Perceptions and Knowledge of Special Education Law among Building Administrators in a Selected Georgia School District

Patricia Claire Grasso

University of Southern Mississippi

Follow this and additional works at: https://aquila.usm.edu/dissertations

Part of the Accessibility Commons, Disability Law Commons, Educational Leadership Commons, Education Law Commons, Elementary and Middle and Secondary Education Administration Commons, and the Special Education Administration Commons

Recommended Citation

https://aquila.usm.edu/dissertations/1202

This Dissertation is brought to you for free and open access by The Aquila Digital Community. It has been accepted for inclusion in Dissertations by an authorized administrator of The Aquila Digital Community. For more information, please contact Joshua.Cromwell@usm.edu.
PERCEPTIONS AND KNOWLEDGE OF SPECIAL EDUCATION LAW AMONG BUILDING ADMINISTRATORS IN A SELECTED GEORGIA SCHOOL DISTRICT

by

Patricia Claire Grasso

A Dissertation Submitted to the Graduate Studies Officer of The University of Southern Mississippi in Partial Fulfillment of the Requirements for the Degree of Doctor of Philosophy

Approved:

August 2008
COPYRIGHT BY
PATRICIA CLAIRE GRASSO
2008
The University of Southern Mississippi

PERCEPTIONS AND KNOWLEDGE OF SPECIAL EDUCATION LAW AMONG BUILDING ADMINISTRATORS IN A SELECTED GEORGIA SCHOOL DISTRICT

by

Patricia Claire Grasso

Abstract of a Dissertation Submitted to the Graduate Studies Office of The University of Southern Mississippi in Partial Fulfillment of the Requirements for the Degree of Doctor of Philosophy

August 2008
ABSTRACT

PERCEPTIONS AND KNOWLEDGE OF SPECIAL EDUCATION LAW AMONG BUILDING ADMINISTRATORS IN A SELECTED GEORGIA SCHOOL DISTRICT

by Patricia Claire Grasso

August 2008

The Individuals with Disabilities Education Act (IDEA) has impacted every school district in the United States and significantly altered the role of administrators. Requirements for the administration and supervision of special education have developed exponentially since the enactment of Public Law 94-142 and its reauthorization as the IDEA.

The purpose of this study was to compare the perceptions and knowledge of building administrators regarding special education law. The following research questions were developed to facilitate this study: (a) is there a difference in the level of knowledge about special education law among building administrators regarding the seven provisions of the IDEA; (b) is there a difference between principals and assistant principals and their level of knowledge in the areas of special education law; (c) what are the relationships between the building administrators' level of knowledge of the areas of special education law; and (d) is there a difference between the building administrators' level of knowledge of special education law related to years of classroom teaching experience and years of experience as an administrator?
Results of the study suggest administrators perceive they did have sufficient knowledge of the IDEA and had received adequate training in school law. However, administrators' perceptions of knowledge and adequate training were not substantiated through data analysis. In addition, the majority of the administrators were not aware of this deficit in knowledge.
ACKNOWLEDGMENTS

It is with tremendous appreciation and respect that I acknowledge the following individuals for their guidance and support in helping me complete my doctoral program and dissertation. I would like to express my sincere appreciation to Dr. David E. Lee for so very graciously serving as the chairman of my dissertation committee. His expertise and encouragement were crucial in guiding this work to its completion. A special thank you is extended to Dr. Thelma Roberson for helping me establish the foundation for this study, and the late Dr. Jack Klotz whose wisdom, encouragement, and kindness epitomized the finest qualities of an educator. I would also like to thank the remaining members of my committee: Dr. J. T. Johnson for his tremendous assistance with the data analysis, as well as Dr. Rose McNeese and Dr. Wanda Maulding for their insightful guidance. I am forever indebted to Dr. Debi Winans for sharing her knowledge, experience, editing skills, and support.

I am profoundly grateful to my husband Robert. Words cannot express my appreciation for his loving patience, sacrifice, and steadfast confidence. I am extremely thankful to my children, Jenna and Zac, for their prayers and unmitigated belief in their mother. I deeply appreciate my mother Geraldine Emma Bauchman Dryden's gift of encouragement and confidence in my abilities; my late Father, William Edward Dryden, for his gift of church and faith which provided me with the strength to persevere; and my grandparents, Agnes Catherine Howard and Charles Edward Bauchman, for their unconditional love.
TABLE OF CONTENTS

ABSTRACT ................................................................. ii

ACKNOWLEDGMENTS ...................................................... iv

LIST OF TABLES .......................................................... vii

CHAPTER

I. INTRODUCTION ......................................................... 1
   Purpose of the Study
   Research Questions
   Definitions
   Delimitations
   Summary

II. REVIEW OF THE LITERATURE ..................................... 10
   Introduction
   Public Education
   Philosophical Development of Special Education
   Education for Students with Disabilities
   Legal Basis for Special Education
   Supervision of Special Education
   Summary

III. METHODS AND PROCEDURES ................................... 54
   Participants
   Research Questions
   Development of the Survey Instrument
   Validity
   Data Collection Procedures
   Data Analysis

IV. ANALYSIS OF DATA .................................................. 59
   Introduction
   Demographic Data
   Section I- Perceptions and Knowledge of Building Administrators
<table>
<thead>
<tr>
<th>Table</th>
<th>Description</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Court Cases Affecting Education of Exceptional Children</td>
<td>30</td>
</tr>
<tr>
<td>2.</td>
<td>Participants' Demographic Information</td>
<td>62</td>
</tr>
<tr>
<td>3.</td>
<td>Administrative Position by School Level</td>
<td>64</td>
</tr>
<tr>
<td>4.</td>
<td>Leadership and Classroom Teaching Experience</td>
<td>65</td>
</tr>
<tr>
<td>5.</td>
<td>Administrators' Educational Preparation</td>
<td>67</td>
</tr>
<tr>
<td>6.</td>
<td>Special Education District Policy Manual</td>
<td>68</td>
</tr>
<tr>
<td>7.</td>
<td>Preparedness to Address Questions Pertaining to IDEA</td>
<td>70</td>
</tr>
<tr>
<td>8.</td>
<td>Administrators' Knowledge of IDEA</td>
<td>73</td>
</tr>
<tr>
<td>9.</td>
<td>Between-Subjects, Means, and Standard Deviations on the IDEA</td>
<td>75</td>
</tr>
<tr>
<td>10.</td>
<td>Correlations Between Knowledge and Perceptions of Knowledge of IDEA</td>
<td>76</td>
</tr>
</tbody>
</table>
CHAPTER I
INTRODUCTION

Since the passage of Public Law 94-142 (The Education for All Handicapped Children’s Act) in 1975 and its subsequent reauthorization as Public Law 101-476 (The Individuals with Disabilities Education Act) in 1990, building administrators have been faced with regulatory stipulations that required the provision of a free appropriate education (FAPE) and related services to all children with disabilities. Public Law 94-142 and its reauthorization as the Individuals with Disabilities Education Act (IDEA) dramatically impacted every school district in the United States and significantly altered the role of administrators (Heward & Orlansky, 1992). Requirements for the administration and supervision of special education have developed exponentially since the enactment of Public Law 94-142 and its reauthorization in 1990 as the IDEA.

The Education for All Handicapped Children’s Act (EAHA) was a response to congressional concern for the more than one million children with disabilities who were excluded from public education and the children with disabilities that had limited access to the educational system (Turnbull & Turnbull, 2000). The landmark reauthorizations of PL 94-142 in 1978, 1986, 1990, 1997, and 2004 required the building administrator to assume an extensive role in the education of children with disabilities. As the educational leader, principals became increasingly responsible for the academic success of all students, including students with disabilities (Goor, Schwenn, & Boyer, 1997). Federal enactment of the No Child Left Behind Act (2001) mandated the annual measurement of academic achievement of all students, including students with disabilities. The
academic success of students, local schools, school districts, and states has
been determined through the analysis of standardized test data. Standardized
test scores of students with disabilities have been included in local, state, and
federal accountability reports (Hipp & Huffman, 2000; Praisner, 2003). An
extensive history of legislative attempts to improve the quality of life for children
with disabilities exists. If these laws are reviewed and considered, it becomes
obvious that the educational rights of students with disabilities is continuously
evolving.

The Individuals with Disabilities Act (IDEA, 1990) has provided the
foundation for special education for over 30 years; however, a significant number
of school administrators have inadequate knowledge of the law or the
educational requirements of students with disabilities. Katsiyannis (1994) noted,
“School principals are responsible for ensuring the appropriate education of all
students, including those with disabilities. They must provide the leadership to
develop the knowledge base and must have the competence to ensure
compliance” (p. 6). However, school leaders are frequently unprepared for these
responsibilities. A number of studies reported that universities have not prepared
principals to administer special education programs because the administrative
training programs did not require any special education course work (Hamill,
Jantzen, & Bargerhuff, 1999; Patterson, 2001). In addition, a nationwide survey
that analyzed the requirements of university administrator education programs in
special education and special education law concluded that universities were
confused about endorsement requirements and had not adequately prepared
administrators to address special education issues (Hirth & Valesky, 1991). The
research indicated that only 33% of all state certification programs for general education administrators required knowledge of special education law, and over 57% of the states required no general knowledge of special education. The research of Hamill et al. (1999) as well as Patterson (2001) supported the previous findings of Hirth and Valesky (1991).

Goor et al. (1997) reported administrators frequently “feel unprepared to administer special education programs in their schools” (p. 133). Patterson, Marshall, and Bowling (2002) argued that principals lacked adequate knowledge to ensure that errors in the administration of special education services did not occur. Furthermore, principals would have difficulty with leadership responsibilities for special education programs if they were not educated in special education law (Hirth & Valesky, 1991; Smith & Colon, 1998). When the federal reauthorization of IDEA (2004) and No Child Left Behind (PL 1070-110) (2001) was considered, the necessity of administrative training for principals on special education issues seemed evident (Conrad & Whitaker, 1997; Foley & Lewis, 1999; Goor et al., 1997). Lovitt (1993) recommended preparation which included a foundation in special education that would provide educational leaders with an understanding of students with disabilities, legally correct programs, and the educational options available for the student’s academic success. Goor and Schwenn (1995) described successful leadership in special education as a balancing act “advocating for the best possible services, empowering staff, acknowledging the needs of parents, and collaborating with other administrators” (p. 3). Administrators are pivotal in the success or failure of special education programs.
Purpose of the Study

The purpose of this study was to investigate the perceptions and knowledge of special education law among building administrators. The seven principles of the Individuals with Disabilities Education Act (IDEA) were examined: (a) zero reject, (b) related services, (c) appropriate evaluation, (d) least restrictive environment (LRE), (e) procedural safeguard, (f) Individual education program (IEP), and (g) parent participation (Turnbull & Turnbull, 2000; Yell, 1998). In addition, this study examined whether selected demographic and educational preparation of the participants is related to their perceptions and knowledge of special education law.

Research Questions

The specific purposes of this study were to determine:

1. Is there a difference in the level of knowledge about special education law among building administrators in the areas of (a) zero reject, (b) related services, (c) appropriate evaluation, (d) least restrictive environment (LRE), (e) procedural safeguard, (f) individual education program (IEP), and (g) parent participation?

2. Is there a difference between principals and assistant principals and their level of knowledge in the areas of special education law?

3. What are the relationships between the building administrators' level of knowledge of special education law and their perceptions of their level of knowledge of the areas of special education law?

4. Is there a difference between the building administrators' level of knowledge of special education law related to demographics?
Definitions

The following legal and educational definitions apply to the terms that were used in this study.

Building administrator(s) - Building administrator(s) means principal(s) and/or assistant principal(s) responsible for the performance and competence in school-based leadership and the effective management of school programs and resources (Osborne, DiMattia, & Curran, 1993).

(a) General - The term “child with a disability” means a child evaluated in accordance with §§300.304 through 300.311 as having mental retardation, a hearing impairment (including deafness), a speech or language impairment, a visual impairment (including blindness), a serious emotional disturbance (referred to in this part as “emotional disturbance”), an orthopedic impairment, autism, traumatic brain injury, an other health impairment, a specific learning disability, deaf-blindness, or multiple disabilities and who, by reason thereof, needs special education and related services (34 C.F.R. § 300. (a))

Free appropriate public education or FAPE - means special education and related services that:

(a) are provided at public expense, under public supervision and direction, and without charge;

(b) meet the standards of the State educational agency including the requirements of this part;

(c) include an appropriate preschool, elementary, or secondary school education in the State involved; and
(d) are provided in conformity with the individualized education program (IEP) that meets the requirements of §§ 300.320 (34 C.F.R. § 300.17).

*Individualized Education Program or IEP* - means a written statement for each child with a disability that is developed, reviewed, and revised in accordance with §§ 300.320 through 300.324 (34 C.F.R. § 300.22).

*Related services* -

(a) General. Related services means transportation and such developmental, corrective, and other supportive services as are required to assist a child with a disability to benefit from special education, and includes speech-language pathology and audiology services, interpreting series, psychological services, physical and occupational therapy, recreation, including therapeutic recreation, early identification and assessment of disabilities in children, counseling services, including rehabilitation counseling, orientation and mobility services, and medical services for diagnostic or evaluation purposes. Related services also include school health services and school nurse services, social work services in schools, and parent counseling and training (34 C.F.R. § 300.34 (a)).

(b) Special education.

(a) General. (1) Special education means specially designed instruction, at no cost to parents, to meet the unique needs of a child with a disability, including
(i) Instruction conducted in the classroom, in the home, in hospitals and institutions, and in other settings; and
(ii) Instruction in physical education (34 C.F.R. § 300.39).

Least restrictive environment (LRE) -

(a) General. (1) except as provided in § 300.324 (d)(2) (regarding children with disabilities in adult prisons), the State must have in effect policies and procedures to ensure that public agencies in the State meet the LRE requirements of this section and §§ 300.115 through 300.120.

(2) Each public agency must ensure that
(i) To the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are nondisabled; and
(ii) Special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only if 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.

Special education law - Special education law means legislation and case law that enforces the rights to a free and appropriate education for students with disabilities, specifically, Individuals with Disabilities Education Act (IDEA) and the Amendments, Section 504 of the Rehabilitation Act, and the Americans with Disabilities Act (Yell, 1998).
Zero-rejection - Zero-rejection means all students with disabilities eligible for services under IDEA are entitled to a free appropriate public education. This principle applies regardless of the severity of the disability. The U.S. Court of Appeals for the First Circuit stated public education is to be provided to all students with educational disabilities, unconditionally and without exception (Timothy W. v. Rochester, New Hampshire, School District, 1989).

