

Special Education

BACKGROUND

GLOSSARY

Center programs

Classes for special-education students, frequently from several school districts, that are offered at a site other than a general-education school, often in an intermediate school district facility.

General education

Schooling of children not requiring special education.

Individualized education planning team (IEPT)

The group assigned to every special-education student to identify the student's academic needs and specify the education setting that the group believes best will meet his/her needs; members are educators, specialists, and the child's parent(s).

Individuals with Disabilities Education Act (IDEA)

Federal law enacted in 1974 and periodically revised that sets out special-education requirements with which states must comply.

Intermediate school district (ISD)

An education service agency that provides support to school districts within a geographic area (frequently approximates the county).

Learning disability (LD)

A disorder that interferes with one's ability to store, process, or produce information; examples are dyslexia (a language-based disability), dyspraxia (difficulty in coordinating body movement), and dysgraphia (a writing disability).

Special education in Michigan is subject to federal laws that dictate the minimum standards with which states must comply. The major federal law relating to special education is the Individuals with Disabilities Education Act (IDEA) of 1974, which requires that all children with disabilities receive a “free, appropriate education” that meets their individual needs. To this end, each special-education student is assigned an individualized educational planning team (IEPT) consisting of educators, specialists, and the child’s parents. The IEPT identifies each special-education pupil’s academic needs and specifies the best way to educate him/her.

The federal act requires that special education be provided in the least restrictive environment possible, to ensure that special-education students are not unnecessarily segregated or treated in a way that is not equal to that of general-education pupils. IDEA also requires that children with disabilities be educated in the regular classroom unless the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved “satisfactorily.”

Michigan has its own special-education regulations that set a higher standard than the federal requirements. For example, certain services (particularly for children who are severely mentally or physically impaired) must be provided for 230 days a year, 50 more than required by federal law. The state also requires schools to educate students in some disability categories from birth to age 26, compared to birth through age 21 as required by federal law.

Currently, Michigan has about 228,000 students who receive some type of special-education service. The amount of time these students receive special-education instruction ranges from as little as an hour a day to all day. If calculated on a full-time equivalent (FTE) basis, the number of special-education students is 75,000.

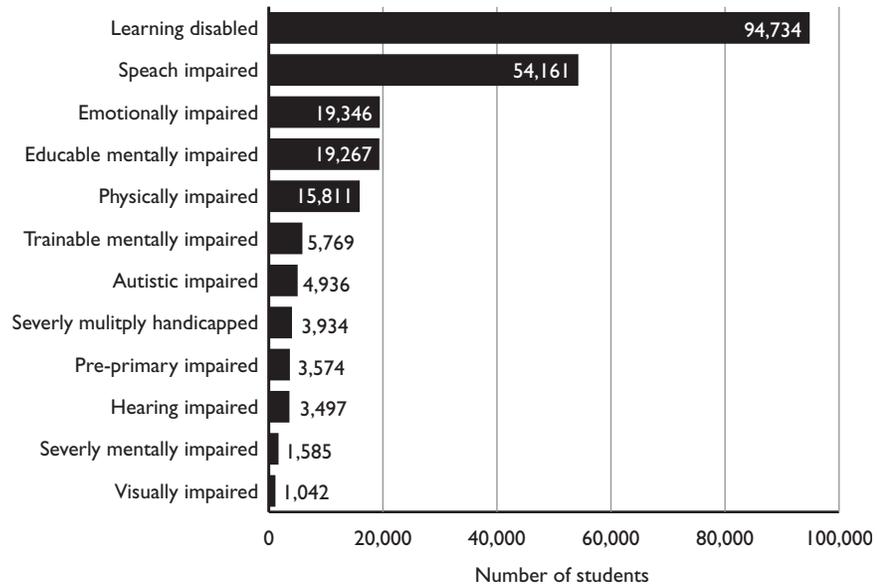
The total number of special-education students has increased 17 percent in the last five years (since FY 1996–97) and 30 percent in the last decade. The FTE number is up 23 percent since FY 1996–97 (compared to a 3.4 percent increase in the general-education enrollment). The FTE special-education number currently comprises 4.4 percent of the total student population.

Disabilities as defined in Michigan range from severe multiple impairments to learning disability (LD); the latter—by far the largest disability category—refers to several conditions that impair one’s ability to learn, including attention deficit disorder. Forty-two percent of the state’s special-education pupils are classified as LD (see the exhibit), exactly the same percentage as five years ago.

