reporting the number of served handicapped children for purposes of the formula, a state may not report a number greater than 10 percent of the total population within the state, aged 3 to 21. The House bill prohibits counting more than 12 percent as handicapped served within the total school-age population of the state, i.e., aged 5 to 17.

*Priorities*

Existing law (P.L. 93-380), in conformance with the overall goal

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<sup>6</sup>This material is taken directly from summaries provided by the Council for Exceptional Children.

of ending exclusion, orders a priority in the use of federal funds for children "still unserved." Both S.6 and H.R. 7217 maintain and broaden that priority in the following manner:

- a. First priority to children "unserved."
- b. Second priority to children inadequately served when they are severely handicapped.

#### *Individualized Plans*

The House would require each local education agency to develop an individualized ("written" is not specified) educational program for each handicapped child in consultation with parents or guardian, to be reviewed at least annually.

The Senate orders that local school districts must hold at least three planning conferences per year with the parents or guardian of each handicapped child, which conferences shall have the specific purpose of developing an individualized written education program for each child.

In taking this action, both houses are responding to at least three fundamental propositions:

- a. Each child requires an educational blueprint custom-tailored to achieve his/her maximum potential.
- b. All principals in the child's educational environment, including the child, should have the opportunity for input in the development of an individualized program of instruction.
- c. Individualization means specifics and timetables for those specifics, and the need for periodic review of those specifics—all of which produces greatly enhanced fiscal and educational accountability.

#### *Federal Sanctions*

If the commissioner finds substantial noncompliance with the various provisions of H.R. 7217 as well as provisions of the existing Education of the Handicapped Act (as amended by P.L. 93-380)—again, with emphasis upon those guarantees for children and their parents just cited—he shall terminate the funding to a given locality or state under this act, as well as the funding of those programs specifically designed for handicapped children under the following titles:

- a. Part A of Title I of the Elementary and Secondary Education Act.
- b. Title III of the Elementary and Secondary Education Act (innovative programs) and its successor, Part C, Educational Innovation and Support, Section 431 of P.L. 93-380.
- c. The Vocational Education Act.

If the commissioner finds substantial noncompliance with the various provisions of S.6 with emphasis upon those guarantees for children and their parents just cited, then he shall terminate funding under this act to a given locality or state.

### *Advisory Council*

H.R. 7217 provides that each state shall have a planning and advisory panel, appointed by the governor or any other official authorized by state law to make such appointments, composed of individuals involved in or concerned with the education of handicapped children, including handicapped individuals, teachers, parents or guardians, state and local education officials and administrators of programs for handicapped children. Functions are:

- a. Advise the state education agency on unmet needs and prescribe general policies for educating handicapped children.
- b. Comment publicly on rules and regulations issued by the state and procedures proposed by the state for distribution of funds.
- c. Assist the state in developing and reporting such data and evaluations as may assist the U.S. commissioner.

S.6 does not authorize establishment of an advisory panel in the literal sense. Instead, S.6 requires that each state establish procedures for consultation with individuals involved in or concerned with the education of handicapped children, stipulating that such procedures must assure consultation with handicapped individuals and parents of handicapped children. Furthermore, S.6 requires that public hearings be conducted to provide the opportunity for comment from the general public on procedures proposed with regard to the consultation process, applications for assistance under this act and on any rules and regulations the state proposes to adopt to carry out its responsibilities under this act.

### *Architectural Barriers*

Both the House and Senate bills authorize such sums as may be necessary for the U.S. commissioner to award grants to pay all or part of the cost of altering existing buildings and equipment to eliminate architectural barriers in educational facilities. Such provision is aimed at assuring certain handicapped children an appropriate public education in the least restrictive environment.

### *Learning Disabilities*

Both bills retain, with minor alteration, the existing federal definition of handicapped children (Education for the Handicapped Act, Section 602(1) and (15)) and this definition includes children with specific learning disabilities. However, the House version includes provisions aimed at squarely determining what a specific learning disability is, and what it is not. The commissioner is ordered, within one year, to provide detailed regulations relative to seriously learning disabled (SLD), including the development of precise definitions and the prescription of comprehensive diagnostic procedures for identifying children as SLD. If the authorizing committees of the House and Senate disapprove the commissioner's regulations, then a ceiling on the number of children with learning disabilities who may be counted by the state for purposes of the House formula will be included when the new formula takes effect. That ceiling would provide

that not more than two percent of children between the ages of 5 and 17 that a state reports as handicapped in order to receive federal funds can be children with specific learning disabilities.

#### *Legislative Format*

H.R. 7217 simply makes further amendments to Part B (aid to the states) of the existing Education of the Handicapped Act. S.6 repeals the existing Part B of the Education of the Handicapped Act and is a comprehensive revision of Part B.

#### *Grievance-Compliance*

Both the House and Senate versions mandate the establishment of in-state mechanisms for assuring compliance with the essential educational rights of handicapped children and their parents contained in the two bills and contained in the Education of the Handicapped Act amendments within P.L. 93-380 (Section 613).

H.R. 7217 provides for a grievance mechanism which must exist within each school district to allow parents and guardians, or handicapped children themselves, to bring complaints relative to the maintenance of their educational rights as set forth in Section 613 of the Education of the Handicapped Act. The local education agency must conduct a hearing and otherwise investigate with respect to the complaint. If the complaining party disagrees with the final disposition of the case by the local school district, the aggrieved party may appeal to the state education agency which must set the same due process procedure of investigation and hearing in motion at the state level. If the state agency finds the local agency in noncompliance, the state must inform the U.S. commissioner of education (who is authorized to terminate funding).

S.6 would mandate the creation of an entity in each state empowered to:

- a. Conduct periodic compliance evaluations throughout the state.
- b. Receive complaints of alleged violations from parents and other interested parties.
- c. Make determinations of noncompliance and order remedies.
- d. Advise the U.S. commissioner of education of noncompliance (who is authorized to terminate funding).

#### *Excess Cost*

The House bill provides that federal monies must be spent only for those "excess cost" factors attendant to the higher costs of educating handicapped children. A given school district must determine its average annual per-pupil expenditure for all children being served and then apply the federal dollars only to those additional cost factors for handicapped children beyond the average annual per-pupil expenditure. The Senate version carries no similar provision.

*Question: What is the authorizing legislation for current programs for handicapped children?*

*Answer:* In 1966, P.L. 89-750 created Title VI of ESEA which established (1) the Bureau of Education for the Handicapped, (2) the National Advisory Committee on the Handicapped and (3) state grant programs.

In 1969, P.L. 91-230 created Title VI-B as a separate act known as the Education of Handicapped Children Act.

*Question: What amendments in P.L. 93-380 have implications for the education of exceptional children?*

*Answer:* The following amendments are involved. For more information, see *An Index to the Education Amendments of 1974*, published by the Education Commission of the States.

*Title I, Section 101--Compensatory Education*

*Title III, Section 305--Impact Aid*

*Title IV, Section 401--Consolidation*

*Title IV, Section 402--The Special Projects Act (Gifted and Talented Children, Career Education)*

*Title VI, Section 611-621--Education of the Handicapped*

*Question: What is the relative support of state, federal and local governments for special education?*

*Answer:* 1. The total appropriation of the Office of Education and the Headstart Program in 1972 was \$6.2 billion. Five percent of the federal funds spent on education went for education of the handicapped (\$315 million).

2. In 1972 the state and local contribution to special education was approximately \$2.3 billion. The federal government's share thus represents approximately 12 percent of the cost of special education. (See chart below.)

**Total Special Education Expenditures  
by Type of Handicap**

Type of Handicap	State and Local (\$ million)	Federal (\$ million)	Total (\$ million)
Mentally retarded, trainable	260.0	45.5	305.5
Mentally retarded, educable	840.0	75.9	915.9
Hard of hearing	55.0	13.6	68.6
Deaf	91.0	42.5	133.5
Speech impaired	251.0	21.8	272.8
Visually impaired	66.0	19.2	85.2
Emotionally disturbed	258.0	35.0	293.0
Crippled	210.0	10.0	220.0
Learning disabled	250.0	32.1	282.1
Other health impaired	84.0	19.2	103.2
Total	2364.0	314.9	2678.9

*Question: What are some sources for additional information concerning state and federal legislation for the handicapped?*

**Answer:** Education Commission of the States  
Suite 300, 1860 Lincoln St.  
Denver, Colo. 80203

State-Federal Information Clearinghouse  
for Exceptional Children  
Council for Exceptional Children  
1920 Association Dr.  
Reston, Va. 22091

National Center for Law and the Handicapped  
1235 N. Eady St.  
South Bend, Ind. 46617

Mental Health Law Project  
1751 N Street, NW  
Washington, D.C. 20031

Lawyers' Committee for Civil Rights Under Law  
Suite 520, 733 - 15th St., NW  
Washington, D.C. 20005

### III. PLANNING AND ACCOUNTABILITY

*Question: Why is comprehensive planning essential in implementing state laws relating to the education of the handicapped?*

**Answer:** Effective educational programs for handicapped children require coordination of many professional groups and agencies, along with the systematic allocation of resources. It is through planning that personnel, equipment and facilities are provided. In recent years federal planning funds have provided assistance to states in initiating programs for the handicapped. Title VI of the Elementary and Secondary Education Act of 1965 provided direct grants-in-aid to the states to assist in the development of programs for handicapped children. The law required that each state develop a plan that would clearly indicate how federal funds were to be utilized in meeting the needs of that state.