Delimitations

The following were limitations of this study:

1. The subjects were limited to the building administrators of the public schools of the greater Atlanta area.

2. The instrument was limited to questions relating to the Individuals with Disabilities Education Act (IDEA) and its 2004 amendments.

3. Findings only generalized to building administrators in public schools.

Summary

Congress stated in the 1997 amendment of IDEA the following: (c)(1) Disability is a natural part of the human experience and in no way diminishes the right of individuals to participate in or contribute to society. Improving educational results for children with disabilities is an essential element of our national policy of ensuring equality of opportunity, full participation, independent living, and economic self-sufficiency for individuals with disabilities. The enactment of IDEA with its subsequent mandates has required school districts to develop and deliver a free appropriate public education (FAPE) in the least restrictive environment. The enactment of FAPE has led to an excess of litigation by
families on behalf of their children (Turnbull & Turnbull, 2000). The implications
of these court decisions make it critical that building administrators be
knowledgeable of special education law (Davidson & Gooden, 2001). However,
business administrators have not had adequate training in special education law
and that has affected the delivery of instruction and services to students with
Due to the increasing number of students with disabilities being served in
general education settings, a principal should be required to have administrative
training in special education law (Goor et al., 1997).
CHAPTER II
REVIEW OF THE LITERATURE

"The public education system in the United States is an instrumentality for carrying out a function that society has determined to be a desirable one—the education of all the children of all the people" (Reutter, 1994, p. 1).

Introduction

Historically, education has been an assumed and quintessential duty of American society. This chapter reviews the literature and research pertinent to the foundation of special education legislation in the United States and the implementation of these laws leading to the present authorization of the Individuals with Disabilities Education Act (IDEA). This chapter is divided into the following sections: (a) public education, (b) philosophical development of special education, (c) education for students with disabilities, (d) legal basis for special education, (e) special education legislation, and (f) supervision of special education. National attention has continued to focus on improving the academic achievement of all students. This has impacted the scope of administrative preparation programs.

Public Education

It is important to understand the historic development of public education in the United States and the legal changes that have contributed to the current state of education for students with disabilities. According to Matz (2005), writing for the Massachusetts Department of Education, education in itself was not first and foremost in the minds of the founding fathers in 1640. However, the colonists determined soon after establishing the Massachusetts Bay Colony that
some form of rudimental education was necessary. Members of society needed to be capable of reading both the religious and secular codes established by the colonists (Massachusetts Department of Education, 2005). Matz (2005) went on to report that if citizens were capable of reading, they would be able to comprehend and adhere to the governing laws of the colonies.

Strahan and Turner (1987, as cited in Landrum, 2003) posited that early in the history of education in the New England Colonies, legislatures began to exercise authority previously granted by the English Crown to create the beginnings of a public education system. In the 1640s, Massachusetts' officials acknowledged the importance of literacy by passing a series of laws establishing schools in the North American Colonies. The Massachusetts Law of 1642 and the Massachusetts Law of 1647 established criteria for the education of colonial students (Massachusetts Department of Education, 2005).

According to Matz (2005), the Massachusetts Law of 1642 required parents and tutors to teach apprenticed children the principles of religion and the capital laws of the Commonwealth. Matz added that the law of 1642 did not address formal public school education. The law stated that parents and tutors of apprenticed children were responsible for the children's basic education and competency in reading and writing. In 1642, it was understood that each person would be educated to meet the basic needs of his or her trade or work (Massachusetts Department of Education, 2005).

The Law of 1647, also known as the Old Deluder Satan Act (ODSA), was established in response to the failure of the Law of 1642 to produce the desired results (Matzat, 2005). The Old Deluder Satan Act stated:
It being one chief object of that old deluder, Satan, to keep men from the knowledge of the scriptures . . . it is therefore ordered, that every township . . . after the Lord hath increased them to the number of fifty householders . . . shall . . . appoint one within their town to teach all children as shall resort to him to read and write. It is further ordered, that where any town shall increase to the number of one hundred families . . . they shall set up a grammar school, the master thereof being able to instruct youth so far as they may be fitted for the university. [(from the *Old Deluder Satan Act* of 1647 (Massachusetts Department of Education, 2005)]

This law remained the standard of education for the next 100 years. After the Revolutionary War, the concept of public education was reconsidered by the state legislatures. Ornstein and Levine (1993) determined two factors motivated the establishment of public school education. The first factor was based on the desire for a devoted, moral populace and regular church attendance as expressed in the *Old Deluder Law* of 1647 (Massachusetts Department of Education, 2005). The second factor driving the development of public education was the need to educate the population for social, economic, democratic, and national reasons (Massachusetts Curriculum Framework, 1997). Cremin (1957) noted that the population was more diverse and many believed that the democratic representative government would not be successful unless the state assumed genuine responsibility in the education of all the children. Cremin went on to say that John Dewey, a leading educational reformer of the time, believed that it was vital for students to acquire skills and knowledge that could be totally integrated into their lives as persons, citizens, and human beings, not simply the
memorization of facts. Dewey (1899) called for a program of formal intentional teaching:

   Education is crucial to social life. This education consists in transmission through communication, which is a process of sharing experience till it becomes a common possession. As societies become more complex in structure and resources, the need of formal intentional teaching and learning increases. Education and communication is the necessity of teaching and learning for the continued existence of a society. (Dewey, 1899, p. 30, as cited in Cremin, 1957)

   James Carter, a member of the Massachusetts Legislature, responded to Dewey's call; as a result, Carter became the principal influence in passage of the bill establishing the first State Board of Education (Cheek, n.d.). Cremin (1957) reported that on June 29, 1837, Horace Mann was selected as the first Secretary of Education under the new law. Cremin argued that Mann's policy objectives were to establish schools that would integrate education, freedom, and the Republican government. In addition, Mann attempted to create schools that would be available and equal for all, a part of the birthright of every American child, both rich and poor (Mason-King, n.d.). Cremin noted that Mann believed promoting "social harmony" was the primary focus of education and that the common school would be the "great equalizer" for all children in the United States (p. 8).

   This concept of public school education began to spread across the states. In 1840, Rhode Island became the first state to pass compulsory school attendance laws. Massachusetts followed, and by 1918, all states had
compulsory attendance laws (Ysseldyke & Algozzine, 1984). In Massachusetts, the Compulsory Attendance Act of 1852 required children between the ages of 8 and 14 to attend school for 3 months every year with a mandatory requirement of 6 weeks of consecutive attendance (Grocke, n.d.). However, compulsory attendance did not include all children; children with disabilities were excluded.

The exception to compulsory attendance at a public school included: the child's attendance at another school for the same amount of time, proof that the child had already learned the subjects, poverty, or the physical or mental inability of the child to attend. (Grocke, n.d., p. 20)

Yell (1998) reported (Watson v. City of Cambridge, 1893) that in 1893 the Massachusetts Supreme Judicial Court ruled that a child who was “weak in mind” and could not benefit from instruction, or was troublesome to other children, or was unable to take “ordinary, decent, physical care of himself” could be expelled from public school (p. 54). Winzer (1993) reported that the Wisconsin Supreme Court, in Beattie v. Board of Education (1919), allowed students with disabilities to be excluded and the state of Ohio followed this precedent in 1934. In addition, the Supreme Court of Illinois, in Department of Public Welfare v. Hass (1958), and the State of North Carolina in 1969 continued to allow their states to exclude children they believed (a) would not benefit from education, (b) were disruptive, and (c) feeble minded or mentally deficient. It should be noted that the vernacular of the law indicated the attitudes towards individuals with disabilities, at that time (Weber, 1992, as cited in Yell, 1998). Rowe (2004) reported that children with disabilities were educated in their homes, and only wealthy families were able to provide professional instruction. In addition, children with disabilities
were considered incurably sick and frequently institutionalized. In conclusion, children with intellectual disabilities were legally barred from public education and excluded from society.

**Philosophical Development of Special Education**

Philosophers in ancient Greece had been extremely interested in acquiring an understanding of intellectual limitations and in earlier centuries had studied individuals with disabilities (Winzer, 1998). Aristotle believed the most critical human attribute was the ability to reason; this characteristic sets humans apart from all creatures. Therefore, the ability to reason, conceptualize, and use rational judgment was of paramount importance in the ancient world. Aristotle identified reason as a requirement for man to develop a political consciousness and therefore be a citizen or member of the polis. Aristotle concluded that of the three senses—smell, vision, and hearing—hearing dominated the development of the intellect. Philosophical study of individuals with disabilities continued throughout the centuries, and this study eventually led to the foundation of education for individuals with disabilities (Winzer, 1998; McGann, 1888, as cited in Winzer, 1998).

Aristotle was extremely interested in understanding the intellectual limits of individuals with hearing impairments and the impact of language on intelligence (Winzer, 1998). Aristotle stated “Individuals who were deaf were ‘senseless and incapable of reason’ as ‘no better than the animals of the forest and unteachable.’” Aristotle continued, “those born deaf are in all cases dumb; they can make vocal noises but they cannot speak” (Winzer, p. 3). Therefore, hearing impaired individuals could not communicate in a meaningful manner with
members of society or participate in government. Winzer noted that philosophical
debate propelled the steady advancement in the historical development of
special education.

Plann (1991) stated Aristotle's scientific and philosophical perceptions
were accepted into the medieval period, but a change in perception occurred in
1578. Ponce de Leon, a Benedictine monk, initiated the first efforts to educate
students who were hearing impaired and accepted boys from wealthy Spanish
families as students. Plann observed that education for students with disabilities
was limited to a small, select segment of the population.

Winzer (1998) reported that during the 17th century British philosophers
continued to study the origin and development of language; again, this led to the
study of individuals who were hearing impaired. As a result, interest expanded
into a combination of areas including hearing impairments, language
development, intellect, and reason. This study continued throughout the 17th
century in England and later expanded through the studies of 18th century
intellectuals, such as Locke.

Winzer (1998) believed interests in individuals with hearing impairments
was the primary force that drove the philosophers' inquiry into human
intelligence. Winzer reported that, historically, the first individuals with disabilities
to be educated were (a) those with hearing impairments, (b) individuals with
visual impairments, and (c) those with intellectual disabilities. Aristotle's beliefs
were abandoned as these pioneers initiated the development and use of sign
language. Philosophical inquiry into the nature of intelligence provided impetus
for the advancement of education for individuals with disabilities.
During the second half of the 18th century, France engaged in rapid advanced in education (Wilson, 1972). These changes were attributed to the significant philosophical and social advances made during the Age of Enlightenment. Wilson argued that during this period the work of Locke stimulated tremendous change, and the French philosophers embraced Locke's work. Wilson contended that Locke revolutionized thinking with his "Essay Concerning Human Understanding."

Furthermore, Wilson (1972) noted, Locke postulated that all ideas were not "stamped upon the mind of men," but rather, humans were subject to tabula rasa, or blank slate, at birth, and knowledge was derived through experience rather than innate ideas (p. 37). Locke formulated the concept of sensation being the basis of knowledge and concluded that knowledge was acquired through experience and the senses (Wilson, 1972). This philosophy initiated consideration of remediation as an option for individuals with disabilities.

**Education for Students with Disabilities**

Private education had been the primary option available to students with disabilities and their families in the United States prior to 1900, according to Gearheart (1972). In presenting the closing address to the National Education Association convention in 1898, Dr. Bell advocated the development of special programs for specific segments of children with disabilities. Bell recommended that children should:

- form an annex to the public school system, receiving special instruction from special teachers, who shall be able to give instruction to little children who are either deaf, blind, or mentally deficient, without sending them
away from their homes or from the ordinary companions with whom they are associated. (Gearheart, 1972)

Furthermore, Gearheart reported that in 1902 Bell's persistence led to the creation of the Department of Special Education of the National Education Association. Between 1900 and the 1950s, special education continued to grow slowly in education systems throughout the United States.

Gearheart (1972) noted that despite the efforts of the early advocates of special education programs, discrimination against individuals with disabilities continued during the early 1900s. In addition, students with disabilities had no legal recourse and continued to receive an inferior education. Gearheart continued, without legal protection available to them, students with disabilities were subject to restrictions, limitations, and unequal treatment. These students were powerless in pursuing equal educational opportunities due to erroneous stereotypical assumptions. Gearheart concluded that these assumptions did not reflect the students' true academic potential or their potential to participate in and contribute to society.

As society began to recognize and respect human differences, the American public began to support the concept and delivery of Special Education for students with disabilities (Skirtic, 1991). Alper, Schloss, and Schloss (1994) noted that "recorded history has chronologued substantial shifts in societal perceptions of individuals' disabilities" (p. 19). Hewitt and Forness (1977) provided a concise interpretation of social patterns. The research of Hewitt and Forness indicated the treatment of individuals with disabilities did not follow a logical progression. This research offered a "swinging-pendulum" analogy. "The
pendulum is a function of physical conditions, irrational beliefs, rational beliefs, social conditions, economic conditions, religion, and law" (p. 18). Hewitt and Forness continued, the position of the pendulum or societies' perceptions of individuals with disabilities was based on the ethics and tolerance of the citizens of the era. Hewett and Forness concluded that societies' perceptions of individuals with disabilities began to change during the 1960s.

Gearheart's (1972) research supported the analogy of Hewitt and Forness (1977). Gearheart stated that throughout history, prominent spokespersons have been able to influence a shift in action. He added that during the 1960s leaders such as President Kennedy and Senator Humphrey were able to affect significant change through the legal system. Gearheart continued that both men had children with disabilities in their families and both were diligent supporters of legislation for individuals with disabilities. Gearheart argued that the impact of this early legislation during Kennedy's term was profound and focused public attention on the need to educate students with disabilities. In addition, reported Gearheart, President Kennedy initiated the National Action to Combat Mental Retardation Program to address an area of particular interest to him.