Mainstreaming/Inclusion

In the 1980s, a few years after IDEA passed, *mainstreaming* (putting special-education students in regular classrooms) began to emerge as a common practice, but students with more severe disabilities still were educated in separate classrooms and included in a regular classroom for only a few hours a day. During the last several years, more parents of special-education students have been advocating having their children placed full

Michigan Special-Education Enrollment, by Disability, FY 2000–01



SOURCE: Michigan Department of Education.

Least restrictive environment (LRE)

Federal law requires schools to educate special-education students in the least restrictive environment possible: "To the maximum extent appropriate, students with disabilities [should be] educated with children who are not disabled."

Mainstreaming/inclusion

Placing special-education students in general-education classrooms for all or part of the day; the latter generally is referred to as "inclusion."

Special education

Schooling of students with such disabilities as blindness, speech impairment, emotional disability, learning disability, or physical handicap.

time in general-education classrooms and, as a result, more IEPs have been requiring it. Even students with very severe disabilities more frequently are being educated in regular classrooms for the full school day. Teacher's aides often are assigned to help the disabled students, or special-education teachers work with the student for part of the day in the regular classroom.

In 1997 IDEA was revised to strengthen the mainstreaming requirements. The IEPs now must more clearly relate to the general-education curriculum, children with disabilities must be included in state and district assessments, and regular progress reports must be made to parents. Michigan and all states are revising their administrative rules to comply with the new federal guidelines; the result will accelerate the already strong trend toward educating special- and general-education students side by side.

Cost

The United States can boast that its education system is among the most equitable in the world because it makes a genuine effort to meet all students' needs. The trade-off for this equity is a higher education cost per student. Combined with the fact that more children are being classified as needing special education each year, per student special-education costs have been rising for many districts, and they constitute more of total school funding every year.

In Michigan (as elsewhere) there is insufficient good data to accurately measure annual, per capita, special-education costs. However, data reported by local districts to the state on the allowable special-education costs for state reimbursement permit a rough estimate: in total, more than \$1.7 billion in FY 2000–01—an average of about \$18,000 per FTE special-education pupil. The average for a general-education student was about \$6,200, which means it costs nearly three times as much to educate a special-education pupil as it does a general-education student.

SPECIAL EDUCATION

Special education's higher cost is due to several factors.

- Special-education class sizes must be small, to meet state and federal regulations and students' needs. Michigan administrative rules for special education specify, for example, that class size must not exceed 15 pupils for educable mentally impaired students and three for autistic students.
- Teacher aides are required in many instances as well. For example, when the class size for educable mentally impaired students reaches 12, schools must assign an aide to the class.
- Districts are having to pay growing staffing costs each year, partially due to a shortage of qualified special-education teachers in Michigan and nationwide and the need to have aides in regular classrooms to help mainstreamed special-education students.

Local school districts repeatedly have sued the state for requiring districts to provide special-education services without giving the districts the money to pay for them. Specifically, in *Durant v. State of Michigan*, a group of school districts claimed that the state, in violation of the state constitution, had imposed "unfunded mandates" on them for special education (and other) programs, forcing them to use general operations money for special-education purposes.

After 17 years of litigation, the Michigan Supreme Court agreed with the plaintiffs and ordered the state to pay the districts \$212 million in retribution. Subsequently, to avoid future lawsuits, the state changed how it funds special education. The districts, however, took exception to the funding changes, arguing that the state simply shifted general operating funds into special education without increasing the overall amount of funding. As a result, there have been additional lawsuits: "Durant II" resulted in a change in the legal description of how special-education funds are paid, and "Durant III" currently is being litigated and could cost the state more than \$400 million.

State policymakers point out that the federal government has imposed on the states an unfunded mandate for special-education services: While IDEA requires states to comply with numerous special-education requirements, the federal government does not provide the resources to pay for them. When IDEA initially was enacted, in 1974, it committed the federal government to reimbursing states for 40 percent of national average per pupil expenditures for educating disabled students, but the funds never were appropriated. In 2001 a battle was fought to finally pay the 40 percent—putting approximately \$17.1 billion into state hands for special education—but the effort failed,

and the federal contribution in Michigan currently is about 20 percent.

DISCUSSION

As mentioned, more than 40 percent of the state's special-education pupils are classified as learning disabled. No one is certain why there are so many LD students in Michigan (and elsewhere as well). Some postulate that it reflects societal troubles, such as poor parenting, drug and alcohol use by expectant mothers, inadequate child nutrition, or children watching too much television. Others believe that more students are classified with learning or other disabilities than is warranted; they claim, for example, that some teachers classify students as "learning disabled" when it may be that they simply learn more slowly than others, which demands more of a teacher's time. These critics call for a stricter definition of what constitutes a "special-education" student or for schools to provide disincentives for teachers to classify students as needing special education.

