

**The Implications of IDEA and NCLB for Learning: A
Conversation with the Director of the Office of Special
Education Programs (OSEP)
at the US Department of Education
Technical Information
October 25, 2006 1-3 pm ET**

Satellite Downlink Information

**TIME: 1:00 p.m. – 3:00 p.m. ET
12:00 p.m. – 2:00 p.m. CT
11:00 a.m. – 1:00 p.m. MT
10:00 a.m. – 12:00 p.m. PT**

Test Time: 12:30 p.m. – 1:00 p.m. ET

Satellite: IA-6

Transponder: 17

Channel Number: 17

Polarization: Vertical

Orbital Position: 93 Degrees West Longitude

Audio Frequency: 6.2/6.8 MHZ

Frequency: 4040 MHZ

Originating Site: WQED Studio

Technical Trouble Number (Day of the program only) 724.337.1808

Streaming Media Information

The streaming media version of this conference will be available online beginning Monday, October 30, 2006 at 1:00pm ET. The username and password is case sensitive.

Go To:

<http://video.pattanpgh.net/mediasite/viewer/?peid=bda0fef1-bc7e-4169-8ae5-6e6f28fb56b2>

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The Legacy of IDEA 2004: Improving Results for all Students

Dr. Alexa Posny



Building the Legacy: IDEA 2004





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What Happened Over 4 Decades?

Section 504 in 1973:

“No otherwise qualified individual with a disability...shall, solely by reason of his disability, be excluded from participation in, or be denied the benefits of, or be subject to discrimination under any program or activity receiving Federal financial assistance.”



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What Happened Over 4 Decades?

- **Congress in 1973, decided to:**
 - Enforce the 14th amendment (equal protection for children with disabilities)
 - Help states meet their own goals of providing education to all students
 - Secure the legal rights of students with disabilities
 - Initiate a system change to reform all public school systems



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What Happened Over 4 Decades?

- Passed Public Law 93-380 in 1974 which:
 - Provided a substantial increase in federal aid to states for the purpose of special education programs
 - Required states to adopt a goal of providing “full educational opportunities to all children with disabilities”



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What Happened Over 4 Decades?

- As a result, P.L. 94-142—known as the Education for All Handicapped Children Act—passed in 1974
- It guaranteed a free, appropriate public education for every child between the ages of 3 and 21 regardless of how serious the handicap



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Four Purposes of PL 94-142

1. “to assure that all children with disabilities have available to them...a free appropriate public education”
2. “to assure that the(ir) rights...are protected”
3. “to assist States and localities to provide for the education of all children with disabilities”
4. “to assess and assure the effectiveness of efforts to educate all children with disabilities”



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What Happened Over 4 Decades?

IDEA has been reauthorized five times since 1975

- **When it was reauthorized in 1997, it ensured/required the following:**
 - High expectations
 - Access to the general education curriculum
 - Participation in general education assessments
 - Partnerships between parents and schools
 - Special education aligned with school improvement
 - Whole school approaches
 - Resources focused on teaching and learning
 - High-quality, intensive professional development



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What Happened Over 4 Decades?

When it was reauthorized in 2004, it ensured/required the following:

- A free appropriate public education to meet the unique needs of identified students
- Students prepared for post-secondary outcomes
- Children and parent rights protected
- A coordinated and comprehensive system of early intervention services
- Educational results for students
- Effective education for children with disabilities



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PL 94-142: Provisions for Accountability

- **Due Process:**
 - Child and family could challenge the school's decisions
 - The school was held accountable for complying with the law
- **Parental Participation:**
 - Parents had specific rights to participate in the decision making process



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IDEA 97: Provisions for Accountability

Sec. 300.600

- The SEA was responsible for ensuring that the requirements of this part were carried out**
- That it was under the general supervision of the persons responsible for educational programs for children with disabilities in the SEA**
- That it met the education standards of the SEA**



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IDEA 2004: Provisions for Accountability

Section 300.600

Educational results were improved and functional outcomes achieved

- **Program requirements were met especially those most closely related to improving results for children**
- **Performance was measured**
- **The following provisions were monitored**
 - **FAPE in LRE**
 - **General supervision**
 - **Disproportionate representation**



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Investing in Accountability

- **6.8 million children with disabilities**
- **\$11.6 billion federal dollars spent on children with disabilities**
- **Part D investments represent less than 1 percent of the annual expenditure**



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Investing in Accountability

- Part D supports the identification, implementation, evaluation and dissemination of information about evidence-based practices
- Part D addresses five areas:
 - Standards-based reform
 - Early intervention
 - Access to the general curriculum
 - Positive behavioral interventions
 - Secondary transition



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OSEP has moved from:

**Strictly monitoring for compliance to...
providing technical assistance to assist in ensuring results for students.**



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Answers:

Question:

What was the work in 1970?

- Compliance
- Monitoring
- Reports
- Professional development (on compliance)



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Answers:

- Student outcomes
- Instructional support
- Compliance with the purposes and intent of the law
- Technical assistance

Question:
What is the work in 2006?