In 1958, Congress passed the Expansion of Teaching in the Education of Mentally Retarded Children Act (PL 85-926). This law provided federal funds and taught educators to become the teachers of children with intellectual disabilities (Rowe, 2004). Initially, educators were offered fellowship grants by the federal government to train and enter the new field as a teacher of special education (Yell, 1998). Levine and Wexler (1981) commented that this legislation provided a transition by providing education for the educators, and until 1965 very few
teachers had been trained to teach students with disabilities. Levine and Wexler added that limited funds were available for universities to conduct research on educating children with disabilities. Gearheart reported that in 1967 the initial college textbooks that addressed "learning disabilities" were published. The were followed in 1968 by the original journal concerning learning disabilities, *The Journal of Learning Disabilities*. Gearheart concluded that during the 1960s many states passed the first significant legislation that specifically addressed students with learning disabilities.

Legal Basis for Special Education

Levine and Wexler argued, "Public education is viewed as a birthright in our country that leads to an educated electorate without which there would be no viable democracy" (Levine & Wexler, 1981, p. 33). However, contrary to common thought, the federal constitution does not address public education (Guernsey & Klare, 1993; Latham & Latham, 1993; Reutter, 1994). Researchers contended (e.g., Latham & Latham, 1993; Levine, & Wexler, 1981; Reuter, 1994; Yell, 1998) that education was left to the discretion and jurisdiction of the states, as implied by the Tenth Amendment to the U.S. Constitution (Appendix A). Along the same vein, Levine and Wexler reported that the founders of the U.S. government believed it was important to leave education to the discretion of the states, because state governments were closer to the citizens. The U.S. Constitution as well as state constitutions provided the basis for special education law (Guernsey & Klare, 1993; Reutter, 1994; Yell, 1998). Special education is administered by complex and extensive numbers of laws, statutes, regulations, and court decisions (Turnbull, 1993; Yell, 1998). Both Congress and the state
legislatures have written laws that regulate and guide special education. The
court's role has been to interpret and apply the principles of these laws (Reutter,

According to Latham and Latham (1993), the majority of rights accorded
to citizens with disabilities are found in the "equal protection" guarantees of the
Fourteenth Amendment or the "due process" requirements of the Fifth and
Fourteenth Amendments. Derived rights are contained in statutes that have been
adopted to implement express rights. The Fourteenth Amendment is the most
crucial document and primary source of rights. It states:

Section 1. No State shall make or enforce any law that shall abridge the
privileges or immunities of citizens of the United States; nor shall any
State deprive any person of life, liberty, or property, without due process
of law; nor deny to any person within its jurisdiction the equal protection of
the laws.

Section 5. The Congress shall have power to enforce, by appropriate
legislation, the provisions of this article. (Fourteenth Amendment to the
United States Constitution, 1868) (Appendix A)

The Fourteenth Amendment applies only to states and not the federal
government (Reutter, 1994). Latham and Latham (1993) contended that it is the
Fifth Amendment that focuses on the federal government and prohibits the
deprivation "of life, liberty, or property, without due process of law" (p. 27).
Furthermore, the Fifth Amendment does not specifically address equal protection
guarantees; however, it has been interpreted to include them.
Yell (1998) reported that the Fourteenth Amendment to the Constitution is the foundation for special education. "It holds that no state can deny equal protection of the law to any person within its jurisdiction" (p. 3). Latham and Latham (1993) concurred, stating that it was the equal protection of the law that required equal access to education. Tucker and Goldstein (1992) affirmed that the amendment requires all states to treat similar persons the same. Special Education rights grew out of the requirement for equal access to education. Furthermore, the Fourteenth Amendment states that a person may not be deprived of life, liberty, or property without due process of law. This stipulation has been tested in the courtroom and benefitted special education repeatedly in right-to-education cases. Courts have ruled that education is a liberty that is protected under the United States Constitution (Fischer, Schimmel, & Stellman, 2007; Gearheart, 1972).

State constitutions have also played a critical role in education (Strahan & Turner, 1987; Turnbull, 1993; Yell, 1998). The right to an education is not specifically addressed in the U.S. Constitution. The Tenth Amendment allows the control of education to be delegated to the states. The Tenth Amendment designates this authority to the state or people, and it states, "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people" (Tenth Amendment to the United States Constitution, adopted December 15, 1791) (Appendix A). All states have adopted educational mandates in their constitutions (Reutter, 1994; Yell, 1998).
Contemporary legal history and the monumental first step for the education of children with disabilities began with *Brown v. Board of Education* (1954). Guernsey and Klare (1993) reported that the case specifically involved the separation of students according to race; however, some of the ideology was relevant to the education of students with disabilities. Turnbull (1993) reported that the Brown decision had monumental consequences for the rights of minorities, but also affected significant aspects of educational law and procedure. The *Brown* case was argued in regards to protecting a “class” of people. However, another class that came to be protected was “all” students (Turnbull & Turnbull, 1978).

Turnbull (1993) reported that denying equal protection to students with disabilities had been based on their unalterable and unchosen trait, their disability. The United States Supreme Court held that education, “where the state has undertaken to provide it, is a right which must be available to all on equal terms.” Chief Justice Earl Warren wrote:

> In these days, it is doubtful that any child may reasonably be expected to succeed in life if he is denied the opportunity of an education. Such an opportunity, where the state has undertaken to provide it, is a right that must be made available to all on equal terms. (*Brown v. Board of Education*, 1954, p. 493)

The doctrine of “separate but equal,” which had been a common practice since the Louisiana ruling allowing segregation in *Plessy v. Ferguson* (1896), was firmly denounced (Reutter, 1994).
With the sweeping changes initiated in the *Brown* decision, parents of children with disabilities began to question why the principles of equal access to education could not be applied to the education of their children (Fischer, Schimmel, & Stellman, 2007; Turnbull & Turnbull, 1978). According to Turnbull (1993), advocates for children with disabilities claimed these students had the same rights as students without disabilities. First, the advocates argued that there was an unacceptable level of unequal treatment within the class of students with disabilities. In addition, some students with disabilities were not provided with an education comparable to students without disabilities. Turnbull concluded that these factors provided the foundation for numerous court cases that challenged these inequities.

The quantity of litigation directed towards education and specifically special education increased monumentally during the 1960s and 1970s after the *Brown* decision as society elevated the significance of a quality education for all children (Rowe, 2004). Guernsey and Klare (1993) reported many practices and policies that were accepted previously became litigious, requiring adjudication. Furthermore, parents dissatisfied with an educational system that denied equal access to their children with disabilities filed lawsuits. According to Strahan and Turner (1987), the majority of successful court cases against schools or school systems have been challenges to the schools’ or school systems’ appropriateness under state or federal constitutional standards.

As a result of the *Brown* decision, more than 30 different court cases were quickly filed throughout the country as parent organizations began to initiate lawsuits attempting to ascertain equal rights for their children (Rothstein, 1995).
Yell (1998) reported that during the late 1960s and early 1970s parents and advocates embarked on a more aggressive approach and began to actively confront the status quo in the courts. Yell acknowledged that parents and advocates attempted to force the states to provide equal educational opportunities to children with disabilities. Furthermore, Yell noted that their efforts were successful and resulted in federal legislation protecting the educational rights of all children with disabilities.

The succession of court cases during the 1960s reinforced the fact that the protections provided by the United States Constitution and the Bill of Rights did not pertain simply to adults. The concept of in loco parentis was revisited, and in a number of cases the courts ruled that the school's responsibility to act in loco parentis did not entitle the parent the right to deny the student "the essentials of due process and fair treatment; due process that guarantees life, liberty, or property will not be taken without fair treatment" (Shoop & Dunklee, 1991, p. 106). Courts have ruled "education is a liberty that must be protected" (Fourteenth Amendment, 1791) (Appendix A).

Yell (1998) noted that 16 years after the Brown decision in January 1971, the Pennsylvania Association for Retarded Citizens (PARC) and 13 school-age children with intellectual disabilities brought a class-action lawsuit in a federal district court (PARC v. Pennsylvania, 1971). Parents and advocates contested the Commonwealth of Pennsylvania's practice of denying an education to children "who were deemed unable to benefit from education, based on the certification of a psychologist" (Goldberg, 1982, p. 2). The lawsuit alleged the Commonwealth was violating state statutes and the student's rights under the
Equal Protection of the Law's clause of the Fourteenth Amendment to the U.S. Constitution (Yell, 1998).

As a result of the lawsuit, the state of Pennsylvania, in a consent decree, recognized the right to public education for children with intellectual disabilities (Guernsey & Klare, 1993; Levine & Wexler, 1981; Zettel & Ballard, 1982). The court ruled in PARC that the Commonwealth was required to provide each child with intellectual disabilities a free public program of education and training appropriate to the child's ability. Placement in programs most like those available to children without disabilities, rather than separate alternative programs, was the objective (334 R. Supp. 1257 1971). Under the order of the court, parents were provided with significant procedural and substantive rights that established a model for future advocates (Goldberg, 1982).

The court decree (334 R. Supp. 1257 1971) established that educational placement in a public school setting as opposed to placement in an alternative school or program was established as the goal for students with disabilities. This position was clarified through three of the principles delineated by this court decision. The first principle was the right to a public school education for students with disabilities. The second related to providing the least restrictive environment for students with disabilities. The court decreed that:

access to schooling was to be accorded to all of those children within the contexts of a presumption that placement in a regular class is preferred to placement in a special class and placement in a special class is preferable to placement in other programs whether homebound, itinerant, or institutional. (334 F. Supp. 1257 1971) (Martin, 1985)
The court further ordered the students must be educated within the closest approximation to the general education classroom, as the students' disabilities permit. Placement options must be considered which provide maximum interaction with the general school population. The third principle confirmed in the PARC decision was that of due process. This principle stated that parents must be involved in any decisions related to the placement of their child. It mandated that prior to assessment, program change, or service implementation, parents must be informed and involved in the process. In addition, due process required school districts to develop a formal system to resolve any disagreements that might develop regarding a student's individualized education program. These same rights were applied 4 years later at the national level (Guernsey & Klare, 1993). According to Yell (1998), the court decision in PARC was the foundation for procedural safeguards found in the Education of All Handicapped Children Act of 1975 (PL 94-142) that has continued to regulate special education services to the present.

Following PARC in 1972, parents and guardians of seven children in the District of Columbia brought a class-action suit against the District of Columbia Board of Education. The suit was initiated on behalf of all out-of-school children with disabilities including children identified with behavior problems, hyperactivity, epilepsy, intellectual disabilities, and physical impairments (Yell, 1998). The suit, *Mills v. Board of Education* (1972; hereafter *Mills*), requested a declaration of rights ordering the school district to provide a publicly supported education for all students with disabilities either within the public schools or through an alternative program at the public's expense.
Zettel and Ballard (1982) commented that the suit, based on the Fourteenth Amendment, charged that the students were improperly excluded from school without due process. Due process under the law required that prior notice, right to a hearing, and periodic reassessment must be offered to students with disabilities before the child is excluded, suspended, expelled, reassigned, or transferred from regular education classes (Mills, 348 F. Supp. 866 (D.D.C. 1972)). In addition, the court decreed the district had to ensure due process safeguards were provided. Due process safeguards were succinctly delineated by the court, including: the right to a hearing with representation; a record and an impartial hearing officer; the right to appeal; the right to have access to records; and the requirement of written notice at all stages of the process (Zettel & Ballard, 1982).

Two major federal court decisions, PARC in 1971 and Mills in 1972, established that "The responsibility of states and local school districts to educate individuals with disabilities is derived from the equal protection clause of the Fourteenth Amendment of the United States Constitution. (U.S. Department of Education, 1995a, p. 1).

In Mills, the Court cited Brown and quoted Hobson v. Hansen, 269 F. Supp. 401 (D.D.C. 1967) and concluded that:

The doctrine of equal educational opportunity—the equal protection clause in its application to public school education—is in its full sweep a component of due process binding on the District under the due process clause of the Fifth Amendment, 348 F. Supp. 866. (Latham & Latham, 1993)
As a result of the court decision, the District of Columbia was ordered to provide a publicly supported education to all children, regardless of the severity of their disability, at public expense (Bateman, 1998). Due process under the law mandated that prior notice, right to a hearing, and periodic reassessment of a child with disabilities must be offered before the child is excluded, suspended, expelled, reassigned, or transferred from regular public school classes (Mills, 348 F. Supp. 866 1972). In addition, if a child with disabilities is excluded, the Board of Education of the District of Columbia must provide adequate alternative educational services appropriate to the needs of the student.

