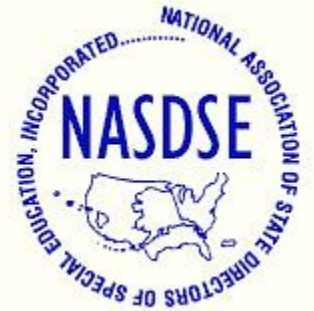


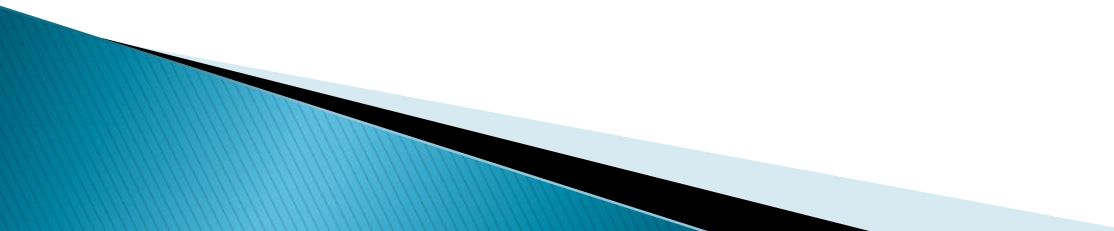
A (very) Brief History of Special Education in the U.S.

Tri-State Law Conference
November 2016

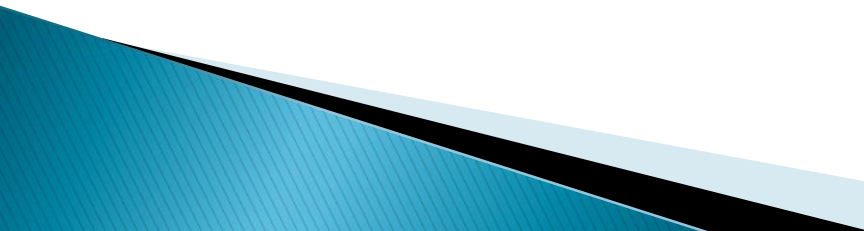
Nancy Reder, Esq.
Deputy Executive Director
NASDSE



Step Back a Moment in Time

- ▶ What were you doing in 1975?
 - ▶ Who can remember that far back?
 - ▶ And was that really the beginning of special education?
- 

Let's Step Back a Little Further in Time

- ▶ 1958: P.L. 85-926 focused on training special ed teachers to teach children with cognitive disabilities (not called that then)
 - ▶ 1961: P.L. 87-276 provided funding for training teachers in the education of deaf children
 - ▶ 1963: P.L. 88-164 expanded training for other disability areas
 - ▶ 1965: P.L. 89-10 - first ESEA law
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The '60s were a busy time

- ▶ 1965: P.L. 89-313: amended Title I of ESEA to authorize funding for children with disabilities served in state-operated schools and facilities

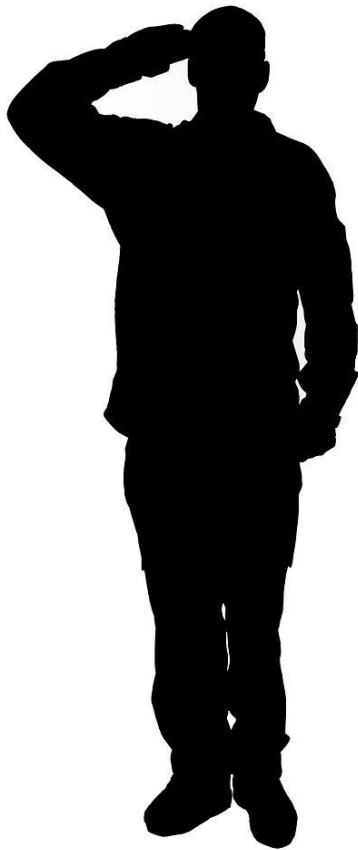
Big Breakthrough in 1966

- ▶ P.L. 89-750: amended ESEA to provide funds to SEAs to improve and expand programs serving preschoolers and K-12 students with disabilities. Also established the Bureau of Education for the Handicapped