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Student Performance

- **Many individual states are reporting improvement in the performance of students with disabilities on their statewide assessments** *(Annual Report to Congress on IDEA Part D Investments Funded in 2005)*
- **In 2005, 8,446 schools and 1,624 districts were listed as “in need of improvement”** *(Building Capacity, EDWeek, 9/13/06, Jeff Archer)*



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Trends in Academic Outcomes

From 1996 to 2004:



- Graduation rates rose from 42% to 54%
- Dropout rates declined from 47% to 31%



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Trends in Academic Outcomes

From 1987 to 2003:

The rate of students with disabilities receiving high school diplomas/certificates of completion rose from 54% to 70%
(NLTS-1 and -2 data)



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Trends in Academic Outcomes

- Since 1998, NAEP scores for students with disabilities rose
 - from 176 to 190 (8%), 4th grade reading
 - from 231 to 245 (6%), 8th grade math



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Trends in Academic Outcomes

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• Since 1998, gaps in NAEP scores between students with and without disabilities narrowed:

–from 41 to 32 points,
4th grade reading

–from 42 to 28 points,
8th grade math



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Trends in Academic Outcomes

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From 1987 to 2001:

- Postsecondary enrollment of youth with disabilities rose from 15% to 32%
- Four-year college enrollment rose from 1% to 9%



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Answers:

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Question:

What is the work in 2006?

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Schools: To Ensure Highly Qualified Educators...

Assess teachers' individual and collective success as educators on the basis of students' success

- What will we teach?
- How will we assess?
- How will we respond when students do not learn?



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90% Fully Certified SPED Teachers

Year	# of States	Target
1997	36	
1998	37	
1999	36	41
2000	36	42
2001	37	42
2002	33	42
2003	30	37
2004	36	37
2005	35	39



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Answers:

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Question:
What is the work in 2006?



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IDEA and NCLB

- Both have several specific mandates for states and districts to improve reading, writing, and other basic literacy skills to all students, including those with disabilities.
- Both are grounded in the assumption that early literacy is the tool through which students are able to access the general education curriculum and achieve to high academic standards.



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IDEA and NCLB

- IDEA encourages the adoption of “scientifically based early reading programs...to reduce the need to label children as disabled”
 - It permits LEAs to use 15% of IDEA funds to implement early intervening services
 - It permits practitioners to look at how students respond to particular scientifically based interventions in reading prior to making referrals to special education, an approach referred to as “response-to-intervention.”



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IDEA and NCLB

- NCLB “ensure(s) that every student can read at grade level or above not later than the end of grade 3”
 - It places particular emphasis on addressing the needs of children who are at-risk of being referred to special education
 - It also places an emphasis on addressing the needs of children who are being service (by special education) due to a specific learning disability that is related to reading.



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IDEA and NCLB

- **IDEA mandates transition services and supports for high school students with disabilities.**
- **NCLB requires that schools using Title I funds include strategies such as mentoring, career counseling, and vocational-technical programs to address the needs of at-risk secondary students.**



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Services, Support

- **NCLB requires schools on improvement to set aside 10% of their allocation to provide professional development**
- **IDEA has long required a comprehensive system of professional development; SIGs are often based on professional development**



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Services, Support

- **IDEA requires special education services to ensure an appropriate public education and educational progress**
- **NCLB requires programs and services to ensure 100% of all students are proficient by 2013-14**



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Systems

- **Produce reliable data**
 - Includes test length, cut score determination, and score distribution
 - Includes decision consistency
- **Produce valid data**
 - Individual buildings review their data for accuracy
 - Individual buildings may appeal their AYP/QPA determination
- **Address changes in assessments and student populations**
 - Defined grade level expectations



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Answers:

Question:

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Technical Assistance

Is a process within a dynamic context that enables a goal-focused strategy-oriented, accountable organization to transfer knowledge to clients for the purpose of their growth, change and improvement.

Pascal Trohanis, Foundations and Perspectives of Technical Assistance



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What is the Purpose of Technical Assistance?

To help schools on improvement (e.g., low performing schools):

- Evaluate their teaching and learning environment
- Provide services that will improve the education of all children in the school
- Assist in developing recommendations for improving student performance



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What is the Purpose of Technical Assistance?

To help schools on improvement (e.g., low performing schools):

- Collaborate with school staffs, central offices, and local boards of education in the design, implementation and monitoring of a plan that can reasonably be expected to improve student performance
- Review the school's progress
- Report as appropriate on the school's progress



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What are the Roles of TA Providers?

- From reporting problems to identifying problems and helping to solve problems leading to school reform
- From presenting to listening
- From being someone who has the answer to every problem to becoming a broker who coordinates the assistance needed
- From being seen as an expert to being an information specialist who seeks, organizes, and analyzes new information and makes it accessible



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"The Implications of IDEA and NCLB for Learning: A Conversation with the Director of the Office of Special Education Programs (OSEP) at the US Department of Education"

October 25, 2006 Presenter BIO

Alexa Posny, Ph.D., currently serves as the director of the Office of Special Education Programs. Prior to joining OSEP, Dr. Posny was the deputy commissioner of education for the Kansas Department of Education. As deputy commissioner, she was responsible for school improvement and accreditation, licensure and teacher education, state and federal education programs, special education and technical education and planning and research. Dr. Posny also served as the director of special education for the Kansas Department of Education. Dr. Posny began her career as a teacher of students with emotional disabilities and students with learning disabilities and served as a director of special education in local school districts in Kansas, Wisconsin and Illinois, and the director of curriculum and instruction at the Title 1 Technical Assistance Center in Kansas. She has served as adjunct professor at the University of Kansas.