There has been planning for the education of the handicapped at the state level for more than 30 years. While it is difficult to determine the impact of past planning efforts on actual program development at the state level, it is clear that planning efforts have helped to interpret the needs of the handicapped to the public and policy makers and have created a wider commitment to the education of handicapped children.

*Question: What percentage of the states have planning provisions within their laws which relate to the education of the handicapped?*

**Answer:** Approximately 70 percent. States with planning provisions in their laws include the following:

#### Planning Provisions\*

State	Local	State	State	Local	State
Alabama	x		Georgia	x	
Alaska	—	—	Hawaii	—	—
Arizona	x		Idaho	x	
Arkansas		x	Illinois	x	x
California	x	x	Indiana	x	x
Colorado	x	x	Iowa	x	
Connecticut	x	x	Kansas		x
Delaware	x		Kentucky	x	x
Florida		x	Louisiana	—	—

\*Digest of State and Federal Laws, Education of Handicapped Children (Reston, Va.: Council for Exceptional Children, 1972).

Planning Provisions (cont.)\*

State	Local	State	State	Local	State
Maine		x	Oklahoma	--	--
Maryland	x	x	Oregon	x	
Massachusetts	x	x	Pennsylvania	x	
Michigan		x	Rhode Island	--	--
Minnesota	--	--	South Carolina	x	
Mississippi	--	--	South Dakota	--	--
Montana	x		Tennessee	x	x
Nebraska	x		Texas	x	
Nevada	--	--	Utah		x
New Hampshire	x	x	Vermont	--	--
New Jersey	--	--	Virginia	x	x
New Mexico		x	Washington		x
New York	--	--	West Virginia	--	--
North Carolina	--	--	Wisconsin	x	x
North Dakota	x	x	Wyoming	--	--
Ohio	x	x			

\*Digest of State and Federal Laws, Education of Handicapped Children (Reston, Va.: Council for Exceptional Children, 1972).

*Question: How do states vary in regard to state planning statutes?*

*Answer:* States vary most in terms of the degree of specificity outlined in the statute and the extent to which state agencies are bound by the provisions. In some states planning requirements call only for local education agencies to submit state plans to the state education agencies. In others, the law requires that local boards establish long-term plans to serve handicapped children, with the provision that plans may be rejected if minimum standards, as developed by the state board, are not met.

*Question: How have the states utilized advisory groups, task forces and coordinating councils in the area of planning activities?*

*Answer:* In some states advisory committees have been developed to formulate state plans for the handicapped. Often the duties of these advisory groups or task forces include:

- a. Developing a survey of needs and resources available for the education of the handicapped.
- b. Recommending regulations to the Department of Education.
- c. Evaluating reports of local or regional task forces.
- d. Advising the Department of Education, legislative research councils or other commissions.
- e. Making recommendations to government agencies or to the legislature with respect to programs and services for exceptional children.

Some states have established advisory committees with specific planning responsibilities; however, in many cases committees function *only* in advisory capacities. Many of the new comprehensive state bills passed in 1972 and 1973 provided for the establishment and support of an advisory council for the education of handicapped children. Membership on these councils typically included state agency personnel with responsibility for the handicapped, as well as legislators, parents, and other education and government decision makers. While the responsibilities of these councils vary, they typically have authority to:

- a. Review and make recommendations concerning state planning activities.
- b. Make suggestions concerning proposed regulations.
- c. Report to the governor, legislature and the state board of education.

*Question:* How many states are currently conducting needs assessment studies?

*Answer:* Virtually all states are currently conducting some needs assessment activities, e.g., census surveys, identification techniques, projected needs and recommendations for programs. The individual in charge of needs assessment activities within a state is generally the state director of special education or someone on his staff.

*Question:* Why conduct needs assessment activities?

*Answer:* Increasingly, states are finding themselves subject to a growing demand for expanded services for handicapped children and to new proposals for comprehensive services designed to provide equal educational opportunity for all handicapped children. Needs assessment activities are important for at least the following reasons:

- a. Major educational legislation and continued litigation has, in recent years, placed new demands and responsibilities on state education agencies to provide quality services for the handicapped.
- b. Both long and short-range planning for quality education for handicapped children should be based upon adequate information regarding each state's present and future special education needs. Information concerning numbers of handicapped children being served or not served, the extent of resources available for serving the handicapped and the level of satisfaction of parents, children and others with existing services are essential considerations for any type of planning for optimal utilization of resources.
- c. In a given state, it is important to set priorities based on the best information available. It may not be possible to solve all problems of serving handicapped children at once. Needs assessment activities can

help to identify the most critical issues or problems and focus the attention of government and education decision makers, as well as program planners, on the most pressing problems.

d. Needs assessment activities provide the basis for cost effectiveness studies relating to services needed or now provided for the handicapped.

*Question: Where can additional information concerning state needs assessment activities be obtained?*

*Answer: Information concerning the status and the extent of needs assessment activities in each state can be obtained from the following:*

Education Commission of the States  
Suite 300, 1860 Lincoln St.  
Denver, Colo. 80203

Bureau of Education for the Handicapped  
U.S. Office of Education  
Seventh and D Sts., SW  
Washington, D.C. 20202

State Special Education Advisory Councils

State Departments of Education

## IV. FINANCE

Question: What about costs?

Answer: It costs more to educate handicapped children than normal children, but many handicapped children can be educated in regular school situations; therefore, as more handicapped children can be served within the mainstream of education, special education becomes less costly. Some general considerations related to costs are as follows:

- a. Residential programs for emotionally disturbed, deaf and blind children are more expensive than public school programs.
- b. Day school programs are less costly than residential programs.
- c. Educating the handicapped is cost-beneficial. Given a maximum figure for the care of an institutionalized child of \$7.00 per day or approximately \$2,500 per year, the total cost of maintaining a handicapped person for 60 years would be \$150,000. If that same person were given an education and was ultimately employable over a 40-year period, there would be a *positive contribution* of \$60,000 rather than a cost of \$150,000.<sup>7</sup>
- d. There appears to be wide variation in the cost of special programs for the handicapped, e.g., Rosmiller (1970) reported a study of 24 school districts in five states that indicates the cost of special education programs for handicapped children ranges from 1.18 times the cost of educating a normal child for educating a speech handicapped child to 3.64 for educating a physically handicapped child. Higher costs are related to such factors as lower teacher-pupil ratios, special education personnel, transportation needs, etc. Other studies have suggested that demographic factors may also influence the costs of special programs. For example, per-pupil costs in rural areas may be higher than urban areas where special equipment and facilities are essential.<sup>8</sup>

<sup>7</sup>"Proceedings and Debates of the 90th Congress," *U.S. Congressional Record*, CXIV, No. 150.

<sup>8</sup>Richard A. Rosmiller, James A. Hall and Lloyd E. Frohreich, *Educational Programs for Exceptional Children: Resource Configurations and Costs*. Madison, Wisconsin: University of Wisconsin, 1970.

*Question: What are the major forms of reimbursement procedures in use by the states?*

**Answer:** All states have provisions for reimbursing local school districts for services to the handicapped. Reimbursement formulas may be grouped into three major categories:

a. *Unit Reimbursement.* Unit reimbursement formulas include pure unit support programs, percentage reimbursement and straight-sum reimbursement. Pure unit support programs provide one unit for each class of special education students, e.g., one major unit for 10 children instead of 24 children (as in general education). Percentage reimbursement programs are exemplified by states assuming a particular percentage of some of the varied costs of special education. Percentages reimbursed may vary considerably from state to state. Under straight-sum reimbursement, the state reimburses specific sums for teachers, administrators, support personnel, etc.

b. *Per-pupil Reimbursement.* Examples of per-pupil reimbursement are systems utilizing an excess cost formula or a weighted formula.

c. *Special Reimbursement.* Special reimbursement procedures include all procedures involving specific supplemental support of the special education program, such as reimbursement for expenditures relating to instructional materials, facilities, inservice training and transportation. Special reimbursement procedures are sometimes described as "special service allowances."

*Question: What factors contribute to cost differences in educating handicapped as compared to nonhandicapped children?*

**Answer:** Comprehensive services for handicapped children require that careful attention be given to factors such as identification, assessment and placement. There is an additional need for special classroom teachers, itinerant instructors, specialized medical and psychological personnel, educational diagnosticians and experts in vocational education and rehabilitation. Also important are specially designed facilities, transportation needs and a variety of administrative arrangements. Many of these special requirements are more expensive than those required for nonhandicapped children.