Mainstreaming/Inclusion

Opponents to mainstreaming/inclusion argue that general-education teachers usually have had little, if any, special-education training and are unprepared to educate students with such disabilities as Down's Syndrome, blindness, deafness, or severe hearing loss. Some critics of full-time mainstreaming say that having certain special-education pupils in the same classroom as general-education pupils is detrimental to the latter, because teachers must devote too much time to the special needs of the disabled students. They point out that special-education children with emotional or other impairments often disrupt the classroom, taking time and attention away from general-student instruction. Finally, inclusion opponents fear that general-education academic standards will be lowered or the learning pace slowed to accommodate special-education students' needs.

Critics also maintain that mainstream schooling frequently is not in the best interest of the special-education student. They point out that general-education classes are a good deal larger than special-education classes, and pupils with special needs receive less personal attention than in center programs (facilities that serve special-education students from several districts) or special-education classrooms. They also contend that mainstreaming/inclusion means that students with disabilities have less contact with teachers specially suited and trained to teaching them. They point out that some parents who switch their children from center programs to mainstream classrooms end up returning them to the centers because they need the special facilities or the specially trained staff.

Mainstreaming advocates assert that being in a regular classroom is highly beneficial to special-education students. They say that these pupils suffer a stigma and lowered self-esteem when they are segregated in separate classrooms or buildings. They believe that students with disabilities have a need to “fit in” and to socialize with their peer group, and they are deprived of this when they are segregated. Advocates also point to studies that find that special-education pupils who are mainstreamed tend to have higher academic achievement, higher self-esteem, a greater probability of attending college, and better physical health than those who are not.

Many mainstreaming advocates also believe that mainstreaming benefits general-education students as well as special-education students; they believe that mainstreaming/inclusion promotes diversity in schools and helps all students to learn to accept others who are different from themselves. To counter the charge that general-education teachers are not adequately trained to educate children with special needs, mainstreaming/inclusion supporters point out that teachers sometimes have an aide or special-education teacher in the classroom with them. Many dispute the argument that disabled students slow the learning rate for the rest of the class, while others say it is irrelevant whether or not mainstreaming/inclusion slows the academic pace in classrooms, arguing that it is a civil right.

Despite the controversy over mainstreaming/inclusion, federal law requires it when possible. Schools must follow a child’s IEPT decisions, and if the committee believes that a child should (or should not) be placed in a general-education classroom, federal law requires that the decision be carried out. The courts have reinforced federal law, finding that mainstreaming/inclusion is a right, not just a privilege, of disabled students.

Special-Education Costs

Although the state still is paying its Durant settlement, the special-education cost issue is not yet put to rest. As mentioned, the districts that sued the state in the Durant case claim that the state simply has shifted operating funds into special education and schools still have to sacrifice part of their general operating monies to pay special-education costs. The state believes it is in full compliance with the Durant ruling.

Not only have the Durant lawsuits focused further attention on special-education costs, but including disabled students in the regular classroom has made special education more visible to all. Some educators, lawmakers, and others say that special education requires an unacceptably high proportion of the state’s school funds, and per

student costs should be reduced. They say that the fact that state requirements in some cases exceed federal requirements means that the state could reduce costs by lowering these requirements. Among the changes they suggest are allowing larger class sizes for special-education students, reducing from 230 to 180 the number of days of instruction required, lowering from 26 to 21 years the age to which some special-education students must receive schooling, and easing some regulations pertaining to training special-education teachers.

The state recently undertook just such an effort when it began to revise the administrative rules for special education to comply with the 1997 IDEA revisions. The rules, established 25 years ago, set out the specific requirements that districts must follow to provide special education. One draft of the proposed changes included measures to ease state requirements for special education, including allowing larger class sizes and reducing the number of instruction days required. In public hearings, opponents of the changes protested vigorously that the quality of education for disabled students would be damaged, and the proposals to relax these requirements were dropped.

One less controversial policy option to reduce special-education enrollment (as well as to improve the performance of general-education students) is to use preschool education to help identify and intervene with children at risk of academic problems. In Michigan, the Michigan School Readiness Program (MSRP) has funding of more than \$70 million annually to help serve four-year-olds. Also, in 2000, when the state had a large surplus in the state School Aid Fund, it created a \$45 million program to help parents of children aged under five prepare their children for school and a \$20 million program to expand the MSRP program to serve children for a longer period each day. While due to budget cuts these programs are not included in the governor’s FY 2002–03 budget recommendations, the fact that they were created in the first place underscores the growing support for preschool as a way to help at-risk children at a younger age.

See also Children’s Early Education and Care; K–12 Funding.

FOR ADDITIONAL INFORMATION

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SPECIAL EDUCATION

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