

The Impact of States on Federal Special Education Policy

**Tom Hehir
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PL 94-142, 1975

- Prior to the federal law, only 7 states had comprehensive special education acts requiring the education of all disabled children
- Section 504 of the Rehabilitation Act (1973) required all states to educate all kids
- PL 94-142 was modeled after existing state laws, specifically Massachusetts Chapter 766, incorporating principles of Free and Appropriate Public Education (FAPE), Least Restrictive Environment (LRE), and procedural due process

Progress We Have Made

- Institutionalization of students with cognitive disabilities has largely been eliminated.
- The school completion rate of youth with disabilities increased and the dropout rate decreased by 17 percentage points between 1987 and 2003. (NLTS2)
- With these changes, 70% of cohort 2 youth with disabilities had completed high school. (NLTS2)

Progress We Have Made (cont'd.)

- The rate of postsecondary education participation by youth with disabilities more than doubled over time, increasing to 32% the share of cohort 2 youth who had been out of high school up to 2 years, and who had enrolled in a 2- or 4-year college or a postsecondary vocational, technical, or business school. (NLTS2)

Progress We Have Made (cont'd.)

- The greatest growth in postsecondary enrollment (17 percentage points) was apparent for 2-year colleges; 21% of cohort 2 youth had attended once since high school. (NLTS2)
- Attendance at 4-year institutions also increased significantly (8 percentage points), so that 10% of youth with disabilities had been students in such schools since high school. (NLTS2)

Progress We Have Made (cont'd.)

- In 2003, 70% of youth with disabilities who had been out of school up to 2 years had worked for pay at some time since leaving high school; 55% had done so in 1987. (NLTS2)
- Over time, considerably more out-of-school youth with disabilities earned above the federal minimum wage (70% vs. 85% of cohorts 1 and 2, respectively). (NLTS2)

Progress We Have Made (cont'd.)

- Engagement in the combination of postsecondary education and paid employment since high school quadrupled, to 22% in cohort 2. (NLTS2)
- An increase in youth pursuing employment alone was apparent (11 percentage points), so that 44% of cohort 2 youth had been engaged since high school in this way. (NLTS2)

Progress We Have Made (cont'd.)

Youth with Emotional Disturbances:

- These youth demonstrated a substantial improvement (16 percentage points) in their school completion rate. (NLTS2)

Changes in Post-School Outcomes Associated with Gender:

- Whereas cohort 1 boys were almost twice as likely as girls to have worked for pay since leaving high school, the employment rates of the two groups were similar in cohort 2. (NLTS2)
- By cohort 2, the 19-percentage-point difference between cohort 1 boys and girls in their overall engagement in school, work, or preparation for work was virtually eliminated. (NLTS2)

Challenges

- Youth from households in the lowest income group did not have a significant improvement in postsecondary education participation, continuing the gap between income groups that existed in cohort 1. (NLTS2)
- Youth from the lowest income households did not share with their highest-income peers an increase in having been employed at some time since leaving high school, so that they lagged significantly behind that group on that measure, as well as on their rate of current employment. (NLTS2)

Changes In Special Education Occur Due To:

(Theoretical proposition)

1. Improved Attitudes
2. Improved Educational Practice
(All within a rights-based policy environment.)

The federal government and the states have a critical role in ensuring both the rights of students and parents while at the same time promoting improved practices in local education agencies.

Examples of State-Influenced Efforts Beyond Regulatory Enforcement

- Systems change grants promoting integration of students with significant disabilities in the '80s
- Regional resource centers
- State improvement grants
- Local capacity grants
- National technical assistance centers

The Future

- The current federal regulatory approach, heavily influenced by advocates for students with disabilities, is unlikely to change
- We need to think more robustly about capacity building activities within a framework of regulatory enforcement