*Question: In general, what is the largest single expenditure for state special education programs?*

**Answer:** The largest single expenditure at the state level is for the delivery of instruction, particularly salary costs for teachers and teacher aides.

Other major expenditures are for transportation, teacher training and specialized equipment.

*Question: What has the level of state expenditures for handicapped children been over the last three years?*

*Answer: The following chart illustrates the state level of expenditure:*

State Level Expenditures				
State	Level of State (Only) Expenditures in Millions of Dollars*			Percent of Increase Since 1971
	1971/72	1972/73	1973/74	
Alabama	15.0	19.0	25.0	66.6
Alaska	—	—	—	—
Arizona	3.1	4.0	5.6	80.6
Arkansas	0.45	0.5	2.0	344.4
California	171.8	183.0	188.1	9.4
Colorado	6.7	11.7	14.3	113.4
Connecticut	22.7	26.4	31.0	36.5
Delaware	5.8	6.3	8.3	43.1
District of Columbia	4.7	9.6	8.9	89.3
Florida	42.8	57.2	85.5	99.7
Georgia	18.5	31.4	51.2	176.7
Hawaii	—	—	—	—
Idaho	—	—	—	—
Illinois	56.9	65.1	73.3	28.8
Indiana	—	13.0	—	—
Iowa	3.7	5.4	7.4	100.0
Kansas	3.7	4.3	6.1	64.9
Kentucky	8.4	10.2	12.2	45.2
Louisiana	12.0	14.2	20.0	66.7
Maine	1.3	1.8	1.5	15.4
Maryland	24.0	27.8	32.6	35.8
Massachusetts	18.8	24.2	31.9	69.7
Michigan	55.0	60.4	73.6	33.8
Minnesota	20.1	23.1	27.5	36.8
Mississippi	3.7	5.4	7.1	91.9
Missouri	14.0	16.1	18.5	32.1
Montana	5.9	7.2	10.5	78.0
Nebraska	3.6	4.0	4.7	30.5
Nevada	—	—	6.0	—
New Hampshire	0.87	1.1	1.2	38.5
New Jersey	35.4	44.9	56.5	59.6
New Mexico	4.5	6.0	8.0	77.8
New York	21.6	25.4	29.4	36.1
North Carolina	30.0	35.0	39.0	30.0
North Dakota	1.4	—	3.0	114.3
	71-73		73-75	
	biennium		biennium	
Ohio	65.5	81.0	90.4	38.0
Oklahoma	5.1	5.7	7.9	54.9
Oregon	2.1	2.4	2.5	19.0

\*These expenditures do not include local or federal contributions, special transportation or capital expenditures.

### State Level Expenditures (cont.)

State	Level of State (Only) Expenditures in Millions of Dollars*			Percent of Increase Since 1971
	1971/72	1972/73	1973/74	
Pennsylvania	73.6	139.6	152.8	107.6
Rhode Island	—	—	11.9**	
South Carolina	10.0	12.5	16.5	65.0
South Dakota	0.35	0.35	0.35	-0-
Tennessee	13.5	15.7	25.6	89.6
Texas	92.7	114.6	142.6	53.8
Utah	—	17.0	13.5*	
Vermont	3.2	4.0	4.5	40.6
Virginia	8.6	11.1	12.6	46.5
Washington	56.0		64.0	14.2
		72-73	74-75	
		biennium	biennium	
West Virginia	0.56	2.2	2.7	377.6
Wisconsin	50.7		67.9	33.9
		72-73	73-74	
		biennium	biennium	
Wyoming	0.33	0.43	1.8	437.7

\*These expenditures do not include local or federal contributions, special transportation or capital expenditures.

\*\*Based on cost analysis study by state education agency.

## V. ADMINISTRATIVE ARRANGEMENTS, CLASSIFICATION AND PLACEMENT

*Question: How are exceptional children educated?*

*Answer:* The majority of exceptional children are educated in public school programs. Some are educated in public and private residential systems.

*Question: What alternate administrative structures or organizational patterns exist for providing special education services;?*

*Answer:* Several organizational patterns have been used individually or concurrently to provide educational programs for the handicapped. The major approaches have been:

a. *Single district.* Comprehensive programs wherein a local school district develops a broad program for educating handicapped children within its prescribed boundaries.

b. *Service contract.* Whereby school districts unable to provide for children with certain types of handicaps may enter into contracts with districts or agencies.

c. Regional approaches wherein states develop programs more complex than simple contractor agreements, e.g., New York Board of Cooperative Educational Services (BOCES), Texas Regional Educational Centers, county cooperatives or cooperatives involving districts joining together to form an agency that is collectively regulated.

d. Special districts with the same powers and responsibilities as any other type of school district.

At the present time there is no basis to determine the best approach. Implementation of any of the above alternatives must be made on the basis of facts relating to the number of children to be served and the various geographic and political areas involved.

*Question: Who has responsibility for administering programs for handicapped children?*

**Answer:** Each state determines the agency or agencies responsible for administering programs for handicapped children. There are at least three basic approaches:

- a. The best known and most frequent approach is to designate responsibilities to the chief education agent of the state—either the state board of education or the chief state school officer. Responsibilities may be general or specific.
- b. A second approach is to create an agency to administer a program, e.g., a division of exceptional children.
- c. A third approach is to delegate responsibilities to several state agencies, such as education, mental health or welfare.

**Question:** *Can local schools provide adequately for the gifted and talented?*

**Answer:** Under special conditions the public schools can completely provide for gifted and talented children and youth. Some special conditions could be:

- a. Well-designed identification processes.
- b. Awareness and commitment on the part of school administrators as to the needs of the gifted and talented.
- c. Staff orientation and training to assist in identification and to support special services to them.
- d. Adequate human and material resources, including trained teachers, should be provided to meet their needs.
- e. Differentiated experiences and activities parallel to their needs should be developed along with process strategies to carry them out.<sup>9</sup>

**Question:** *What basic patterns are followed by the states in defining the educational services provided for handicapped children?*

**Answer:** The states follow three basic approaches in defining the educational services to be provided for the handicapped:

- a. Authority given to the commissioner of education to develop the essential rules and regulations pertaining to the physical and educational needs of children.

<sup>9</sup>“What about the Gifted and Talented?” Office of the Gifted and Talented, U.S. Office of Education, Washington, D.C.

b. Specific approaches wherein the law cites the methods by which special instruction services may be provided, e.g., special services in conjunction with regular school programs, establishing special classes and homebound services.

c. Division of laws into separate sections with definitions of services in terms of particular disability areas.

A number of states have enacted provisions relating to transportation, instructional materials and educational services in state institutions.

*Question: Are special facilities needed for special education?*

*Answer:* Improved facilities and learning environments are essential. Major modifications are sometimes necessary. Some states have laws that recognize the need for special facilities for the handicapped. Recent studies have suggested that even the "better facilities" in many states suffer from major inadequacies. A recent study (Abeson and Blacklow, 1971) indicated that 20 percent of the teachers taught in classrooms that were too small, had inappropriate furniture, storage, etc.; all had inefficient heating and cooling systems.

In each state the status of facilities for the handicapped, both in and outside the regular classroom, should be carefully examined. Architectural factors, space allocations and funding problems should be studied.<sup>10</sup>

*Question: What is the range of delivery systems for providing comprehensive educational services for the handicapped?*

*Answer:* Legislation passed in many states has called for the development of a "continuum of services" for the education of the handicapped. A "continuum of services" as used by special educators refers simply to a wide range of services extending from supplementary services provided within the regular class by regular teachers to full-time special education programs such as self-contained special classes, schools or residential institutions. The phrase covers those services that will benefit or be appropriate for the mildly, moderately or most severely handicapped. The number of delivery systems now in use varies from state to state. However, truly comprehensive educational services for the handicapped will require some or all of the following delivery systems:

a. Regular classroom with special consultation to the regular teacher.

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<sup>10</sup> Alan Abeson and Julie Blacklow, *Environmental Design: New Relevance for Special Education* (Arlington, Va.: Council for Exceptional Children, 1971).

- b. Regular classroom supplemented by the services of an itinerant teacher.
- c. Regular classroom supplemented by the services of a resource room teacher.
- d. Part-time special education (i.e., services for students who spend most of their time in special classes but participate with nonhandicapped students in some activities).
- e. Full-time special education (i.e., self-contained special classes).
- f. Special day schools.
- g. Home-bound instruction.
- h. Residential schools.
- i. Hospital school programs.

It should be noted that some of the above delivery systems *supplement* the regular education program. Others serve as a substitute for the regular education program.