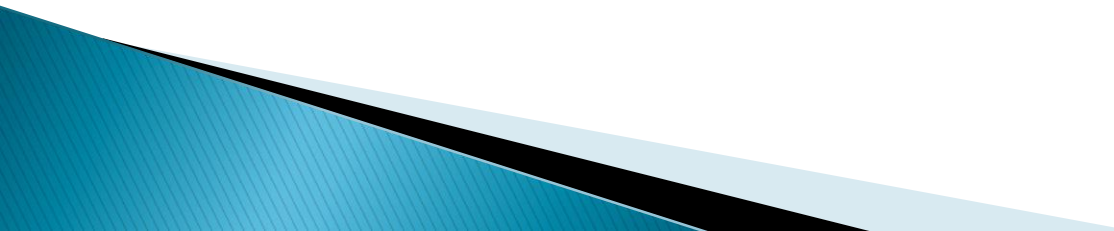


But Wait..There's more

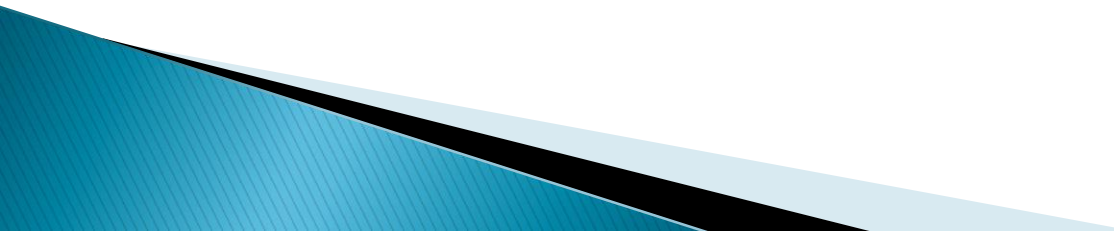
▶ 1968



Handicapped Children's Early Education Assistance Act

- ▶ First specific legislation focusing exclusively on the education of all children with disabilities
 - ▶ Focus was on infants and children birth to age 8
 - ▶ Mandated parent involvement
 - ▶ Gave birth to the field of early childhood special education
- 

And in 1969...

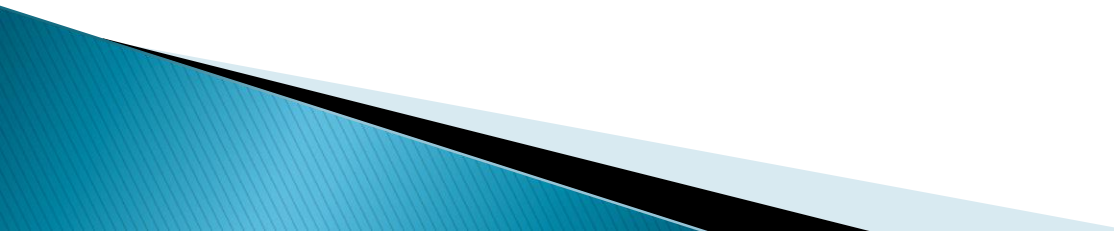
- ▶ P.L. 91-230 actually amended ESEA but also consolidated existing laws pertaining to children with disabilities
 - ▶ Created the Education of the Handicapped Act
 - ▶ Established a definition of learning disabilities
 - ▶ Also recognized the needs of gifted and talented students
- 

1972 Amendments to Head Start

- ▶ Established a preschool mandate that not less than 10% of the total number of Head Start placements be reserved for children with disabilities



And in 1973...

- ▶ P.L. 93-112 The Rehabilitation Act of 1973
 - ▶ Included Section 504, which prohibits discrimination against individuals with disabilities
 - ▶ It covers both children and adults
 - ▶ Protects students ineligible for services under IDEA
- 

And in 1974...

- ▶ P.L. 380 - more education amendments to ESEA required states to plan for educating all children with disabilities

And Then There Was 1975!!



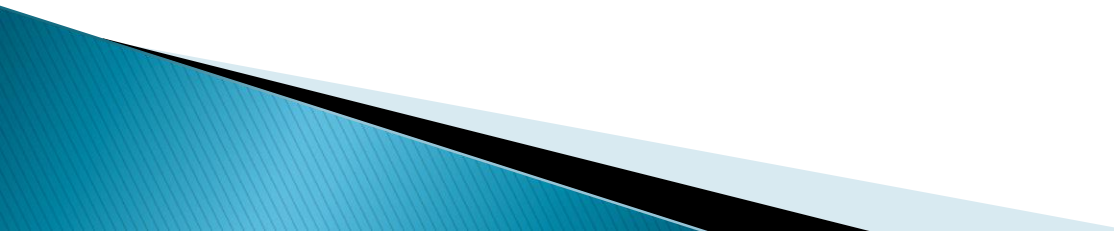
P.L. 94-142

- ▶ Key tenets of special education established
 - Provides FAPE to all children ages 3-21
 - Established pre-school incentive grants to provide services to young children
 - Established IEPs
 - Procedural safeguards