Table 1 summarizes major cases adjudicated through the court system that significantly impacted the advancement of educational opportunities for students with disabilities. The impact of the court’s decision evolved into the passage of sweeping legislation granting entitlements to all students with disabilities (Rothstein, 1995). In addition, this table demonstrates the determination of parents and advocates of children with disabilities to provide the full range of benefits afforded through public education to their children. Neal and Kirp (1985) stated that these landmark cases “precipitated a rash of litigation across the country, both inspired and orchestrated by lobby groups, on behalf of children with disabilities to pressure state governments into action” (p. 70). Educators parents, and advocacy groups lobbying on behalf of children with disabilities realized that special education interests were being translated into laws and regulations (Blackhurst & Berdine, 1993). Each case challenged fundamental issues and broadened educational opportunities for students with disabilities.
<table>
<thead>
<tr>
<th>Year</th>
<th>Court Case</th>
</tr>
</thead>
<tbody>
<tr>
<td>1984</td>
<td><em>Brown v. Board of Topeka (Kansas)</em>&lt;br&gt;Established the right of all children to an equal opportunity for education.</td>
</tr>
<tr>
<td>1967</td>
<td><em>Hobson v. Hansen</em> (Washington, DC)&lt;br&gt;Declared the track system, which used standardized tests as a basis for special placement unconstitutional because it discriminated against Black and poor children.</td>
</tr>
<tr>
<td>1970</td>
<td><em>Diana v. State Board of Education</em> (California)&lt;br&gt;Declared that children cannot be placed in special education on the basis of culturally biased tests or tests given in other than the child's native language.</td>
</tr>
<tr>
<td>1972</td>
<td><em>Mills v. Board of Education of the District of Columbia</em>&lt;br&gt;Established the right of every child to an equal opportunity for education; declared that lack of funds was not an acceptable excuse for lack of educational opportunity.</td>
</tr>
<tr>
<td>1972</td>
<td><em>Pennsylvania Association for Retarded Citizens v. the Commonwealth of Pennsylvania</em>&lt;br&gt;Class action suit that established the right to free public education for all retarded children.</td>
</tr>
<tr>
<td>1972</td>
<td><em>Wyatt v. Stickney</em> (Alabama)&lt;br&gt;Declared that individuals in state institutions have the right to appropriate treatment within those institutions.</td>
</tr>
<tr>
<td>1979</td>
<td><em>Central York District v. Commonwealth of Pennsylvania Department of Education</em>&lt;br&gt;Ruled that school districts must provide services for gifted and talented children whether or not advance guarantee of reimbursement from the state has been received.</td>
</tr>
<tr>
<td>1979</td>
<td><em>Larry P. v. Riles</em> (California)&lt;br&gt;First brought to court in 1972; ruled that IQ tests cannot be used as the sole basis for placing children in special classes.</td>
</tr>
<tr>
<td>1979</td>
<td><em>Armstrong v. Kline</em> (Pennsylvania)&lt;br&gt;Established the right of some children with severe handicaps to an extension of the 180-day public school year.</td>
</tr>
<tr>
<td>1984</td>
<td><em>Department of Education v. Katherine D.</em> (Hawaii)&lt;br&gt;Ruled that a homebound instructional program for a child with multiple health impairments did not meet the least-restrictive environment standard; called for the child to be placed in a class with non-handicapped children and provided with medical services.</td>
</tr>
<tr>
<td>1984</td>
<td><em>Irving Independent School District v. Tatro</em> (Texas)&lt;br&gt;Ruled that catheterization was necessary for a physically handicapped child to remain in school and that it could be performed by a non-physician, thus obligating the school district to provide the service.</td>
</tr>
<tr>
<td>Year</td>
<td>Court Case</td>
</tr>
<tr>
<td>------</td>
<td>------------------------------------------------</td>
</tr>
<tr>
<td>1984</td>
<td><em>Smith v. Robinson</em> (Rhode Island)</td>
</tr>
<tr>
<td></td>
<td>Ordered the state to pay a severely handicapped child's placement in a residential program and ordered the school district to reimburse the parents' attorney fees. U.S. Supreme Court later ruled that P.L. 94-142 did not entitle parents to recover such fees, but Congress subsequently passed an &quot;Attorney's Fee&quot; bill, leading to enactment of P.L. 99-372.</td>
</tr>
<tr>
<td>1985</td>
<td><em>Cleburne v. Cleburne Living Center</em> (Texas)</td>
</tr>
<tr>
<td></td>
<td>Supreme Court ruled unanimously that communities cannot use a discriminatory zoning ordinance to prevent establishment of group homes for people with mental retardation.</td>
</tr>
<tr>
<td>1988</td>
<td><em>Honig v. Doe</em> (California)</td>
</tr>
<tr>
<td></td>
<td>Ruled that children with handicaps could not be excluded from school for any misbehavior that is &quot;Handicap-related&quot; (in this case &quot;aggressive behavior against other students&quot; on the part of two &quot;emotionally handicapped&quot; students) but that education services could cease if the misbehavior is not related to the handicap.</td>
</tr>
<tr>
<td></td>
<td>U.S. Appeals Court upheld the literal interpretation that P.L. 94-142 requires that all handicapped children be provided with a free, appropriate public education. The three-judge Appeals Court overturned the decision of a District Court judge who had ruled that the local school district was not obligated to educate a young boy with multiple and severe disabilities.</td>
</tr>
</tbody>
</table>

(Yell, 1998, p. 65, reprinted by permission of Prentice Hall, Inc., Englewood Cliff, NJ). Request and approval letters are located in Appendix B)
A significant history of legislative efforts for individuals with disabilities exists. The federal government, with the strong support and advocacy of family associations, began to develop and validate practices for children with disabilities and their families (Turnbull & Turnbull, 1978; Yell, 1998). Yell affirmed these practices laid the foundation for implementing effective programs and services of early intervention and special education in states and districts across the country. Guernsey and Klare (1993) acknowledged that appropriate education for children with disabilities is directly correlated to vital legislation that evolved from advocacy.


The primary focus of the early legislation was on children who were hearing impaired (Hart, 1997). The Captioned Films Acts of 1958 (PL 85-905) and 1961 (PL 87-715) supported the production and distribution of captioned
films. The Teachers of the Deaf Act of 1961 (PL 87-276) funded programs for the education of teachers to instruct students with hearing impairments. In 1963, PL 88-164 provided scholarship funding for special education teachers and expanded previous specific training programs to include training across all disability areas (Yell, 1998).

The Elementary and Secondary Education Act (PL 89-105) was enacted in 1965. Public Law 89-105 is considered historic legislation that represented a monumental commitment to the improvement of education for children with disabilities. The focal point of the act was Title I, also known as Chapter 1 (Hart, 1997). Hart noted that Chapter 1 provided federal dollars to assist state and local education agencies in educating children identified as "educationally disadvantaged." Congress later defined "educationally disadvantaged" students to include students with disabilities (Rehabilitation Act, Section 504, 1973). In addition, the development of demonstration centers mandated by PL 89-105 and the resulting research programs were critical factors in the advancement of education for children with disabilities (as cited in Hines, 2001). Public Law 89-105 was amended in 1965 with the State Schools Act (PL 89-313) and provided states with direct grant assistance to help educate children with disabilities. Both of these amendments authorized financial assistance to state educational agencies and/or schools that provided an education to students with disabilities (U.S. Department of Education - Office of Special Education and Rehabilitative Services, 2007).

The Elementary and Secondary Education Act Amendments of 1966 (PL 89-750) established the first federal grant program for the education of children
with disabilities at local schools. The next year, an amendment to this act included Title VI which added funds for grants for students with disabilities. Public Law 89-750 also established the Bureau of Education for the Handicapped (BEH) to administer all Office of Education programs for children with disabilities (Martin, 1985). The Education of the Handicapped Act (EHA) replaced Title VI in 1970 and became the framework for the legislation that followed for students with disabilities (Yell, 1998).

In 1968, the Elementary and Secondary Education Act Amendments (PL 90-247) created additional programs that increased the quantity and quality of special education services including funding for regional resource centers. Additionally, PL 90-247 provided federal funds for centers and services for children with hearing and visual impairments and remedial programs. Finally, the Handicapped Children's Early Education Assistance Act of 1968 (PL 90-538) and the Economic Opportunities Amendments of 1972 (PL 92-424) authorized support for exemplary early childhood programs and increased Head Start enrollment for young children with disabilities. The Elementary and Secondary Education Act Amendments of 1970 (PL 91-230) unified funding programs related to the education of students with disabilities into one act. This new legislation was titled the Education of the Handicapped Act (EHA) (Guernsey & Klare, 1993; Yell, 1998).

Section 504 of the Rehabilitation Act of 1973 (Section 504) is a civil rights statute designed to prevent discrimination against individuals with disabilities (Zirkel & Kincaid, 1995). Section 504 required agencies that are the recipients of federal financial assistance to provide assurances of compliance, to take
corrective steps when violations were found, and to make individualized modifications and accommodations to provide services that were comparable to those offered persons without disabilities (Yell, Rodgers, & Rodgers, 1998).

Since most schools received some type of federal funding, Section 504 provided additional legislation that protected the educational opportunities for children with disabilities (Ordover, 2002).

These Americans have identified Section 504 with access to vital public services, such as education . . . they consider it their charter . . . it is a key to, and a symbol of, their entry as full participants in the mainstream of national life. (Senator Hubert H. Humphrey, principal Senate author of Section 504, Congressional Record, April 26, 1974, p. 12216)

Section 504 stated that no otherwise qualified handicapped individual in the United States . . . shall solely by reason of his handicap be excluded from the participation in , be denied the benefits of, or be subject to discrimination under any activity receiving federal financial assistance. (Section 504, 29 U.S.C. Section 794 a)

A “handicapped” person was defined as any person who had a physical or mental impairment that substantially limited one or more of that person’s major life activities, or a person who had a record of such an impairment, or a person who was regarded as having such an impairment (Rehabilitation Act of 1973, Section 504). The Americans with Disabilities Act (ADA) was modeled after Section 504 and also addressed the civil rights of individuals with disabilities. Section 504 only applied to the recipients of federal funds; the ADA protected individuals from discrimination in both public and private settings. Both of these
acts provided an opportunity for an individual to file a complaint or lawsuit against a school district for alleged violation of their rights (Zirkel & Kincaid, 1995).

Rowe (2004) noted that between 1958 and 1970 the federal government had attempted to improve education for students with disabilities numerous times; however, progress was limited. Rowe reported that in 1975 the Bureau of Education for the Handicapped (BEH) estimated that of the approximately 8 million children with disabilities (aged birth to 21 years) in the United States, 1.75 million were not receiving any services by the public school system and 2.5 million were not receiving a free appropriate public education (FAPE). During the early 1970s most states had passed legislation for the education of children with disabilities. However, the programs varied significantly from state to state and the federal government felt compelled to legislate standards (Yell, 1998).

On November 29, 1975, Congress passed the Education for All Handicapped Children Act (PL 94-142) that guaranteed a FAPE for children aged 3 to 21. Goldberg (1982), Rowe (2004), and Yell (1998) acknowledged PL 94-142 as the most far-reaching legislation ever passed for children with disabilities. Public Law 94-142 was premised on the goal that all children with disabilities would receive a FAPE in the least restrictive setting (LRS) to prepare them to participate in society. Education for children with disabilities changed due to PL 94-142 and the federal funding it provided. Public Law 94-142 required states to submit plans to the Bureau of Education for the Handicapped. After the plans were approved, the state received federal funds for providing FAPE to students with disabilities. Public Law 94-142 also mandated that teachers were
required to obtain a special certificate to teach students with disabilities (Rowe, 2004).

Public Law 94-142 decreed that students with disabilities had the right to nondiscriminatory testing, evaluation, and placement procedures; to be educated in the least restrictive environment; procedural due process, including parent involvement; a free education; and an appropriate education. The Individualized Education Program (IEP) was the focal point of PL 94-142. The IEP contained a student’s goals and objectives, educational placement, the length of the school year, as well as evaluation and measurement criteria. The law required an IEP to be developed and reviewed annually for every student who received special education services.

The Family Educational Rights and Privacy Act of 1974 (FERPA), commonly referred to as the Buckley Amendment, was passed by Congress in 1974. This act gave parents of minors and students over the age of 18 the right to examine the school records maintained in the students’ files. FERPA protected individuals with disabilities from being subjected to capricious decisions that affected their education (Yell, 1998). FERPA became an integral component in the educational process for families and students with disabilities as outlined in PL 94-142.

The Gifted and Talented Children’s Act (PL 95-561) was passed in 1978. Public Law 95-561 acknowledged the importance of federal legislation to provide FAPE for gifted and talented students. This law authorized federal funds to be used in the planning, development, operation, and improvement of programs for gifted and talented students. The Jacob K. Javits Gifted and Talented Student
Education Bill followed and passed in 1988. Federal funds were provided for the identification and education of gifted and talented students, education for teachers of the gifted, and the development of the National Center for the Education of the Gifted (NCES, 2000).

A second amendment to the Education of the Handicapped Act was passed in 1986. Public Law 99-457 extended services to infants, toddlers, and preschool age children with disabilities. While PL 94-142 mandated programs and services for children between the ages of 3 and 21 years, 30 states had not provided programs for children under the age of 3 until PL 99-457 was enacted in 1986 (Hart, 1997).

In 1990, an amendment to the Education for All Handicapped Children Act (PL 94-142) changed the title to the Individuals with Disabilities Education Act (IDEA), or PL 101-476. Yell (1998) commented the IDEA legislation was passed to assist states with the education of students with disabilities by providing federal monies. Furthermore, the U.S. Supreme Court posited Congress did not content itself with passage of a simple funding statute. Rather the [IDEA] confers upon disabled students an enforceable substantive right to public education . . . and conditions federal financial assistance upon states’ compliance with substantive and procedural goals of the Act. (Honig v. Doe, 1988, p. 597)

The intention of IDEA was to provide to all students with a disability a free appropriate public education which emphasizes special education and the related services designed to meet their unique needs to assure that the rights of children with disabilities and their parents or guardians
are protected, and to assist states and localities to provide for the
education of all children with disabilities. (IDEA, 20 U.S.C. § 1400 (c))

IDEA included the following changes:

1. The language of the law was changed to emphasize the person first, including the renaming of the law to the Individual with Disabilities Education Act as well as changing the term “handicapped student” to “child/student/individual with a disability.”

2. Students with autism and traumatic brain injury were identified as a separate and distinct class entitled to the law’s benefits, and

3. A plan for transition was required to be included on every student’s individual education program (IEP) by age 16. (Yell, 1998, p. 63)

The seven principles of IDEA were designed to ensure that all students with disabilities received a free appropriate public school education that has been individualized to meet their specific needs. The seven principles included: (a) zero rejection, (b) related services, (c) individualized education program, (d) least restrictive educational placement, (e) procedural safeguards, (f) parent participation, and (g) appropriate evaluation. The principles were standards that provided education for students with disabilities and they were instituted to address the failures of states to accommodate the individual educational needs of students with disabilities (Tucker & Goldstein, 1992). The IDEA established formulas by which states received federal funds if they submitted special education plans that met the guidelines of IDEA. Furthermore the IDEA contained provisions to guarantee that students with disabilities and their families
received a free appropriate education and that procedural protections were provided to them as mandated by the law.

Zero reject was clarified in the U.S. Court of Appeals for the First Circuit when the court decreed public education was to be provided to all students with educational disabilities, unconditionally and without exception (Timothy W. v. Rochester, New Hampshire, School District, 1989). The state had to assure that all students with disabilities meeting the criteria of: (a) having a disability, (b) from birth to age 21, (c) residing in the state, (d) need of special education and related services, or (e) suspected of having disabilities and in need of special education were identified, located, and evaluated (IDEA Regulations, 34 C.F.R. § 300.220). This was called the child find system and states are free to develop their own child find systems (IDEA, 20 U.S.C. § 1414 (a)(1)(A). This was an affirmative action responsibility of the school district and parents' failure to notify the school district did not relieve the state of its obligation to provide services (Gorn, 1996).