*Question: What is the meaning of "special education as a continuum of services?"*

**Answer:** Special education is sometimes thought of as a continuum ranging from a point where children needing minor assistance are served in regular school programs to the other extreme where educational services are provided in residential environments. The "1971 Policy Statement of Basic Commitments and Responsibilities to Exceptional Children" of the Council for Exceptional Children presents eight points along the continuum:

- a. A regular school situation in which allowances are made for the individual differences of a typical school enrollment.
- b. A regular school situation in which the child needs and is provided with supplementary services only; no basic modifications are required in the school's instructional offerings; the child is educated in regular classroom.
- c. A regular school situation in which the child requires some supplementary teaching in the regular classroom and may require some modification in materials and procedures offered by the regular classroom teacher.
- d. A regular school situation in which the child receives specialized supplementary teaching, for example, in itinerant speech and hearing services and integrated programs for the visually and hearing impaired.
- e. A regular school situation in which the child is enrolled and receives specialized instruction in a special day class and may participate part-time with regular class pupils in selected subjects.

f. A special day school in which the child receives full-time specialized instruction in separate facilities and programs.

g. Home or hospital instruction for the child unable to attend school.

h. A residential situation, as in the case of the schools for the blind and the deaf, or a residential school for the mentally retarded or the emotionally disturbed. Education is provided in addition to residential care.<sup>11</sup>

*Question: Do all handicapped children require special education programs?*

*Answer:* Many handicapped children (for example, some crippled children) do not require extensive special education services throughout their school years. Early identification, planned treatment and educational programs often can overcome the educational problems associated with the handicapped and reduce the need for continuous special education services.

*Question: What is "mainstreaming?"*

*Answer:* Mainstreaming refers to a variety of efforts to integrate handicapped children into the regular classroom or "mainstream" of education. Handicapped children in mainstreaming programs attend classes with their nonhandicapped peers whenever appropriate.

The practice of forming special classes as a means of teaching the handicapped is giving way to the search for methods of reintroducing them into a regular classroom. Actually, with more than half the handicapped not identified and not provided with special education services, they already are in the regular classroom in great numbers. But many who were once institutionalized are moving out into rehabilitation centers or back home, with the goal of placing them in the regular classroom as soon as possible.

*Question: What are some of the program options that emphasize "mainstreaming?"*

*Answer:* The diagnostic classroom, the resource room, regular classrooms supplemented by itinerant teachers, regular classrooms supplemented by resource teachers, part-time special education services (e.g., where students spend most of their time in special classrooms but are involved

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<sup>11</sup>Frederick J. Weintraub, Alan R. Abeson and David L. Braddock, *State Law and Education of Handicapped Children: Issues and Recommendations* (Arlington, Va.: Council for Exceptional Children, 1971).

in many activities that involve all students) and regular classrooms with special consultative services provided to the regular teacher.

*Question: How do resource rooms differ from special classes?*

*Answer:* The main difference between a resource room and a self-contained special class is that the handicapped child attends the resource room only on a part-time basis. The type of instruction the student receives is based upon his previously determined learning needs. An individualized teaching plan is developed for each student. At least two identifiable models are in use, although there may be many variations. One model is categorical, in which resource services are reserved for children presumed to be mentally retarded, emotionally disturbed or at least identified as being eligible for "special education services" based upon traditional definitions of handicapping conditions. The noncategorical resource room, in contrast, is designed to provide services for all children and is not necessarily limited to serving those identified as categorically eligible for "special education services," e.g., children recognized as having difficulties in acquiring special learning skills in reading, mathematics or other areas. Resource teachers are learning specialists; they may provide direct services to children or may work with regular classroom teachers or both.

*Question: What are some sources of additional information about administrative arrangements or delivery systems for serving handicapped children?*

*Answer: Books and Articles:*

Barksdale, M.W., and Atkinson, A.P. "A Resource Room Approach to Instruction for the Educable Mentally Retarded." *Focus on Exceptional Children*, 3, 1971, pp. 12-15.

Christopolos, F., and Renz, P.A. "A Critical Examination of Special Education Programs." *Journal of Special Education*, 3, 1969, pp. 371-379.

Deno, Evelyn N. *Instructional Alternatives for Exceptional Children*. National Center for the Improvement of Educational Systems, 1971.

Deno, E. "Special Education as Developmental Capital." *Exceptional Children*, 37, 1970, pp. 229-237.

*Exceptional Children*. Reston, Va.: Council for Exceptional Children, 1973-1975. (The last two years of this journal contain many excellent articles.)

Lilly, S.M. "Special Education: A Teapot in a Tempest." *Exceptional Children*, 37, 1970, pp. 43-48.

Meyen, Edward L., Vergason, Glenn A., and Whelan, Richard J. *Strategies for Teaching Exceptional Children*. Love Publishing Company, 1972.

Reger, R., and Koppmann, M. "The Child-oriented Resource Room." *Exceptional Children*, 37, 1971, pp. 460-462.

Reynolds, M.C. "A Framework for Considering Some Issues in Special Education." *Exceptional Children*, 7, 1962, pp. 367-370.

Wiederholt, J. Lee "Planning Resource Rooms for the Mildly Handicapped." *Focus on Exceptional Children*, 5, 1974.

*Organizations and Agencies:*

Directors of Special Education, State Education Agencies

Bureau of Education for the Handicapped  
U.S. Office of Education  
400 Maryland Ave., SW  
Washington, D.C. 20202

The Council for Exceptional Children  
1920 Association Dr.  
Reston, Va. 22091

Education Commission of the States  
Suite 300, 1860 Lincoln St.  
Denver, Colo. 80203

Closer Look  
Dorothy Dean, Project Director  
National Special Information Education Center  
Suite 610-E, 1201 - 16th St., NW  
Washington, D.C. 20036

National Association of State Directors of Special Education  
Suite 610-E, NEA Building  
1201 - 16th St., NW  
Washington, D.C. 20036

The ERIC Clearinghouse on Handicapped and Gifted Children  
The Council for Exceptional Children  
1920 Association Dr.  
Reston, Va. 22091

National/State Leadership Training Institute on  
the Gifted and Talented  
Suite 708, 316 W. Second St.  
Los Angeles, Calif. 90012

Office of the Gifted and Talented  
U.S. Office of Education  
Washington, D.C. 20202

## VI. PERSONNEL UTILIZATION

*Question: Does special education have special personnel needs?*

*Answer:* Special education is one of the few fields of education with major personnel shortages. Increased numbers of qualified persons to work with handicapped children are needed. While the personnel needs vary from state to state and region to region, rural districts typically reveal the greatest personnel shortages. There is considerable variation among urban centers. Teacher aides and special support personnel are also needed. In some disability areas, such as the deaf and physically handicapped, the teacher shortage may be less severe than in disability areas with more pupils. Personnel needs should be studied in relation to the level of legislative and program development in each state.

*Question: What generalizations can be made concerning the need and demand for special education personnel?*

*Answer:* 1. At the present time more special educators are needed than school districts are willing to employ. Consequently, a careful distinction should be made between the need for special education personnel and the budget allocated.

Factors that affect both the demand and need for special education personnel include:

- a. Greatly increased legislative activity at state and federal levels.
  - b. Recent court decisions.
  - c. Improved and changing service delivery systems.
  - d. Shifts in program emphasis.
  - e. Expanded services for the handicapped, including a trend toward increased programs for young handicapped children and for services beyond secondary school levels.
2. There is a continuing shortage of personnel from minority groups and bilingual groups.
  3. Emphasis is now being placed on inservice and preservice training for regular classroom teachers.
  4. The demand for special consultants, supervisory teachers and resource room personnel will increase over the next several years.

*Question: What are some of the problems that complicate the demand for special education personnel?*

**Answer:** A major complicating factor is that there is wide variation in the demand for and utilization of special education personnel throughout the United States. For example, in some states 60 to 70 percent of the identified handicapped children are now receiving special instruction, while in others, fewer than 15 percent of the handicapped are served. Further, there is wide variation within states as to the varieties of education services available.

Additional complicating factors include the nature of the legislation that provides a legal basis for services, the location of colleges and universities that prepare special education personnel and the range of delivery systems available to provide education services for the handicapped, e.g., special classes, resource rooms, itinerant teacher programs, regular education programs serving exceptional children and special schools.

*Question: Are adequate data available concerning the present supply of special education personnel?*

**Answer:** No. Inadequate data make detailed projections of need and demand extremely difficult. While it is clear that there are personnel shortages in almost all areas of special education, data collected on a state-by-state basis frequently cannot be compared, definitions for various categories of handicapped children differ, delivery systems differ from state to state and all states do not mandate all services for handicapped children. These realities clearly complicate efforts to collect accurate nationwide information. Some states, however, are beginning with careful needs assessment studies to determine more adequately the need and demand for special education services.

*Question: What federal programs are aimed at increasing the supply of special education teachers?*

**Answer:** There are two federal programs aimed at increasing the supply of special education personnel. The Education for the Handicapped Act—Part D provides for special education personnel development through graduate training and provides college and university fellowships to students pursuing careers in special education. There are also programs authorized under the Education Professions Development Act which are similar to the personnel training components of the Education for the Handicapped Act. These programs are primarily for providing special education training for regular classroom personnel.