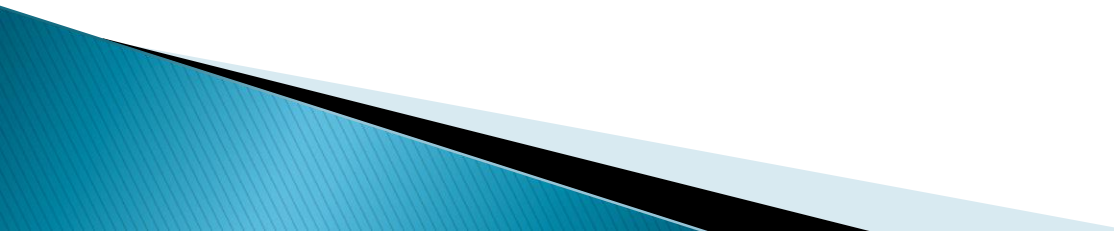
But It Took One More Law...

- ▶ P.L. 98-199, the Education of the Handicapped Act Amendments of 1983 to provide funding to states to develop programs and serve children birth to 3
- ▶ It also established new programs for transitioning secondary school students to adulthood

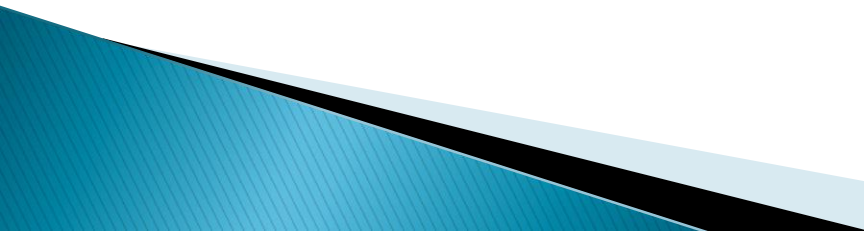
There's More..

- ▶ 1986: established payment of attorney fees
 - ▶ 1986: P.L. 99-457 amended P.L. 94-142 mandating protections to children ages 3-5. Part H encouraged states to develop early intervention for children from birth through age 2
- 

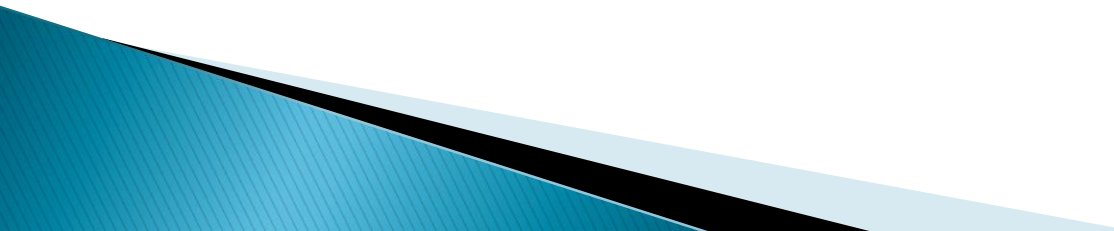
And Then There Is the ADA

- ▶ The Americans with Disabilities Act was enacted in 1990 (P.L. 336), the most comprehensive civil rights law
 - ▶ Extends civil rights protections in private sector employment, public facilities and transportation
 - ▶ Was amended in 2008 and broadened in some respects
- 

What Happened to P.L. 94-142?

- ▶ It was amended in 1990 by P.L. 101-476 and the law became known as the Individuals with Disabilities Education Act
 - ▶ The 1990 amendments added autism and traumatic brain injury and transition plans
 - ▶ It was amended again in 1991 by P.L. 102-119 to extend Part H
 - ▶ It was amended again in 1997 – major retooling addressing discipline, mediation and revised funding formula
- 

Which Brings Us to the 21st Century!

- ▶ 2001: The No Child Left Behind Act (which we are now leaving behind – sort of)
 - ▶ 2004: IDEA reauthorization added
 - State Performance Plans and Annual Performance Reports
 - Comprehensive Early Intervening Services
 - Changes to transition requirements
 - What else?
- 

And December 2015

- ▶ We got the Every Student Succeeds Act
 - Provisions that address students with disabilities
 - It amended IDEA!

Special Education Evolution

40
Years of
Progress



SSIP/SiMR

RDA

APR

SPP

IFSP/IEP

NO
Access

1975-2016

Did I Hear Someone Asking About IDEA Reauthorization?



Questions?