Related services or technology-related services was recognized as critically important to individuals with disabilities in a report issued by the Federal Office of Technology Assessment in 1982 (Gibbons, 1982). The report concluded technology was not being used to improve the lives of individuals with disabilities nor was funding available to assist these individuals. In 1988, Congress passed the Technology-Related Assistance for Individuals with Disabilities Act (29 U.S.C. § 2201 et seq.). Congress acknowledged the importance of technology in the lives of individuals with disabilities and included the definition of assistive technology devices and services from the Technology Act into the IDEA. The IDEA Amendments of 1997 stated the Individual
Education Program (IEP) teams were required to consider whether students with disabilities needed assistive technology and services during annual IEP meetings.

The Individual Education Program (IEP) was the centerpiece of the Individuals with Disabilities Education Act (IDEA) (Honig v. Doe, 1988; as cited in Yell, 1998). The student’s entire special education program was addressed, controlled, and monitored based on the IEP (Smith, 1990). The IEP was defined in the IDEA as “a written statement for a child with a disability that was developed and implemented in accordance with [the requirements of the law]” (IDEA, 20 U.S.C. § 1401 (a) (20)). Every student who received special education services was required to have an IEP. In addition, the IEP needed to be finalized before a student with identified disabilities received special education and related services (IDEA Regulation, 34 C.F.R. § 300.342 (b)). The IEP included the process of developing the educational plan as well as the written plan that specified educational placement and the services the student received. The IEP process provided a free appropriate public education (FAPE) for a student with disabilities (Yell, 1998). The IEP process was so critical that if it was not properly followed and implemented the IEP could be invalidated if it was contested in court (Horsnell & Kitch, 1996).

Providing an education in the least restrictive environment for students with disabilities is mandated in the IDEA which stated students with disabilities were to be educated with their peers without disabilities to the maximum extent appropriate (IDEA Regulations, 34 C.F.R. § 300.550 (b) (1)). Students with disabilities could only be placed in separate classes or schools when the extent
of their disabilities prevented them from receiving an appropriate education in a
genral education classroom with supplementary aids and services (IDEA
Regulations, 34 C.F.R. § 300.550 (b) (2)). School districts were required to
provide a continuum of services including regular classes, resource rooms,
special classes, special schools, homebound instruction, and instruction in
hospitals and institutions to ensure the LRE for students with disabilities (IDEA
Regulations, 34 C.F.R. § 300.551).

Tucker and Goldstein (1992) reported that the premise of IDEA lies in the
procedural safeguards designed to protect the interests of students with
disabilities. Many safeguards were in place to guarantee that parents were equal
participants in the special education process (IDEA Regulations, 34 C.F.R. §
300.500 et seq.). Yell (1998) stated, “these safeguards consist of four
components: general safeguards, the independent educational evaluation, the
appointment of surrogate parents (parent participation), and dispute resolution
(i.e., mediation and the due process hearing)” (p. 80). General safeguards
included notice and consent; in particular, notice must be given to parents in a
reasonable amount of time prior to the school’s initiating or changing or refusing
to initiate or change the student’s identification, evaluation, or educational
placement (IDEA Regulations, 34 C.F.R. § 300.504 (a) et seq.). Parental consent
must be obtained prior to conducting an initial evaluation and again prior to initial
placement in a special education program (IDEA Regulations, 34 C.F.R. 300.504
(b) et seq.). If the parents of a student with disabilities disagree with the
educational evaluation of the school, they have a right to obtain an independent
evaluation at public expense (IDEA Regulations, 34 C.F.R. § 300.503). The
district is required to supply the parents with information on where the independent evaluation may be obtained and provided it at no cost to the parents. If the district believes its evaluation was appropriate, the district may initiate a due process hearing. If a child's parents cannot be located or if the child is a ward of the state, the state is required to appoint a surrogate parent. The IDEA mandates the surrogate parent to represent the child in all aspects related to the provision of special education (IDEA Regulations, 34 C.F.R. § 300.514 et seq.). If there is a disagreement between the school and the parents concerning identification, evaluation, placement, or any matters pertaining to the FAPE, either the parents or the school may request a due process hearing (IDEA Regulations, 34 C.F.R. § 300.504 (b) (3). IDEA prohibits a student's placement or program to be changed when a due process hearing or judicial action is pending. This provision in IDEA is referred to as the stay-put provision (IDEA Regulations, 34 C.F.R. § 300.513). The stay-put provision is not mandated if a student with disabilities brings a weapon to school, uses or sells illegal drugs, or presents a danger to other students or to staff.

The 1997 IDEA Amendment required that states offer parents the option of resolving their disputes through the mediation process prior to going to a due process hearing. The mediation process is voluntary and may not be used to prevent parents from going directly to a due process hearing (Yell, 1998). These principles set new precedents and established a new philosophy for how students with disabilities received a public school education.

Congress passed another key piece of legislation in 1990 which became a critical component in assuring equal educational opportunities for students with
disabilities (Zirkel & Kincaid, 1995). Senator Tom Harkin of Iowa, principal Senate author of Section 504, stated the following on the day the Senate passed the act:

> Across our Nation mothers are giving birth to infants with disabilities. So I want to dedicate the Americans with Disabilities Act to these, the next generation of children and their parents. With the passage of ADA, we as a society make a pledge that every child with a disability will have the opportunity to maximize his or her potential to live proud, productive, and prosperous lives in the mainstream of our society. We love you all and welcome you into the world. We look forward to becoming your friends, our neighbors, and your co-workers. We say, whatever you decide as your goal, go for it. The doors are open and the barriers are coming down.

(Congressional Record, April 26, 1977, p. 12216)

Yell (1998) stated, “The Americans with Disabilities Act of 1990 (ADA) has been heralded both as the most sweeping civil rights legislation since the Civil Rights Act of 1964 and as the most comprehensive legislation for individuals with disabilities” (p. 63).

Individuals protected under ADA (PL 101-336) are individuals with “disabilities” as defined under Section 504 of the Rehabilitation Act; any person who as (a) a physical or mental impairment that substantially limits one or more of the major life activities of such individual; (b) a record of such an impairment; or (c) being regarded as having such an impairment (ADA, 42 U.S.C. § 12102 (2)). The ADA guarantees equal opportunities and protection for individuals with
disabilities in employment, public accommodations, transportation, state and local government services, and telecommunications.

The ADA had five titles and the most critical title for students was Title II. Title II pertained to state and local government operations and encompassed publicly funded education (Zirkel & Kincaid, 1995). This legislation was significant federal legislation because it guaranteed full civil rights for all individuals with disabilities (Reutter, 1994; Yell, 1998).

The focus of the Education for All Handicapped Children’s Act in 1975 (PL 94-142) was to provide every child with a disability a free and appropriate public education (FAPE) in the least restrictive environment (LRE). FAPE was described as a publicly supported, individual education program for qualified students with disabilities (Yell & Drasgo, 2000). With its reauthorization in 1997, Public Law 94-142 was renamed the Individuals with Disabilities Education Act (Turnbull, 1993). The IDEA in conjunction with the Regular Education Initiative (REI) identified the general education classroom as the LRE for students with disabilities (Doyle, 2002). Parents and advocates initiated a substantial amount of litigation to ensure a FAPE is provided for children with disabilities (Turnbull & Turnbull, 2000; Yell & Drasgo, 2000). The courts’ decisions in these cases defined and redefined the appropriate delivery of special education programs for students with disabilities (Turnbull & Turnbull, 2000).

Supervision of Special Education

Principals have traditionally been responsible for supervision of general education; however, with FAPE, principals are responsible for all students and all programs in the school. In addition, the No Child Left Behind Act (NCLB) of 2001
has influenced program placement for students with disabilities. The NCLB (PL 107-110) requires states to develop content and achievement standards in reading, math, and science. All students including students with disabilities are expected to perform at grade level in reading, math, and science by the year 2014 (National Association of Secondary School Principals, 2003; No Child Left Behind of 2001). The directive to place most students with disabilities in general education classrooms and for all students to perform at grade level has added a new dimension of accountability to the position of principal (Praisner, 2003).

Educational leadership is ranked as the number one variable associated with effective schools (Algozzine, Ysseldyke, & Campbell, 1994). The principal is the instructional leader for all programs within the school, including the programs for students with disabilities (Goor et al., 1997; Kimbrough & Burkett, 1990; Robbins & Alvy, 2003; Van Horn, Burrello, & DeClue, 1992). The position of principal is a comprehensive position that requires fundamental and competent leadership abilities to ensure all students achieve academic success (Leithwood & Steinbach, 1995). The researchers argued “in order for principals to be the most productive, they need to think expertly about their own school contexts and the consequences for the practices which they choose” (p. 255). Hansen (1996) believed that quality leadership is based on the principal’s knowledge, understanding, and responsiveness to school: (a) laws, (b) policies, (c) issues, and (d) needs of the entire organizational structure. The principal determines the overall climate and influences instructional practices; in fact, the key predictor of a program’s success is the principal’s attitude toward it (Collins & White, 2001; DiPaola & Tschannen-Moran, 2003; Goor & Schwenn, 1995). The principal’s
attitude toward special education and the needs of students with disabilities directly affects the success of the special education programs (Burrello, Schrup, & Barnett, 1992; Liebfried, 1984).

Site-based management has placed more control and responsibility for special education with the principal (Collins & White, 2001). Principals must have a fundamental grasp of special education laws, policies, and regulations, as well as their application to daily instruction and administration. The principal is responsible for the special education team and the team establishes eligibility, develops individual education programs, and identifies placement for students with disabilities (Collins & White, 2001). Principals also need to be cognizant of the unique educational needs of children with disabilities, supervise programs and teachers, monitor programs and assessment, report to parents and various governmental agencies (O'Reilly & Squires, 1985). In most school districts, principals hire the special education staff, determine the number and type of special education classes to be offered, order materials and supplies for special education classes, and manage the special education budget (Doyle, 2002). As a result of the changes in federal legislation, principals are faced with increased pressure to know special education law (Davidson & Gooden, 2001).

Goor and Schwenn (1995) noted that principals often feel unprepared to administer special education programs and principals lacked adequate preparation to ensure compliance with special education laws and regulations. DiPaola and Tschannen-Moran (2003) and Hamill et al. (1999) postulated that these problems existed because educational leadership programs have typically not provided adequate training regarding the needs of special education students.
or the legal mandates that protect students with disabilities. A nationwide survey was conducted by Hirth and Valesky (1991) that examined administration training programs for principals and the coursework in special education law that was required by the universities. The researchers concluded universities were confused about certification requirements and did not adequately prepare administrators to address special education issues. The study found only 33% of all state certification programs for general education administrators required knowledge of special education law and more than 57% of the states did not require any knowledge of special education. The research of Hamill et al. (1999), Hines (2001), and Witt (2003) affirmed the findings of Hirth and Valesky (1991) and indicated universities have not adequately prepared principals to led and supervise special education. Malloy (1996) noted principals are faced with increasing responsibilities for special education; however, administrator certification programs provide minimal training in this area.

The legal and academic demands on administrators for students who receive special education services have increased (Daresh, 1997). Although NCLB and the national agenda require most students with disabilities to be included in the general education classroom, an agenda survey conducted by Lashway (2002) found that 69% of the principal respondents and 80% of the superintendent respondents believed that leadership programs failed to recognize the realities of school administration and that inclusion is not supported by school administrators. Training for principals in special education law is critically needed (Conrad & Whitaker, 1997; Foley & Lewis, 1999; Goor et al., 1997).
The research of Hines in 2001 addressed building administrators' (a) perceptions of knowledge of special education law, (b) perceptions of their satisfaction of the administrative training in special education law, (c) level of knowledge in special education law, and (d) demographic information. Data analysis for the Hines study was based on the response of 34% of the surveyed participants. The results indicated that principals perceived their level of knowledge of special education law to be adequate; approximately three-fourths indicated strongly agree or agree as their perceived level of knowledge. However, principals were able to correctly provide the application of IDEA to only three out of seven of the IDEA provisions. In addition, over half of the principals who participated in the research study regarding knowledge of special education law indicated the administrative training programs did not provide adequate training in special education law.

The literature suggested administrators lack the knowledge of special education law necessary to be competent in their position. Hart (1993) reported that principals obtained the knowledge and skills necessary to administer their roles through training programs. Hansen (1996) posited successful school administration is based upon one's knowledge, understanding, and responsiveness to school (a) laws, (b) policies, (c) issues, and (d) needs of the entire organizational structure. Patterson, Marshall, and Bowling (2002) surveyed principals, special education teachers, and general education teachers; the respondents identified knowledge in the following areas as requirements to competently administer special education: (a) special education laws, (b) due process procedures, (c) appropriate educational assessment, (d) confidentiality
requirements, and (e) laws regarding discipline in special education. Patterson, Marshall, and Bowling (2002) identified five critical areas that leadership training programs for principals needed to address: (a) special education law, regulations, court cases and funding, (b) district policies and interpretation, (c) district attitudes and support, (d) life-long education regarding best practices in special education, and (e) continuing education regarding leadership skills and strategies.

The research of Asperdon (1992) concluded that 85% of all principals believed additional training in special education was necessary, and over 40% of the principals reported that they had not received any training in special education. Additional research acknowledged certification programs for principals provided inadequate preparation to administer special education programs and stated that higher education programs have not prepared principals to lead or supervise special education programs (Goor & Schwenn, 1995; Hamill et al., 1999; Patterson, 2001). The studies of Hines (2001), Lashway (2002), and Wilcox and Wigle (2001) concurred with this position and indicated that principal certification programs fail to provide adequate training in special education. Improved programs for educational leadership and continued staff development are needed to assure principals are prepared to meet the educational needs of students with disabilities (Conrad & Whitaker, 1997; Foley & Lewis, 1999). Heumann and Hehir (1998) stated the role of the principal in the education of students with disabilities has become more crucial with the reauthorization of IDEA.
The success of special education programs is determined to a large extent by the leadership of the principal (Collins & White, 2001; Patterson et al., 2002). The research of Wilcox and Wigle (2001) indicated principals consistently and significantly overestimated their knowledge and competencies in special education. Administrators are not expected to become experts in special education law; however, administrators should become more aware of the rights of students served under IDEA. English, Frase, and Arhar (1992) reported, "Nowhere in our culture is change more imminent and the future less certain than in our public schools. At no time in our history is strong, thoughtful leadership more important" (p. viii).