*Question: What kinds of teachers are needed for the gifted and talented?*

*Answer: Preparation of teachers to work with the gifted and talented is an important priority. The need for special training is imperative. Teachers with no special background have been found disinterested in and even hostile towards the gifted and talented. Inservice programs to help all teachers appreciate the gifted and talented can do much to assure better opportunities. Generally, successful teachers of the gifted and talented are interested in scholarly and artistic pursuits, have wide interests, a sense of humor, are student-centered, are enthusiastic about teaching and recognize the need for advanced study for themselves.<sup>12</sup>*

*Question: Which colleges and universities offer programs in special education training?*

*Answer: The following colleges and universities have special education training money for 1974-75 from the Bureau of Education for the Handicapped:<sup>13</sup>*

**Alabama**

Alabama A&M University  
Alabama State University  
Auburn University  
Jacksonville State University  
Livingston University  
Troy State University  
Tuskegee Institute  
University of Alabama  
University of South Alabama

**Alaska**

University of Alaska

**Arizona**

Arizona State University  
Northern Arizona University  
University of Arizona

**Arkansas**

Arkansas State University  
State College of Arkansas  
University of Arkansas

**California**

California State College at Fullerton  
California State College at Long Beach  
California State College at Northridge  
California State College at Los Angeles

**California (cont.)**

Chapman College  
Chico State College  
College of the Holy Names  
Fresno State College  
Pepperdine College  
Sacramento State College  
San Diego State College  
San Fernando Valley State College  
San Francisco State College  
San Jose State College  
Santa Rosa Junior College  
Sonoma State College  
Stanford University  
Stanislaus State College  
University of California at Berkeley  
University of California at Los Angeles  
University of California at Riverside  
University of the Pacific  
University of the Redlands  
University of San Diego, College  
for Women  
University of Southern California  
U.S. International University  
Western (Campus)  
Whittier College

**Colorado**

Colorado State University

<sup>12</sup>"What about the Gifted and Talented?" Office of the Gifted and Talented, U.S. Office of Education, Washington, D.C.

<sup>13</sup>*Special Education Careers, Programs for Professional Training in Special Education* (Washington, D.C.: Bureau of Education for the Handicapped, U.S. Office of Education, 1975).

**Colorado (cont.)**

University of Colorado  
University of Denver  
University of Northern Colorado

**Connecticut**

Central Connecticut State College  
St. Joseph College  
Southern Connecticut State College  
University of Connecticut

**Delaware**

University of Delaware

**District of Columbia**

American University  
The Catholic University of America  
Gallaudet College  
Georgetown University  
The George Washington University

**Florida**

Florida A&M University  
Florida Atlantic University  
The Florida State University  
University of Florida  
University of Miami  
University of South Florida

**Georgia**

Albany State College  
Atlanta University  
Augusta College  
Emory University  
Georgia Southern College  
Georgia State University  
University of Georgia  
Valdosta College  
West Georgia College

**Hawaii**

University of Hawaii

**Idaho**

Boise State University  
Idaho State University  
University of Idaho

**Illinois**

Bradley University  
Chicago State College  
Illinois State University  
Northern Illinois University  
Northwestern University  
Southern Illinois University  
University of Illinois

**Indiana**

Ball State University

**Indiana (cont.)**

Indiana State University  
Indiana University  
Purdue University

**Iowa**

Drake University  
University of Iowa  
University of Northern Iowa

**Kansas**

Ft. Hays Kansas State College  
Kansas State College at Pittsburg  
Kansas State University  
University of Kansas  
Wichita State University

**Kentucky**

Ballarmine College  
Brescia College  
Eastern Kentucky College  
Murray State University  
University of Kentucky  
University of Louisville  
Western Kentucky University

**Louisiana**

Dillard University  
Grambling College  
Grambling University  
Louisiana State University at  
A&M College  
Louisiana State University at  
New Orleans  
Louisiana Tech University  
McNeese State College  
Northwestern State University  
Southern University and  
A&M College

**Maine**

University of Maine at Farmington  
University of Maine at Orono

**Maryland**

Coppin State College  
Johns Hopkins University  
University of Maryland  
Western Maryland College

**Massachusetts**

Boston College  
Boston University  
Emerson College  
Fitchburg State College  
Northeastern University  
Smith College  
University of Massachusetts  
Westfield State College

**Michigan**

Central Michigan University  
 Eastern Michigan University  
 Michigan State University  
 Northern Michigan University  
 University of Michigan  
 Wayne State University  
 Western Michigan University

**Minnesota**

Mankato State College  
 Moorhead State College  
 St. Cloud State College  
 University of Minnesota  
 University of Minnesota at Duluth

**Mississippi**

Jackson State College  
 Mississippi State University  
 University of Southern Mississippi

**Missouri**

Central Missouri State College  
 Fontbonne College  
 Lincoln University  
 Northeast Missouri State College  
 St. Louis University  
 University of Missouri  
 University of Missouri at St. Louis  
 Washington University

**Montana**

Eastern Montana College  
 University of Montana

**Nebraska**

University of Nebraska at Lincoln  
 University of Nebraska at Omaha

**Nevada**

University of Nevada at Las Vegas  
 University of Nevada at Reno

**New Hampshire**

Keene State College  
 New England College

**New Jersey**

Glassboro State College  
 Jersey City State College  
 Montclair State College  
 Newark State College  
 Rutgers University  
 Trenton State College  
 William Patterson College

**New Mexico**

New Mexico Highlands University  
 New Mexico State University  
 University of New Mexico

**New York**

Brooklyn College  
 Canisius College  
 City University of New York  
 College of St. Rose  
 Fordham University  
 Hofstra University  
 Hunter College, CUNY  
 Marymount Manhattan College  
 Mt. St. Mary College  
 New York University  
 Queens College, CUNY  
 St. John's University  
 SUNY/Albany  
 SUNY/Brockport  
 SUNY/Buffalo  
 SUNY State College at Albany  
 SUNY State College at Binghamton  
 SUNY State College at Buffalo  
 SUNY State College at Geneseo  
 Syracuse University  
 Yeshiva University

**North Carolina**

Appalachian State University  
 East Carolina State University  
 Lenoir/Rhyne College  
 North Carolina Central University  
 Shaw University  
 University of North Carolina at  
 Chapel Hill  
 University of North Carolina at  
 Greensboro  
 Western Carolina University

**North Dakota**

Minot State College  
 University of North Dakota

**Ohio**

Bowling Green State University  
 Cleveland State University  
 Kent State University  
 Miami University  
 Ohio State University  
 University of Akron  
 University of Cincinnati  
 Wright State University  
 Youngstown State University

**Oklahoma**

Central State University  
 Oklahoma State University  
 Southwestern University  
 University of Oklahoma  
 University of Oklahoma Medical  
 Center  
 University of Tulsa

## Oregon

Lewis and Clark College  
Oregon, College of Education  
Portland State University  
University of Oregon

## Pennsylvania

Bloomsburg State College  
California State College  
Clarion State College  
Duquesne University  
Edinboro State College  
Indiana University of Pennsylvania  
Lock Haven State College  
Mansfield State College  
Millersville State College  
Pennsylvania State University  
Slippery Rock State College  
Temple University  
University of Pittsburgh

## Rhode Island

Rhode Island College

## South Carolina

Columbia College  
South Carolina State College  
University of South Carolina  
Winthrop College

## South Dakota

Augustana College  
Black Hills State College  
University of South Dakota

## Tennessee

George Peabody College for Teachers  
Memphis State University  
Middle Tennessee State University  
Tennessee Technological University  
University of Tennessee  
Vanderbilt University

## Texas

Baylor University  
East Texas State University  
Midwestern University  
North Texas State University  
Our Lady of the Lake College  
Prairie View A&M College  
Southern Methodist University  
South Texas State University  
Texas Christian University  
Texas Technological University  
Texas Woman's University  
Trinity University  
University of Houston  
University of Texas at Austin

## Utah

Brigham Young University  
University of Utah  
Utah State University

## Vermont

College of St. Joseph the Provider  
University of Vermont

## Virginia

College of William and Mary  
Hampton Institute  
Madison College  
Norfolk State College  
Old Dominion University  
University of Virginia  
Virginia Commonwealth University  
Virginia Polytechnic Institute and  
State University

## Washington

Central Washington State College  
Eastern Washington State College  
University of Washington  
Western Washington State College

## West Virginia

Marshall University  
West Liberty State College  
West Virginia College of Graduate  
Studies  
West Virginia University at  
Morgantown

## Wisconsin

Marquette University  
University of Wisconsin at Madison  
University of Wisconsin at Milwaukee  
Wisconsin State University at Eau Claire  
Wisconsin State University at La Crosse  
Wisconsin State University at Oshkosh  
Wisconsin State University at Stevens Point  
Wisconsin State University at Stowt  
Wisconsin State University at Whitewater

## Wyoming

University of Wyoming

## Guam

University of Guam

## Puerto Rico

University of Puerto Rico

**Question:** What are the areas of greatest need with regard to professional training of special education personnel?

**Answer:** The following chart is based on a survey conducted by *Learning* magazine. Reprinted by special permission of *Learning The Magazine* for Creative Teaching, April 1974, ©1974, Education Today Co., Inc., 530 University Ave., Palo Alto, California 94301.