Summary

Special education has a long history; however, it was not until the civil rights movement of the 1950s and 1960s, and the fervent advocacy of parents, that profound advances were made for students with disabilities in public education (Guernsey & Klare, 1993; Ordover, 2001). Prior to this time, students with disabilities were typically excluded from the general education classroom. The nature of the student's disability determined if the student would be educated in a separate classroom, a separate school, or totally excluded (Rowe, 2004; Winzer, 1993). Administrators received no educational training from the universities or guidance from the government regarding the nature of an appropriate education for students with disabilities (Yell, 1998). Equal educational opportunities for students with disabilities emanated from the court case of Brown v. Board of Education and continued to evolve due to comprehensive federal legislation. According to Turnbull (1993), parents acting
as advocated for their children with disabilities propelled the legal system to provide a free appropriate public education and equitable educational opportunities.

The passage of the Education for All Handicapped Children Act (PL 94-142) in 1975 profoundly changed the educational opportunities for students with disabilities (Turnbull & Turnbull, 1978; Yell, 1998). A free appropriate public education (FAPE) was required across the nation, and it emerged as the legal standard for all children with disabilities, regardless of the extent of their disabilities (Ordover, 2002). In 1990, PL 94-142 was reauthorized and renamed the Individuals with Disabilities Education Act (IDEA), or PL 101-476. IDEA was reauthorized again in 1997 and 2004. Each reauthorization improved educational opportunities and FAPE for students with disabilities (Ordover, 2002; Martin, 1985). Federal and state legislation for students with disabilities has provided protection and legal recourse for parents and students (Guernsey & Klare, 1993; Ordover, 2002; Turnbull & Turnbull, 1978). School administrators are faced with the necessity of developing a comprehensive knowledge base regarding special education law and procedures for compliance with the law or face the possibility of challenges in the court system (Collins & White, 2001; O'Reilly & Squires, 1985).

The reauthorization of IDEA and compliance with NCLB increased the challenges of administering special education programs. The focus of IDEA and the NCLB legislation was to provide a quality education for all students, and that included students with disabilities (Conrad & Whitaker, 1997; Foley Lewis, 1999).
legislation (DiPaola & Tschannen-Moran, 2003; Goor et al., 1997). Therefore, principals needed to be cognizant of continuously changing special education law to ensure compliance with the intent of the law, in addition to the letter of the law.

The role of the principal has changed significantly with IDEA. It is well documented that the principal's knowledge and support are pivotal in determining the success of special education programs (Smith & Colon, 1998). Principal training that includes special education law is needed to prepare administrators to provide appropriate services for all students. Research indicated that principals have not received adequate training in special education law at the universities. Furthermore, after certification, principals needed ongoing training to maintain current knowledge of the continuously changing special education laws and regulations (Hamill et al., 1999; Hines, 2001; Hirth & Valesky, 1991; Patterson, 2001).

The academic achievement of public schools is based on the educational preparation provided by the universities' administrative certification programs. Special education is a critical component of this academic preparation, and universities must align their curriculum and programs with this requirement (Hirth & Valesky, 1991). There was a need to examine principals' current knowledge and perceptions of their knowledge due to the reauthorization of IDEA and the continuous changes in special education law.
CHAPTER III

METHODS AND PROCEDURES

The principal's role and involvement in serving all of his or her students was significantly expanded with the passage of the Education of All handicapped Children Act, PL 94-142 and its reauthorization as the Individuals with Disabilities Education Act (IDEA). The purpose of this study was to compare the perceptions and knowledge of building administrators in special education law. This investigation contained two separate studies. This chapter is divided into the following sections: participants, research questions, development of the survey instrument, pilot study, data collection procedures, and data analysis.

Participants

For the purposes of this study, the population consisted of building administrators in a Metro-Atlanta school district. The demographic subgroups of building administrators consisted of principals, assistant principals, and assistant administrators. The assistant administrators are members of a mentoring program, and they perform the same duties as the assistant principals. Permission to conduct the study was obtained from the Human Subjects Protection Review Committee (Appendix C).

Research Questions

The following research questions helped direct the data collection for this study:

1. Is there a difference in the level of knowledge about special education law among building administrators in the areas of zero reject, related
services, appropriate evaluation, least restrictive environment, procedural safeguard, individual education program, and parent participation?

2. Is there a difference between building administrators on their level of knowledge in the areas of special education law?

3. What are the relationships between the building administrators' level of knowledge of special education law and their perceptions of their level of knowledge of the areas of special education law?

4. Is there a difference between the building administrators' level of knowledge of special education law and their perceptions of their level of knowledge of the areas of special education law related to selected demographics?

Development of the Survey Instrument

The survey instrument, Building Administrator Data Profile (BADP), was adapted from the instrument developed by Hines (2001) for use in a dissertation (Appendix D). The primary objective of this study was to examine the perceptions and knowledge of special education law among building administrators in the areas of: (a) zero reject, (b) related services, (c) appropriate evaluation, (d) least restrictive environment, (e) procedural safeguard, (f) individualized education program, and (g) parent participation.

The BADP consists of three sections. The first section of the BADP includes two questions used to measure the perceptions of special education law held by the building administrators. The second section of the BADP focuses on knowledge and contains 21 scenarios that have two possible responses (compliance or violation). Concurrence or non-concurrence for section two was
documented, based on the answer key, and these data were used to develop an index of building administrators' knowledge. This index ranged in value from 0-3 for the total of each subscore. Adjustments were made to the second section of the instrument based on recommendations from a panel of experts.

Permission to use this instrument was issued verbally by Dr. Joy Hines. Subsequent telephone call messages were not returned. The final attempt to reach Dr. Hines provided a recorded message indicating the number was no longer in service. In addition, attempts at communications through e-mails were not successful, and the current address was not available. Written permission to use the survey instrument was authorized by Dr. J. T. Johnson, co-author of the study (Appendix E).

Validity

The survey was reviewed by three experts for both content and construct validity. The letter of request and the validity feedback form are contained in Appendices F and G. The panel was chosen based on the following criteria: (a) professional knowledge of the content material, and (b) credibility (reliability of knowledge based upon professional experience and education). The scoring key for determining errors in participants' responses was created based on adjustments made to the survey. The panel of experts validated the accuracy of the scoring key.

Data Collection Procedures

An application packet seeking permission to distribute a survey instrument to building administrators identified for this study was submitted to The University of Southern Mississippi Human Subjects Protection Review Committee
The HSPRC authorized permission to conduct this study (Appendix C). In addition, the superintendent of the school district in this study authorized permission to distribute this survey to each building administrator. The application to the HSPRC included a copy of the instrument to be used: the purpose of the study, method of data analysis to be used, and actions that would be taken to maintain the confidentiality of the participants.

Each survey instrument (Appendix D) included a cover letter (Appendix H). Participation in the research project was voluntary, and anonymity was maintained by providing each respondent with a postage paid return envelope. The participants were requested to place their completed survey instruments in the return envelopes addressed to the researcher for return mailing. Informed consent was obtained by means of the respondent reading the cover letter that contained a paragraph indicating that submission of the completed survey instrument constitutes consent to participate in the research project.

After permission to administer the instrument was granted, a large manila envelope was mailed to each school in the study. The envelope contained the correct number of surveys needed for each building administrator at that particular school. Survey packets were placed inside a business envelope for each of the building administrators. The enclosed packet included the cover letter, the survey, and a postage paid return envelope addressed to the researcher. The cover letter explained the importance of the study for the district, directions for completing the survey, and a guarantee of anonymity to the respondent. In addition, a postage paid postcard was included in the packet, and the respondents were requested to mail it separately. The postcard included the
name and address of the respondent. This allowed the researcher to identify non-respondents if a second mailing was necessary. The separate mailing of the postcard guaranteed the anonymity of the respondents. After 2 weeks, a second mailing was conducted.

The cover letter notified the respondents that they would be entered in a drawing for a $25 money order with the return of the postcard. The respondents were able to request the final results of the study on the postcard. Results were sent via e-mail to the respondents who requested that information upon completion of the data analysis.

Data Analysis

The data generated in this descriptive study were analyzed using SPSS 15 for Windows. Descriptive statistics were used to describe the level of (a) perceived knowledge of special education law among building administrators, (b) satisfaction for previous training in special education, (c) knowledge of special education law among building administrators, and (d) demographics.

Research question 1 concerning perceptions of knowledge of special education law was analyzed by using repeated measures ANOVA. Research question 2 concerning the seven provision areas of IDEA was analyzed by using repeated measure ANOVA with a mixed design. Research question 3 pertaining to the relationships between building administrators' knowledge and perceptions of knowledge of the IDEA was analyzed using the Pearson correlation. Research question 4 was also analyzed for knowledge and perceptions of knowledge of the IDEA related to selected demographics using a Spearman correlation.
CHAPTER IV
ANALYSIS OF DATA

Chapter IV contains the results of the data analysis of the study including written analysis and graphic displays. The chapter is divided into the following sections: (a) introduction, (b) demographic data, (c) perceptions of knowledge of special education, (d) difference in knowledge of special education law between principals and assistant principals, (e) the relationship between the building administrators' level of knowledge and their perceptions of their level of knowledge of special education law, and (f) relations between perceptions and knowledge related to selected demographics.

Introduction

The purpose of this study was to characterize the principals and assistant principals in a selected Georgia school district. The study sought to examine their perceptions of knowledge of special education law, determine their level of knowledge of special education law, and analyze whether a difference existed based on selected demographics. The study was premised on the following questions:

1. Is there a difference in the level of knowledge of special education law among building administrators in the areas of zero reject, related services, appropriate evaluation, least restrictive environment, procedural safeguard, individual education program, and parent participation?

2. Is there a difference between principals and assistant principals and their level of knowledge in the areas of special education law?
3. What are the relationships between the building administrators' level of knowledge of special education law and their perceptions of their level of knowledge of the areas of special education law?

4. Is there a difference between the building administrators' level of knowledge of special education law and their perceptions of their level of knowledge of the areas of special education law related to selected demographics?

The survey instrument, Building Administrator Data Profile (BADP), a three-part questionnaire, was used to elicit data from principals and assistant principals in a selected Georgia school district. The school district authorized permission for the administrators of 50 schools to participate in the study. Ninety-nine building administrators were surveyed, and a total of 33 surveys were returned. Thirty-three responses were integrated in a comprehensive analysis of the data.

The first section of the survey questioned the administrators' perceptions of (a) their knowledge of special education law, and (b) their perception of having had adequate preparation in special education law during their administrative training. Section II of the BADP consisted of 21 scenario-based statements pertaining to special education law. Each scenario was associated with one of the following provisions of IDEA: zero reject, related services, appropriate evaluation, least restrictive environment, procedural safeguard, individual education program, and parent participation. Administrators were required to read each of the scenarios and indicate if the decision that was made in the scenario was in violation or compliance with the IDEA. Section III of the BADP
was designed to gather demographic information from the administrators to characterize the participants.

**Demographic Data**

Section III of the BADP included 13 questions that were used to identify the characteristics of the administrators. The population group included 99 building administrators in a selected Georgia school district. Respondents of the survey included 33 principals and assistant principals.

The participants’ demographic information, including apportionment of gender, age range, and ethnicity is identified in Table 2. The gender distribution of the building administrators was 21.2% male and 75.8% female. Data from one respondent (3.0%) was incomplete and was identified by no response.

Participants had the option of selecting age ranges, based on 5-year increments. The majority of the respondents were 56 to 60 years of age (33.3%). Forty-five percent of the respondents fell within the combined 10 year age range of 51 to 60 years of age. The second largest group (36.4%) of administrators was the 36 to 45 years of age group. The smallest group of respondents (3.0%) was 46 to 50 years of age. The majority of the participants in this study were White (69.7%). White females comprised 51.4% of the population, and White males comprised 18.2% of the total population. Black females represented the second largest segment of the population (21.2%) while Black males represented the lowest segment (3.0%) of the total population. One participant selected ethnicity identification as other (3.0%). Females represented the majority of the study population (75.8%).
Table 2

Participants' Demographic Information

<table>
<thead>
<tr>
<th>Administrators</th>
<th>n</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gender</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Male</td>
<td>7</td>
<td>21.2</td>
</tr>
<tr>
<td>Female</td>
<td>25</td>
<td>75.8</td>
</tr>
<tr>
<td>No Response</td>
<td>1</td>
<td>3.0</td>
</tr>
<tr>
<td>Age Range</td>
<td></td>
<td></td>
</tr>
<tr>
<td>31-35</td>
<td>4</td>
<td>12.1</td>
</tr>
<tr>
<td>36-40</td>
<td>6</td>
<td>18.2</td>
</tr>
<tr>
<td>41-45</td>
<td>6</td>
<td>18.2</td>
</tr>
<tr>
<td>46-50</td>
<td>1</td>
<td>3.0</td>
</tr>
<tr>
<td>51-55</td>
<td>4</td>
<td>12.1</td>
</tr>
<tr>
<td>56-60</td>
<td>11</td>
<td>33.3</td>
</tr>
<tr>
<td>No Response</td>
<td>1</td>
<td>3.0</td>
</tr>
<tr>
<td>Ethnicity</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Black</td>
<td>8</td>
<td>24.2</td>
</tr>
<tr>
<td>White</td>
<td>23</td>
<td>69.7</td>
</tr>
<tr>
<td>Other</td>
<td>1</td>
<td>3.0</td>
</tr>
<tr>
<td>No Response</td>
<td>1</td>
<td>3.0</td>
</tr>
</tbody>
</table>
The academic level of the administrators' school assignment is identified in Table 3. Elementary school administrators represented the majority of the respondents (54%). Middle school and high school administrators were equally represented at a rate of 18.2%, while one administrator (3.0%) represented the intermediate level school.

Table 4 delineates participants' years of experience as a school administrator and years of experience as a classroom teacher. The majority of the respondents (48.5%) had 5 or less years of experience as administrators. The second largest group of administrators (21.2%) had fewer than 10 years of experience. Administrators with 11 to 15 years of experience (18.2%) were the third largest group. A significant decline in experience was noted at 16 to 29 years of experience (6.1%) and at 21 to 25 years of administrative experience (3.0). Most administrators (27.3%) had 11 to 15 years of classroom teaching experience, followed by administrators with 6 to 10 years of classroom teaching experience (21.2%). Respondents were equally represented in both the 16 to 20 and 21 to 25 years of teaching experience groups at 15.2%). This range constituted the third largest group. The fourth group (12.1%) reported having 26 to 30 years of classroom experience, and the smallest group (6.1%) reported 1 to 5 years of experience in the classroom.