*Note:* This chart was updated by the HACHE Project on the basis of the best information possible. Due to recent changes in the organization of state education agencies, and the changes in roles of state education and university personnel, some entries may not reflect the most current information. In these cases the reader should contact the state director of special education, State Department of Education.

**Where to Write for Information on Teacher  
Training Programs and  
Areas of Greatest Need\***

State or Territory	Number of New Positions in 74-75	TMR	EMR	Deaf	Blind	ED	MH	LD	Reg. Class
Alabama State Dept. of Ed. Program for Exceptional Children and Youth, State Office Bldg., Rm. 416, Montgomery, AL 56104	2,737		○	○	○				
Alaska Jeff C. Jeffers, Consultant, Spec. Ed., Pouch F, Alaska State Office Bldg., Juneau, AK 99801	?	○		○			○		○
Arkansas Roy L. Wood, Coordinator, Spec. Ed. Section, Dept. of Ed., Little Rock, AR 72201	100	○	○			○		○	
California Mr. E. E. Black, Calif. State Dept. of Ed., 721 Capitol Mall, Sacramento, CA 95814	200					○	○		○
Colorado David C. Miles, Director, Spec. Ed. Services, Colo. Dept. of Ed., State Office Bldg., Denver, CO 80203	294					○	○		○
Connecticut Univ. of Conn.; Central Conn. State College; Southern Conn. State College; Univ. of Hartford; Fairfield Univ.; St. Joseph College	365					○		○	
Delaware Dr. Claude Marks, Chairman, Dept. of Prof. Services, College of Ed., Hall Ed. Bldg., Univ. of Del., Newark, DE 19711	50					○	○		○
Florida Fla. Dept. of Ed., Bureau of Ed. for Exceptional Students, Tallahassee, FL 32304	1,000			○		○	○		
Georgia Robert G. McCants, State Office Bldg., Atlanta, GA 30334	1,000			○		○			○

\* Explanations of abbreviations:  
TMR—Trainable Mentally Retarded  
EMR—Educable Mentally Retarded  
ED—Emotionally Disturbed  
MH—Multiple Handicapped

LD—Learning Disabled  
Reg. Class—Teachers with some training  
in handling handicapped students within  
a regular classroom

**Where to Write for Information on Teacher  
Training Programs and  
Areas of Greatest Need (cont.)\***

State or Territory	Number of New Positions in 74-75	TMR	EMR	Deaf	Blind	ED	MH	LD	Reg. Class
Hawaii Univ. of Hawaii, Dept. of Spec. Ed., 2444 Dole St., Honolulu, HI 96822	0								
Iowa J. Frank Vance, Div. of Spec. Ed., Grimes St. Office, Des Moines, IA 50319	100					○	○		○
Kansas Kans. State Dept. of Ed., Spec. Ed. Section, 120 E. 10th St., Topeka, KS 66612	450					○	○		○
Kentucky Mrs. Marjorie A. Young, Consultant, Div. of Spec. Ed., Dept. of Ed., 18th Floor, Capital Plaza Tower, Frankfort, KY 40601	?					○	○		
Louisiana Mr. Robert Crew, Director, Teacher Certification Section, State Dept. of Ed., P.O. Box 44064, Baton Rouge, LA 70804	209					○		○	○
Maine Dr. William Davis, Univ. of Maine, Orono, ME 04473; Dr. Carlene Hillman, Univ of Maine, Farmington, ME 04938	460						○	○	○
Missouri Section of Spec. Ed., State Dept. of Ed., Box 480, Jefferson City, MO 65101	400							○	
Montana Eastern Mont. College, Billings, MT 59101; Univ. of Mont., Missoula, MT 59801	300						○	○	○
Nebraska Glen Shafer, Teacher Certification Office, State Dept. of Ed., Lincoln, NB 68508	75						○	○	○
New Jersey Branch of Spec. Ed. & Pupil Personnel Services, N.J. State Dept. of Ed., 225 W. State St., Trenton, NJ 08625	250						○	○	○
New Mexico Elic S. Gutierrez, Director, Div. of Spec. Ed., State Dept. of Ed., Santa Fe, NM 87501	126	○	○						○
New York Dr. Joseph Iraci, Spec. Ed. Instructional Materials Center, 55 Elk St., Albany, NY 12224	13,000						○	○	○
North Carolina Mrs. Pearle R. Ramos, Consultant, Staff Devel., Div. for Exceptional Children, State Dept. of Pub. Instruction, Raleigh, NC 27611	2,000							○	○
North Dakota Univ. of N. Dak., Grand Forks, ND 58201; Minot State College, Minot, ND 58701	50								○
Ohio Mr. Richard Humphreys, Ohio Dept. of Ed., Div. of Spec. Ed., 933 High St., Worthington, OH 43085	797					○			○

\*Explanation of abbreviations:  
TMR—Trainable Mentally Retarded  
EMR—Educable Mentally Retarded  
ED—Emotionally Disturbed  
MH—Multiple Handicapped

LD—Learning Disabled  
Reg. Class—Teachers with some training  
in handling handicapped students within  
a regular classroom.

State or Territory	Number of New Positions in 74-75	TMR	EMR	Deaf	Blind	ED	MH	LD	Reg. Class
Oklahoma Mr. Merlin Taylor, Spec. Ed. Section, State Dept. of Ed., 4545 Lincoln Blvd., Rm. 269, Oklahoma City, OK 73105	420		○			○		○	
Oregon Dr. Mason D. McQuiston, Director, Spec. Ed., State Dept. of Ed., 942 Lancaster Dr., N.E., Salem, OR 97310	80		○			○			○
Pennsylvania Mr. Jeffrey Grotzky, Div. of Spec. Ed., Dept. of Ed., Box 911, Harrisburg, PA 17126	600	○	○			○		○	
Rhode Island Dr. Paul V. Sherlock, Chairman, Dept. of Spec. Ed., R.I. College, Mt. Pleasant Ave., Providence, RI 02908	245			○		○			○
South Dakota Director, Spec. Ed., Div. of Elem. & Sec. Ed., 804 N. Euclid, Pierre, SD 57501	50		○	○		○	○		○
Texas E. Hayes Prothro, Chief Consultant, Spec. Ed. Personnel Devel., Div. of Spec. Ed. Devel., 201 E. 11th St., Austin, TX 78701	1,726							○	○
Vermont Mr. Hugh McKenzie, Chairman, Spec. Ed. Program, 2 Colchester Ave., Univ. of Vt., Burlington, VT 05401	40	○	○						○
Virginia Mrs. Maggie Nelson, Asst. Supt., Div. of Spec. Ed., State Dept. of Ed., Richmond, VA 23216	700			○		○	○		
Wyoming Lamar Gordon, Coordinator, Office of Exceptional Children, Wyo. Dept. of Ed., Cheyenne, WY 82002	375					○	○		○
Guam College of Ed., Univ. of Guam, P.O. Box EK, Agana, Guam 96910	80	○	○	○	○	○	○		
Ponape Spec. Ed. Coordinator, Community College of Micronesia, Kolonia, Ponape 96941	25		○		○				○

Connecticut, New Mexico and Vermont need teachers of the speech-impaired.

Teachers in states not responding to the questionnaire can obtain information by writing to the director of special education, State Department of Education, in their state capital.

\*Explanation of abbreviations:  
 TMR—Trainable Mentally Retarded  
 EMR—Educable Mentally Retarded  
 ED—Emotionally Disturbed  
 MH—Multiple Handicapped

LD—Learning Disabled  
 Reg. Class—Teachers with some training  
 in handling handicapped students within  
 a regular classroom.

## VII. EARLY CHILDHOOD AND THE EDUCATION OF EXCEPTIONAL CHILDREN

*Question: What is the basis for early education for the handicapped?*

**Answer:** The rationale for early education services for handicapped children is based on both education experience and experimental data. In recent years the experiences of special educators have suggested that a great deal more can be accomplished if special programs are initiated early in the life of a child. Most special educators probably would agree that early education for the handicapped makes sense, particularly in the case of hard-of-hearing and deaf children or with the blind and partially blind. The rationale for early childhood programs in general is based to a large extent on the clinical experience and research of those persons who have worked with young handicapped children.

*Question: Is there a trend toward earlier education for handicapped children?*

**Answer:** Yes. In recent years there has been increased legislative and program activity aimed at providing improved education services for the handicapped.