The administrators' educational preparation is reported in Table 5 including: academic degrees attained by the administrators, number of school law courses completed, identified by university department; and the administrators' perceived need for additional training. The largest segment of the respondents (45.5%) held a master's degree. The percentage of respondents
<table>
<thead>
<tr>
<th>School Level</th>
<th>n</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elementary</td>
<td>18</td>
<td>54.0</td>
</tr>
<tr>
<td>Intermediate</td>
<td>1</td>
<td>3.0</td>
</tr>
<tr>
<td>Middle</td>
<td>6</td>
<td>18.2</td>
</tr>
<tr>
<td>High</td>
<td>6</td>
<td>18.2</td>
</tr>
<tr>
<td>No Response</td>
<td>1</td>
<td>3.0</td>
</tr>
</tbody>
</table>
Table 4

*Leadership and Classroom Teaching Experience*

<table>
<thead>
<tr>
<th>Administrative Experience</th>
<th>n</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Years</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1-5</td>
<td>16</td>
<td>48.5</td>
</tr>
<tr>
<td>6-10</td>
<td>7</td>
<td>21.2</td>
</tr>
<tr>
<td>11-15</td>
<td>6</td>
<td>18.2</td>
</tr>
<tr>
<td>16-20</td>
<td>2</td>
<td>6.1</td>
</tr>
<tr>
<td>21-25</td>
<td>1</td>
<td>3.0</td>
</tr>
<tr>
<td>26-30</td>
<td>0</td>
<td>.0</td>
</tr>
<tr>
<td>No Response</td>
<td>1</td>
<td>3.0</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Classroom Teaching Experience</th>
<th>n</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Years</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1-5</td>
<td>2</td>
<td>6.1</td>
</tr>
<tr>
<td>6-10</td>
<td>7</td>
<td>21.2</td>
</tr>
<tr>
<td>11-15</td>
<td>9</td>
<td>27.2</td>
</tr>
<tr>
<td>16-20</td>
<td>5</td>
<td>15.2</td>
</tr>
<tr>
<td>21-25</td>
<td>5</td>
<td>15.2</td>
</tr>
<tr>
<td>26-30</td>
<td>4</td>
<td>12.1</td>
</tr>
<tr>
<td>No Response</td>
<td>1</td>
<td>3.0</td>
</tr>
</tbody>
</table>
who held a specialist's degree was 36.4%. Administrators who held a doctorate (15.2%) composed the smallest respondent group. The majority of the respondents (51.5%) had completed one school law course, 30.3% had completed two law courses, 12.1% had completed three law courses, and one respondent (3.0%) indicated that no law class had been completed. In addition, Table 5 identifies the participants' response to their perceived need for additional training in special education law. Most respondents (78.8%) indicated they needed additional training in special education law; however, 18.2% stated no additional training was necessary.

The majority of the respondents (60.6%), as indicated in Table 6, had not received a special education manual that delineated district policies and procedures. The percentage of respondents who had received a manual was 36.4%.

The demographic portion of the survey (Section III) is reported in Table 7. This section contained a Likert scale that was used to elicit the respondents' perceptions of preparedness to address questions pertaining to IDEA. The response scale options were rated from 1 to 5. The selection of 1 indicated the respondent believed he or she had inadequate preparation; whereas, the selection of 5 indicated the respondent had total confidence in preparedness to address questions pertaining to IDEA. Options 2, 3, and 4 allowed the respondent to identify degrees of preparedness, in ascending order. The majority of the respondents (36.4%) selected option 3, a neutral position; however, the combined results of option 4 at 33.3% and option 5 at 6.1% produced a 39.4% response, indicating a belief of confidence in their preparedness to address
Table 5

**Administrators' Educational Preparation**

<table>
<thead>
<tr>
<th>Educational Degree of Administrators</th>
<th>n</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Degree</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Master's</td>
<td>15</td>
<td>45.5</td>
</tr>
<tr>
<td>Specialist</td>
<td>12</td>
<td>36.4</td>
</tr>
<tr>
<td>Doctorate</td>
<td>5</td>
<td>15.2</td>
</tr>
<tr>
<td>No Response</td>
<td>1</td>
<td>3.0</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>School Law Courses Completed by Administrators</th>
<th>Number of Courses</th>
<th>n</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>One</td>
<td>17</td>
<td>53.1</td>
</tr>
<tr>
<td></td>
<td>Two</td>
<td>10</td>
<td>31.3</td>
</tr>
<tr>
<td></td>
<td>Three</td>
<td>4</td>
<td>12.5</td>
</tr>
<tr>
<td></td>
<td>None</td>
<td>1</td>
<td>3.0</td>
</tr>
</tbody>
</table>

| Training in Special Education Law Requested  | Yes  | 26  | 78.8 |
|                                              | No   | 6   | 18.2 |
|                                              | No Response | 1   | 3.0  |
Table 6

Special Education District Policy Manual

<table>
<thead>
<tr>
<th>Manual Provided</th>
<th>n</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>12</td>
<td>36.4</td>
</tr>
<tr>
<td>No</td>
<td>20</td>
<td>60.6</td>
</tr>
<tr>
<td>No Response</td>
<td>1</td>
<td>3.0</td>
</tr>
</tbody>
</table>
questions pertaining to the IDEA. Option 1 was selected by 3.0% of the administrators, and option 2 was selected by 18.2% of the administrators. Combined, 21.2% of the administrators selected indicators of inadequate preparation to address questions regarding the IDEA.

Section I - Perceptions and Knowledge of Building Administrators

Perceived Knowledge

Section I of the Building Administrators Data Profile (BADP) contained two questions to ascertain the opinions of building administrators in regards to their knowledge and training in special education law. The administrators were asked to respond to both questions on a four point Likert scale. The scale provided the following possible responses and assigned scores to the questions: 1 = strongly agree, 2 = agree, 3 = disagree, and 4 = strongly disagree.

The first question asked building administrators to respond to the following statement, “I believe I have sufficient knowledge of special education law, as mandated under the Individuals with Disabilities Education Act (IDEA).” Adequate knowledge of special education law drives special education policies and procedures. This knowledge provides the foundation for principals to administer programs that provide services for children with disabilities within the parameters of the IDEA. The analysis of the responses yielded a mean of 2.00 (M = 2.00, SD = .50) indicating that building administrators agreed that they did have sufficient knowledge of special education law.

Adequate Training

The second question asked administrators to respond to the statement, “I believe I received adequate preparation in special education law during my
Table 7

**Preparedness to Address Questions Pertaining to IDEA**

<table>
<thead>
<tr>
<th>Preparedness</th>
<th>n</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 - Inadequately</td>
<td>1</td>
<td>3.1</td>
</tr>
<tr>
<td>2</td>
<td>6</td>
<td>18.8</td>
</tr>
<tr>
<td>3 - Neutral</td>
<td>12</td>
<td>37.5</td>
</tr>
<tr>
<td>4</td>
<td>11</td>
<td>34.4</td>
</tr>
<tr>
<td>5 - Prepared</td>
<td>2</td>
<td>6.3</td>
</tr>
<tr>
<td>No Response</td>
<td>1</td>
<td>3.0</td>
</tr>
</tbody>
</table>
administrative training." The analysis of this perception yielded a mean of 2.30 (M = 2.30, SD = .72). This result also indicated that the building administrators agreed they had received adequate preparation in special education law during their administrative training.

Section II - Relations Between Perceptions and Knowledge of Special Education Law

Level of Knowledge

In Section II of the survey instrument, principals and assistant principals responded to 21 scenarios designed to measure precise knowledge of the IDEA. The administrators read and evaluated each scenario to determine if the decision made in the scenario was in compliance (C) or violated (V) the IDEA regulations. One of the seven provisions of the IDEA was presented in each of the 21 scenarios and each provision was presented three times. An accurate response was allotted a score of 1.00, and inappropriate answers received a score of .00. Scores were added together within each of the seven provisions and yielded scores that ranged from 0 to 3. The provisions included in the scenarios were: (a) zero reject, (b) related services, (c) appropriate evaluation, (d) least restrictive environment (LRE), (e) procedural safeguard, (f) Individualized Education Program (IEP), and (g) parent participation.

The first research question stated, "Is there a difference in the level of knowledge about special education law among building administrators in the areas of: zero reject, related services, appropriate evaluation, least restrictive environment, procedural safeguard, individual education program, and parent participation?" A one-way multivariate analysis of variance (MANOVA) was used
to compare the mean scores of building administrators for each of the seven provisions of the IDEA. Table 8 reports the descriptive results of administrators' knowledge of the IDEA. The results of the MANOVA analysis were significant, the Wilks' Lambda yielded the following results $F(6, 27) = 112.996, p < .001$.

In addition, a Bonferroni post hoc test was conducted to test each ANOVA at the $\alpha < .05$ level to determine which of the pairwise comparisons were significant. All pairwise comparisons were found to be significant at the $\alpha = .05$ level with the exception of the two pairwise comparisons: (a) parent participation and related services ($p = .163$) and (b) related services and procedural safeguards ($p = .077$).

The provisions related to knowledge of Individual Education Plans and least restrictive environment had means higher than all other provisions indicting administrators were more knowledgeable of these areas of the IDEA, while scores for zero reject and procedural safeguards had means lower than all other areas indicating administrators were less knowledgeable of those provisions. The resulting scores for the seven constructs of IDEA ranked as follows: IEP > LRE > appropriate evaluation > parent participation > related services > procedural safeguards > zero reject.

The second research question stated, "Is there a difference between building administrators and their level of knowledge in the areas of special education law? Table 9 reports the scores for the means and standard deviations of principals and assistant principals' attempts to correctly identify the seven provisions of the IDEA. A repeated measure analysis of variance (ANOVA) was conducted to test this question. Analysis of the data consisted of
Table 8

Administrators' Knowledge of IDEA

<table>
<thead>
<tr>
<th>IDEA Provision</th>
<th>M</th>
<th>SD</th>
</tr>
</thead>
<tbody>
<tr>
<td>IEP</td>
<td>2.60</td>
<td>.56</td>
</tr>
<tr>
<td>LRE</td>
<td>2.30</td>
<td>.59</td>
</tr>
<tr>
<td>Appropriate Evaluation</td>
<td>1.89</td>
<td>.82</td>
</tr>
<tr>
<td>Parent Participation</td>
<td>1.36</td>
<td>.90</td>
</tr>
<tr>
<td>Related Services</td>
<td>1.09</td>
<td>.52</td>
</tr>
<tr>
<td>Procedural Safeguards</td>
<td>.79</td>
<td>.82</td>
</tr>
<tr>
<td>Zero Reject</td>
<td>.18</td>
<td>.46</td>
</tr>
</tbody>
</table>

Scale 0-3
pairwise comparisons to determine if a difference existed between principals and assistant principals and their level of knowledge of the IDEA. In the tests of between subject effects, no significant difference was found between principals and assistant principals and their levels of knowledge in the areas of special education law, $F(1, 30) = .161, p = .691$.

Research question 3 stated, What are the relationships between the building administrators' level of knowledge of special education law and their perceptions of their level of knowledge of the areas of special education law? Pearson correlations were conducted to determine if a relationship existed between the variables of knowledge and perceived knowledge of the IDEA. Table 10 contains the results of the correlations between knowledge and perceived knowledge of the IDEA. The test revealed there was a statistically significant correlation between knowledge and perceived knowledge of procedural safeguards $r(30) = .381, p = .029$ (computed at $\alpha = .05$). Although this was significant, it appears that a moderately positive relationship exists, as indicated by $r = .381$. No significant statistical correlation was found between knowledge and perceptions of knowledge among the remaining six provisions of the IDEA.

Research question 4 stated, Is there a difference between the building administrators' level of knowledge of special education law and their perceptions of their level of knowledge of the areas of special education law related to selected demographics? A Spearman correlation was performed to determine if administrators' knowledge of special education law was impacted by the following variables: years of experience as classroom teacher and years of
Table 9

*Between-Subjects, Means, and Standard Deviations on the IDEA*

<table>
<thead>
<tr>
<th>Provision</th>
<th>Principal n = 10</th>
<th>Assistant Principal n = 22</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>M</td>
<td>SD</td>
<td>M</td>
</tr>
<tr>
<td>Individual Education Program (IEP)</td>
<td>2.60</td>
<td>.69</td>
<td>2.59</td>
</tr>
<tr>
<td>Least Restrictive Environment</td>
<td>2.40</td>
<td>.70</td>
<td>2.22</td>
</tr>
<tr>
<td>Appropriate Evaluation</td>
<td>1.80</td>
<td>.79</td>
<td>1.86</td>
</tr>
<tr>
<td>Parent Participation</td>
<td>1.60</td>
<td>.52</td>
<td>1.27</td>
</tr>
<tr>
<td>Related Services</td>
<td>1.20</td>
<td>.42</td>
<td>1.05</td>
</tr>
<tr>
<td>Procedural Safeguards</td>
<td>.60</td>
<td>.52</td>
<td>.91</td>
</tr>
<tr>
<td>Zero Reject</td>
<td>.20</td>
<td>.63</td>
<td>.18</td>
</tr>
</tbody>
</table>

Scale 0-3
Table 10

Correlations Between Knowledge and Perceptions of Knowledge of IDEA

<table>
<thead>
<tr>
<th>Provision</th>
<th>Correlation</th>
<th>Significance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Related Services</td>
<td>-.120</td>
<td>.507</td>
</tr>
<tr>
<td>Appropriate Evaluation</td>
<td>-.315</td>
<td>.084</td>
</tr>
<tr>
<td>Least Restrictive Environment</td>
<td>.000</td>
<td>1.00</td>
</tr>
<tr>
<td>Zero Rejection</td>
<td>.000</td>
<td>1.00</td>
</tr>
<tr>
<td>Procedural Safeguards</td>
<td>.381*</td>
<td>.029</td>
</tr>
<tr>
<td>Parent Participation</td>
<td>.279</td>
<td>.115</td>
</tr>
<tr>
<td>Individual Education Plan</td>
<td>-.112</td>
<td>.533</td>
</tr>
<tr>
<td>Total</td>
<td>.095</td>
<td>.597</td>
</tr>
</tbody>
</table>
experience as an administrator. The data analysis revealed no statistically
significant correlation between administrators' knowledge and perceived
knowledge of the IDEA and years of classroom teaching experience, \( r_s(31) = - .184, p = .314 \), nor years of experience as an administrator, \( r_s(31) = -.251, p = .166 \). Neither classroom teaching experience nor administrative experience
impacted respondents' knowledge or perceived knowledge in regards to the
provisions of the IDEA.