*Question: How many young (preschool) handicapped children are there in the United States?*

**Answer:** Although data are incomplete, it is estimated that there are approximately one million preschool (infancy to 4 years) handicapped children in the United States. Categorically speaking, the estimate may be broken down as follows:

Speech 327,900	Visually 9,400	Crippled and Other Health 46,800	Hard-of- Hearing 46,800	Deaf 7,000
Multiple- Handicapped 5,100	Learning Disabled 93,700	Mentally Retarded 309,200	Emotionally Disturbed 180,000	Total* 1,026,700

\*HACHE estimates based on "Estimates on the Number of Children Served/Unserved 1971-72," Fiscal Year Projected Activities, Bureau of Education for the Handicapped, U.S. Office of Education.

*Question: What is the legislative picture with regard to the education of young handicapped children?*

*Answer: More than 70 percent of the states now have legislation that allows for the implementation of education programs for handicapped children to begin before the entering school age for regular children (normally 6 years). At least 40 to 45 percent of the states now have some type of mandatory legislation relating to the education of young handicapped children.*

#### Early Education\*

State	Type of Legislation	Compulsory School Age for Handicapped	Year Enacted
Alabama	Act 106**	6-21	1971
Alaska	CSHB 592, Ch. 79**	3-19	1974
Arizona	HB 2256, Ch. 181**	5-21	1973
Arkansas	SB 19, Act 102**	5-21	1973
California	AB 4040, Ch. 1532**	3-20	1974
Colorado	HB 1164**	5-21	1973
Connecticut	PA 627**	3-21	1966
Delaware	Permissive	6-17	1935
Florida	SB 89X, SB 77X**	5-18	1968
Georgia	Mandatory	Birth-21	1968
Hawaii	Act 29: Sect. 301-21**	Birth-20	1949
Idaho	SB 1362: Sect. 33-2002A**	6-21	1973
Illinois	HB 322 and HB 323**	3-21	1972
Indiana	HB 1071, Ch. 396**	6-18	1969
Iowa	SF 1163**	5-21	1974
Kansas	HB 1672**	Birth-21	1974
Kentucky	KRS 157224**	6-21	1970
Louisiana	Act 306**	3-21	1972
Maine	HB 751**	5-21	1973
Maryland	SB 649, Ch. 359**	Birth-20	1973
Massachusetts	HB 6148, Ch. 766**	3-21	1972
Michigan	PA 198**	Birth-25	1971
Minnesota	MS 12017**	5-21	1957
Mississippi	HB 74**	Birth-21	1973
Missouri	HB 474**	5-21	1973
Montana	HB 386**	6-21	1974
Nebraska	LB 403**	5-18	1973
Nevada	Permissive		1973
New Hampshire	RSA 186.A**	Birth-21	1971
New Jersey	Ch. 85, 178, 179, 180 PL**	5-20	1954
New Mexico	SB 14, Ch. 95**	6-21	1972
New York	Sect. 4404**	5-21	1956
North Carolina	HB 1814, Ch. 1293**	Birth-20	1974
North Dakota	HB 1090**	6-20	1973
Ohio	SB 405 Mandate Planning only***	Birth-21	1973
Oklahoma	HB 1155, S13101**	4-21	1971
Oregon	HB 2244**	6-21	1973
Pennsylvania	Stat. 1371-72**	6-21	1955

\*HACHE estimates based on personal communication with State Departments of Education.

\*\*Mandatory

\*\*\*Permissive

### Early Education (cont.)\*

State	Type of Legislation	Compulsory School Age for Handicapped	Year Enacted
Rhode Island	Ch. 24/Title 16**	3-21	1952
South Carolina	Act 977**	6-21	1972
South Dakota	Act 108**	Birth-21	1972
Tennessee	HB 2053, Ch. 839**	4-21	1972
Texas	SB 230**	3-21	1969
Utah	HB 105, Sect. 58-18-1-10**	6-18	1969
Vermont	S98, Ch. 16, VSA 2941-2954***	Birth-21	1972
Virginia	SB 132 and HB 770**	2-21	1972
Washington	Ch. 28A.13**	6-20	1971
West Virginia	HB 1271**	5-23	1974
Wisconsin	SB 185**	3-21	1973
Wyoming	Ch. 15**	5-21	1969

\*HACHE estimates based on personal communication with State Departments of Education.

\*\*Mandatory

\*\*\*Permissive

*Question: Have demonstration centers for young handicapped children been established?*

*Answer: Yes. More than 100 demonstration centers for the handicapped have been established throughout the United States. Many of the instructional techniques and administrative arrangements studied in these centers have been replicated.*

*Question: What are some of the problems in establishing early education programs for the handicapped?*

- Answer:*
1. Difficulties in locating children before school age.
  2. Inadequate or inappropriate diagnostic instruments to assist in describing the educational needs of children.
  3. Inadequate information to account for success or failure of various types of programs.
  4. A reluctance on the part of some policy makers to establish early childhood programs of any kind.
  5. Fragmentation of services and the lack of a coordinating interagency structure.

*Question: Are there provisions in the legislation for handicapped children to be included in Head Start programs?*

*Answer: Yes. Recent provisions require that 10 percent of the national enrollment opportunities should be reserved for handicapped children. At the present time most states are attempting to define their responsibilities for serving the handicapped under this requirement.*

## VIII. PROFESSIONAL AND ADVOCACY ORGANIZATIONS

*Question: What are some of the professional and advocacy groups which serve exceptional children?*

*Answer: Some of these groups are found in the following listings, under "National Groups" and "State Coalitions." For further information, contact the Education Commission of the States.*

### National Groups

- |  |   |
|--|---|
| American Academy for Cerebral Palsy<br>University Hospital School<br>Iowa City, Iowa 52240   | The American Speech and Hearing Association<br>9030 Old Georgetown Rd.<br>Washington, D.C. 20014            |
| American Academy of Pediatrics<br>1891 Hinman Ave.<br>Evanston, Ill. 60201   | Association for Children with Learning<br>Disabilities<br>2200 Brownsville Rd.<br>Pittsburgh, Pa. 15210     |
| American Association for Health,<br>Physical Education and Recreation<br>1201 - 16th St., NW<br>Washington, D.C. 20036   | Association for Education of the<br>Visually Handicapped<br>711 - 14th St., NW<br>Washington, D.C. 20005    |
| American Association of Workers for<br>the Blind, Inc.<br>Suite 637, 1151 K St., NW<br>Washington, D.C. 20005  | The Association of Rehabilitation<br>Centers, Inc.<br>7979 Old Georgetown Rd.<br>Washington, D.C. 20014     |
| American Corrective Therapy<br>Association, Inc.<br>811 St. Margaret's Rd.<br>Chillicothe, Ohio 45601  | The Council for Exceptional Children<br>1920 Association Dr.<br>Reston, Va. 22091                           |
| American Foundation for the Blind<br>15 W. 16th St.<br>New York, N.Y. 10011  | Council of Organizations Serving the Deaf<br>Suite 210, 4201 Connecticut Ave., NW<br>Washington, D.C. 20008 |
| American Physical Therapy Association<br>1740 Broadway<br>New York, N.Y. 10019   | Joseph P. Kennedy, Jr. Foundation<br>Suite 510, 719 - 13th St., NW<br>Washington, D.C. 20005                |
| American Rehabilitation Counseling<br>Association of the American<br>Personnel and Guidance Association<br>1607 New Hampshire Ave., NW<br>Washington, D.C. 20009 | Muscular Dystrophy Association of<br>America, Inc.<br>1790 Broadway<br>New York, N.Y. 10019                 |
|  | The National Association for Gifted Children<br>8080 Springvalley Drive<br>Cincinnati, Ohio 45236           |

National Association for Retarded  
Children  
420 Lexington Ave.  
New York, N.Y. 10017

National Association of the Deaf  
Suite 321, 2025 Eye St., NW  
Washington, D.C. 20006

National Association of State  
Directors of Special Education  
Suite 301-C, NEA Building  
1201 - 16th St., NW  
Washington, D.C. 20036

National Council for the Gifted  
700 Prospect Ave.  
West Orange, N.J. 07052

The National Easter Seal Society  
for Crippled Children and Adults  
2023 W. Ogden Ave.  
Chicago, Ill. 60612

### State Coalitions

Interagency Committee on Legislation  
for Exceptional Children  
Room 180, 224 West Winton Ave.  
Hayward, Calif. 94544

Colorado Council of Organizations  
for Handicapped Children  
643 S. Broadway  
Denver, Colo. 80209

The Coordinating Council for  
Handicapped Children  
407 S. Dearborn  
Chicago, Ill. 60605

The Council of Voluntary  
Organizations for the Handicapped  
615 N. Alabama St.  
Indianapolis, Ind. 46204

The Action Committee for  
Exceptional Children  
817 E. 3rd St.  
Lexington, Ky. 40501

Massachusetts Special Education  
Coalition  
11 W. St.  
Lexington, Mass. 02173

National Epilepsy League, Inc.  
Room 2200, 203 N. Wabash Ave.  
Chicago, Ill. 60601

The National Foundation—March of Dimes  
800 - 2nd Ave.  
New York, N.Y. 10017

The President's Committee on Employment  
of the Handicapped  
U.S. Department of Labor  
Washington, D.C. 20210

President's Committee on Mental  
Retardation  
Washington, D.C. 20201

United Cerebral Palsy Associations, Inc.  
66 E. 34th St.  
New York, N.Y. 10016

U.S. Office of Education, Bureau of  
Education for the Handicapped  
7th and D Sts., SW  
Washington, D.C. 20202

The Minnesota Coalition of and for  
Handicapped Persons  
Suite 492, Metro Square Building  
St. Paul, Minn. 55101

The Inter-agency Council for the  
Handicapped  
P.O. Box 249  
Convent Station, N.J. 07961

New York State Council of Organizations  
for the Handicapped  
167 Harwood Ave.  
Syracuse, N.Y. 13224

The Ohio Coalition for the Education of  
Handicapped Children  
B-10, 777 Neil Ave.  
Columbus, Ohio 43215

The Coalition for the Handicapped  
141 Neil St.  
Memphis, Tenn. 33112

The Broadly Based Community Study of  
Exceptional Children  
5225 W. Vliet  
Milwaukee, Wis. 53208

## IX. MAJOR EVENTS, TRENDS AND ISSUES

*Question:* What are the major problems characterizing special education in the 1970s?

*Answer:* Special education programs have grown rapidly since 1970. Both federal and state agencies have doubled their expenditures for a variety of programs aimed at providing improved services for the handicapped since the mid-1960s. The new visibility of special education has drawn attention to a number of major concerns related to trends, directions and responsibilities of special education and its relationship to general education. Major problems center around:

- a. The rapid growth of special programs and questions relating to the appropriate relationship of special to general education.
- b. Wide variations in special provisions available for handicapped children with various handicapping conditions.
- c. Legal rights of the handicapped.
- d. Mainstreaming.
- e. Early childhood programs.
- f. Techniques of instruction.

*Question:* Which handicapped children are most likely to be "mainstreamed?"

*Answer:* At the present time those children, most often the mildly handicapped, who are described as educable mentally retarded, emotionally disturbed or learning disabled are most often reintegrated.

*Question:* In general, what most often accounts for increased interest in the mainstreaming concept?

*Answer:* The civil rights movement, emphasis upon the legal rights of the handicapped, attacks from minority group members and the increased commitment to special education on the part of general educators are some of the factors that have generated interest in the reintegration of handicapped children into regular education channels. In addition, the lack of clear evidence of superiority of special schools or special classes over other forms of education for the handicapped has contributed to this movement.

*Question: Why does one hear so much about public policy and the handicapped?*

*Answer:* It has become increasingly clear to all persons who make decisions about the education of children that public policy determines to a great extent how schools and society in general will view a group of individuals. Consequently, a nation's or state's policy concerning the handicapped or any other definable group can result in either positive or negative images of the children. The rights of the handicapped so often emphasized in recent legislation and in the courts related directly to matters of public policy.

*Question: How does career education relate to the handicapped?*

*Answer:* The concept of career education is predicated on long-term and comprehensive preparation. It includes not only training in specific skills, but stresses the importance of attitudes regarding work, human relations, familiarity with career choices, continuity of education development from elementary or preschool levels through the adolescent years and the acquisition of jobs. The practical aspects of career education, as well as the acquisition of skills, relate directly to the substantive areas of special education. The continuity of development and the transition from preschool to elementary to secondary or vocational education is of central importance in special education.

*Question: Is career education different for the handicapped?*

*Answer:* In many ways it is basically the same. In the case of the handicapped child there may be a need for more emphasis on early development programs and on specialized services that relate directly to all aspects of career education, including the counseling of students.

*Question: Does the Vocational Education Act provide for the handicapped?*

*Answer:* Yes. Ten percent of the basic grant funds allocated to each state must be spent on the handicapped. Funds are used to expand vocational education in high schools, state education schools, community colleges, vocational schools and other institutions.

*Question: What are some of the major trends in the education of exceptional children that have implications for accountability and the allocation of resources at state and local levels?*

*Answer: Instructional and Administrative Trends*  
Changing attitudes, new ways of viewing exceptional children and improved instructional methods have stimulated the development of a

variety of instructional arrangements and approaches in special education. The use of resource rooms and resource teachers, and the placement of increased numbers of handicapped children in regular classrooms have resulted in a closer relationship between special and regular education. Instructional materials developed by special educators are being increasingly utilized by regular classroom teachers. At the same time, materials and teaching methods originally developed for use in regular classrooms only, have in many cases been adapted for use by teachers of exceptional children.

#### *Placement Trends*

There is an increasingly strong trend away from placement in special schools and classes based only on the outcomes of tests. Cultural/ethnic factors and a variety of experiential considerations are now being studied at state and local levels.

#### *Equal Opportunity Trends*

The civil rights and other social movements which had an impact on education highlighted the fact that handicapped children had for many years not received equal educational opportunity. While all handicapped children are still not receiving all educational services to which they are morally and legally entitled, most states have now passed mandatory legislation for the handicapped; have begun to provide high quality education for the handicapped; and have made efforts to extend equal educational opportunity to include support services, compensatory services and adjustments which are essential for equality in education.

#### *Staff Development Trends*

At state and local levels there is increased emphasis on the value of inservice education for teachers and administrators, especially for those who are suddenly confronted with making adjustments for handicapped children within the mainstream of education. Local schools and state departments of education now serve as training grounds for personnel who will provide professional and support services within all types of educational environments. Teacher preparation is no longer limited to the university setting. A recent issue of *Education U.S.A.* pointed out that local districts are training teachers in cooperation with universities, professional education organizations and organized teacher groups. In many cases, teachers have a role in determining the content of programs. In some instances, teachers are actively involved in evaluating programs and in establishing criteria for credit.

There appears to be a trend toward increased use of paraprofessionals in meeting the needs of the handicapped. Further, there is emphasis on competency-based education for teachers in an effort to guarantee that all instructional personnel will possess certain competencies, i.e., the teaching of reading, and those diagnostic techniques which are

necessary to assure the provision of the full range of services required by exceptional children.

*Question: What are some sources of statistics on the education of the handicapped in state and local schools?*

*Answer: Publications:*

Kakalike, James S., Garry D. Brewer, Laurence A. Dougharty, Patricia D. Fleischauer and Samuel M. Genensky. *Services for Handicapped Youth: A Program Overview*. Santa Monica, Calif.: The Rand Corp., May 1973.

U.S. Department of Health, Education and Welfare. *Statistics on Education of the Handicapped in Local Public Schools*. Washington, D.C., Spring 1970.

*Organizations:*

Education Commission of the States  
Suite 300, 1860 Lincoln St.  
Denver, Colo. 80203

Council for Exceptional Children  
1920 Association Dr.  
Reston, Va. 22091

Bureau of Education for the Handicapped  
U.S. Office of Education  
400 Maryland Ave., SW  
Washington, D.C. 20202

## Education Commission of the States

■ **Purpose.** Education in the United States is primarily a state responsibility. The Education Commission of the States (ECS) is a nonprofit organization formed by interstate compact in 1966 to further working relationships among governors, state legislators and educators for the improvement of education at all levels. Forty-five states, Puerto Rico and the Virgin Islands are members of ECS. In its work with the states, the commission serves as a forum, a resource and a catalyst. It provides information on state-related education activities and, when appropriate, suggests options and alternatives to meet specific state needs. The commission also serves as a liaison between the states and the federal government.

■ **Compact for Education.** The legislature of each ECS member jurisdiction adopts the Compact for Education, an agreement between the states, and an enabling act, the instrument by which each member puts the agreement into effect.

■ **Commissioners.** Seven representatives from each member constitute the operating body of the commission. These commissioners include the governor, two members of the state legislature selected by the respective houses and four persons selected by the governor who are active in education. All ECS commissioners meet annually.

■ **Steering Committee.** One commissioner from each member state serves on the ECS Steering Committee, which is responsible for policy decisions between annual meetings.

■ **Staff.** Based in Denver, Colo., the commission has a staff of about 170 in six departments: Elementary and Secondary Education, Higher Education, Research and Information, Communications, Planning and Development, and Administrative Services. These departments administer some 16 projects on a wide range of education issues, including early childhood development, postsecondary planning, school finance, equal rights for women, corrections education and alcoholism prevention. The largest project is the National Assessment of Educational Progress.

■ **Funding.** The commission's estimated budget for fiscal year 1976 is \$8.3 million. Of that, 9.5 percent comes from state fees, 82.5 percent comes from federal grants and contracts and 8.0 percent comes from foundations and other sources.



## *Education Commission of the States*

The Education Commission of the States is a nonprofit organization formed by interstate compact in 1966. Forty-five states, Puerto Rico and the Virgin Islands are now members. Its goal is to further a working relationship among governors, state legislators and educators for the improvement of education. This report is an outcome of one of many Commission undertakings at all levels of education. The Commission offices are located at 300 Lincoln Tower, 1860 Lincoln Street, Denver, Colorado 80203.