Summary
This chapter presents the statistical analysis of data ascertained from a
study of building administrators on their perceptions of knowledge versus
knowledge of the special education laws mandated by the passage of the IDEA
in a selected Georgia school district. Selected demographics were incorporated
into this analysis. A profile of the administrators was developed using descriptive
statistics. The majority of the participants were White, female, elementary school
administrators who held a master's degree. Approximately 50% of the
respondents had 5 or less years of experience as administrators. However, most
of the administrators had 11 to 15 years of classroom teaching experience prior
to becoming an administrator. The predominant number of respondents (51.5%)
had completed one course in school law, while 30.3% had completed two school
law courses. The preponderance of administrators (79%) requested additional
training in special education law.

The analysis of administrators' perceptions of knowledge and perceptions
of adequate training was based on a four point Likert scale. The majority of
administrators “agreed” they had sufficient knowledge of the IDEA and that they had received adequate training.

Section II of the survey consisted of four research questions. They were designed to: analyze administrators’ knowledge, determine if a difference in knowledge existed between principals and assistant principals, analyze the possible difference between perceived and actual knowledge, and, finally, to investigate the potential influence of selected demographics on knowledge.

Question 1 stated, Is there a difference in the level of knowledge of special education law among building administrators in the areas of: zero reject, related services, appropriate evaluation, least restrictive environment, procedural safeguard, individual education program, and parent participation? The results of the MANOVA analysis were significant; the Bonferroni post hoc test indicated all of the pairwise comparisons, with the exception of two, were significant. The exceptions were: (a) parent participation and related services, and (b) related services and procedural safeguards. The means for knowledge of the seven constructs of the IDEA ranked as follows: IEP > LRE > appropriate evaluation > parent participation > related services > procedural safeguards > zero reject.

Question 2 stated: Is there is a difference between principals and assistant principals and their level of knowledge in the areas of special education law? ANOVAs were conducted on each variable, and no statistically significant difference was found between principals and assistant principals and their levels of knowledge in the areas of special education law.

Question 3 stated: What are the relationships between the building administrators’ level of knowledge of special education law and their perceptions
of their level of knowledge of the areas of special education law? A Pearson correlation revealed there was a moderate statistically significant correlation between knowledge and perceived knowledge of procedural safeguards, \( r (30) = .381, p = .029 \) (computed at \( p = .05 \)). No significant statistical correlation was found between knowledge and perceptions of knowledge among the remaining six provisions of the IDEA.

Question 4 stated: Is there a difference between the building administrators’ level of knowledge of special education law and their perceptions of their level of knowledge of the areas of special education law related to selected demographics? A Spearman correlation was conducted to determine if years of experience as a classroom teacher or years of experience as an administrator impacted knowledge and perceptions of knowledge of special education law. No statistically significant correlation was found in relation to years of classroom teaching experience nor years of experience as an administrator.
CHAPTER V

SUMMARY AND RECOMMENDATIONS

Chapter V contains the following information: a summary of procedures; results of the study; conclusion and implications of the study; discussion of the results; limitations; and, in conclusion, recommendations for future study.

The purpose of the study was to characterize the principal and assistant principals in a selected Georgia school district, examine the administrators' perceptions of knowledge and knowledge of the IDEA. The study was premised on the following questions: (a) is there a difference in the knowledge of administrators across the seven provision of the IDEA; (b) does a difference exist between principals and assistant principals and level of knowledge; (c) what relationships exist between administrators' perceptions and actual knowledge of the IDEA; (d) is there a difference in perceptions of knowledge and knowledge of the IDEA related to selected demographics? The following provisions of the IDEA were examined: (a) zero reject, (b) related services, (c) appropriate evaluation, (d) least restrictive environment, (e) procedural safeguard, (f) individual education program, and (g) parent participation.

Procedures

The study was conducted in a large school district in Georgia. An extensive application process was required by the district to obtain permission to proceed with the study. The application process required the researcher to obtain written permission to proceed with the research from leadership personnel at many levels. When permission to proceed was authorized at all levels of the leadership hierarchy and every principal authorized to participate in the study
had provided written permission for their school to participate, or declined to participate, final authorization to proceed was granted by the district (Appendix F). Although this district included hundreds of schools and administrators, final authorization to proceed with the study was limited to 50 schools. In addition, the following communication restrictions were included with the district's permission to conduct the study; the researcher was not allowed to communicate with the participants via telephone or e-mail. It took approximately 5 months to navigate through the layers of application requirements to conclude the application process with the district. Next, application to the university Human Subjects Protection Review Committee (HSPRC) was submitted; approval was granted by the HSPRC to conduct the study (Appendix B).

The Building Administrator Data Profile (BADP) was reviewed for content and construct validity and then mailed to the participating schools for distribution to the administrators. The BADP consisted of three section; the first section contained two questions that solicited administrators' opinions. The questions addressed administrators' perceptions of: (a) knowledge of the IDEA, and (b) adequate administrative preparation during training regarding special education law. Section II contained 21 scenarios developed to measure actual knowledge of the IDEA. Section III was designed to obtain demographic information about the participants.

Postcards were included with the surveys and return envelopes that were distributed to the administrators. The postcards and return envelopes containing the survey were returned to the researcher in separate mailings. Separate return mailings were conducted to identify participants who did not return the BADP and
Data from the survey were compiled and analyzed. Descriptive statistics were analyzed and used to construct a profile of the administrators. Statistical data from the survey were analyzed using the following tests: MANOVA, ANOVA, Bonferonni post hoc test, as well as Pearson and Spearman correlations.

Summary of Results

The majority of the participants were White, female, elementary school administrators who held a master's degree. Approximately 50% of the respondents had less than 5 years of experience as administrators. Most of the administrators had 11 to 15 years of classroom teaching experience prior to becoming administrators. In addition, the majority of administrators (51.5%) had completed one course in school law while 30.3% had completed two courses in school law. Almost 80% of the administrators surveyed requested additional training regarding the IDEA.

Section I

In Section I of the survey, administrators were asked to rate their perceptions of knowledge and adequate administrative training regarding special education law and respond to both questions on a four-point Likert scale. The scale provided the following possible responses: (1) strongly agree (2) agree, (3) disagree, and (4) strongly disagree. The majority of the administrators selected the choice of “agreed” in response to both questions. The answers indicated that the administrators perceived they did have sufficient knowledge of the IDEA and
had received adequate training in school law. Perceptions of knowledge and adequate training were not substantiated through data analysis of the administrators’ responses to the BADP. The Pearson correlations revealed a moderately positive statistically significant relationship between perceived knowledge and knowledge for one provision, procedural safeguards. No significant statistical correlation was found between the remaining six provisions.

Section II

Research question 1: Data analysis of descriptive statistics showed there was a difference in knowledge of the provisions of the IDEA among building administrators. Analysis of the highest mean scores indicated administrators were more knowledgeable about two provisions of the IDEA. Administrators knew the most about the provisions addressing IEPs and least restrictive environment. This was followed by knowledge of appropriate evaluation, parent participation, and related services. Administrators’ knowledge of the IDEA provisions of procedural safeguards and zero reject was considerably lower than the previously identified provisions. The results of the Wilks’ Lambda test were statistically significant, indicating there was a statistically significant difference in knowledge among building administrators between the provisions of the IDEA. Post hoc analysis revealed all pairwise comparisons were significant, demonstrating administrators’ perceived knowledge of the IDEA and actual knowledge did not agree, with the exception of two comparisons. Administrators’ perceptions of knowledge and actual knowledge were in agreement for two of
the pairwise comparisons: (a) parent participation and related services, and (b) related services and procedural safeguards.

Research question 2: Data analysis of the ANOVA conducted from question 2 indicated there was no statistically significant difference between principals and assistant principals and levels of knowledge of special education law. This research supports the Hines (2001) study which reported that responses between principals and assistant principals were similar.

Research question 3: Administrators' perceptions of knowledge and actual knowledge of special education law produced a moderate statistically significant correlation for procedural safeguards. The moderate relationship verified knowledge of the provision as perceived by the administrators. There was no correlation between perceived knowledge and actual knowledge among the remaining provisions of the IDEA.

Research question 4: Administrators' perceptions of knowledge and knowledge of special education law were analyzed to determine if the demographic variables of: (a) years of classroom teaching experience, and (b) years of administrative experience impacted knowledge of special education law. No statistically significant correlation was found in relation to the number of years of classroom teaching experience or the number of years of administrative experience. Neither factor impacted administrators' perceptions and knowledge of the IDEA.

Conclusions and Implications

Requirements for the administration and supervision of special education have developed exponentially since the enactment of Public Law 94-142 and its
reauthorization in 1990 as the IDEA. As the educational leader, principals have become increasingly responsible for the academic success of all students, including students with disabilities (Goor et al., 1997). Katsiyannis (1994) noted, “School principals are responsible for ensuring the appropriate education of all students, including those with disabilities. They must provide the leadership to develop the knowledge base and must have the competence to ensure compliance” (p. 6). Administrators’ knowledge of the IDEA is critical in providing a free appropriate public education (FAPE) to students with disabilities and promoting the success of special education programs.

This research implies:

1. Principals and assistant principals believed they were knowledgeable of the IDEA; however, data analysis contradicted this belief. This situation has the potential to negatively impact the education of students with disabilities as well as special education programs. Furthermore, this misconception has the potential to leave the district vulnerable to litigation.

2. Principals were not more knowledgeable than assistant principals about the IDEA. Increasing levels of administrative responsibility do not positively impact knowledge nor imply additional or improved training in the IDEA. A strong implication exists that on-going staff development is warranted for all administrators.

3. A moderate correlation existed between perceived knowledge and knowledge for one provision of the IDEA, procedural safeguards. No statistical correlation was found between knowledge and perceptions of knowledge among the remaining six provisions of the IDEA. Administrators believed they were
knowledgeable of the IDEA and prepared to make accurate decisions concerning special education law. However, data analysis indicated that administrators lacked critical knowledge of the provisions; therefore, administrators lacked the competency to make accurate decisions pertaining to the IDEA. In addition, the majority of administrators were not aware of this deficit.

Considering the administrators' deficits in knowledge, the district cannot ensure compliance with the IDEA nor ensure that appropriate educations are currently being provided to students with disabilities. This deficit may negatively impact students with disabilities and prevent them from receiving FAPE and an opportunity to achieve their academic potential. Again, the data indicate the district is vulnerable and possibly at risk for contentious litigation from parents asserting their students have not received an appropriate education and that their students' rights have been violated.

4. No statistically significant correlation existed between years of classroom teaching experience and years of experience as an administrator. Increased years of experience in the educational system did not positively impact knowledge of the IDEA. On-going staff development is warranted for all administrators, regardless of increased years of experience as a classroom teacher or increased years of experience as an administrator.

5. This district is consistently rated as one of the top-performing districts in Georgia. In addition, the district has an extensive, highly trained, special education leadership team. However, analysis of the data suggests the district may not be providing appropriate staff development programs to
administrators who are required to maintain compliance with the special education laws.

6. The analysis of this study raises questions concerning accurate administrative knowledge about the IDEA throughout the state.

7. Analysis of the data indicates the curriculum and requirements of colleges and universities pertaining to knowledge of special education law may be inadequate.

8. This analysis indicates state certification exams for school administrators may not provide adequate attention to special education law.

Discussion

"In giving rights to others which belong to them, we give rights to ourselves and to our country." John Firtzgerald Kennedy

This study confirms the findings of previous research (Hines, 2001; Lashway, 2002) regarding the failure of principals and assistant principals to have adequate knowledge of special education law. The descriptive data analysis indicated principals' and assistant principals' perceptions of knowledge regarding the IDEA were positive; however, statistical analysis contradicted this perception. In addition, principals were not more knowledgeable than assistant principals about the IDEA. A moderate statistical correlation existed between perceived knowledge and knowledge for procedural safeguards; however, no correlation was found for the remaining provisions. Furthermore, no statistically significant correlation existed between years of classroom teaching experience, years of experience as an administrator, and knowledge of the IDEA.
Special Education Law

Education has been an assumed the quintessential duty of American society. Presenting the closing address to the National Education Association in 1898, Dr. Bell advocated the development of special programs for specific segments of children with disabilities, and, in 1902, Bell's persistence led to the creation of the Department of Special Education of the National Education Association. However, discrimination against individuals with disabilities continued, and without legal protection available to them, students with disabilities were subject to restrictions, limitations, and unequal treatment. During the 1960s, President Kennedy and Senator Humphrey affected significant change through the legal system that was profound and focused public attention on the need to educate students with disabilities (Gearheart, 1972). President Kennedy initiated the National Action to Combat Mental Retardation Program, and in 1958, Congress passed the Expansion of Teaching in the Education of the Mentally Retarded Children Act (PL 85-926).

With the sweeping changes initiated in the Brown v. Board of Education (1954) decision, parents of children with disabilities began to question why the principals of equal access to education could not be applied to the education of their children (Fischer et al., 2007; Turnbull & Turnbull, 1978). Parents and advocates attempted to force the states to provide equal educational opportunities to children with disabilities. This advocacy resulted in federal legislation protecting the education rights of all children with disabilities based on the Fourteenth Amendment to the Constitution.
On November 29, 1975, Congress passed the Education for All Handicapped Children Act (PL 94-142) that guaranteed a FAPE for children aged 3 to 21. Public Law 94-142 decreed that students with disabilities had the right to: nondiscriminatory testing, evaluation, and placement procedures; to be educated in the least restrictive environment; procedural due process, including parent involvement; a free education; and an appropriate education. In 1990, an amendment to PL 94-142 changed the title to the Individuals with Disabilities Education Act (IDEA), or PL 101-476. Administrators' knowledge and understanding of the IDEA is critical in providing meaningful educational opportunities to students with disabilities.

Administrative Leadership

Public Law 94-142 and its reauthorization as the Individuals with Disabilities Education Act (IDEA) dramatically impacted every school district in the United States and significantly altered the role of administrators (Heward & Orlansky, 1992). The landmark reauthorization of PL 94-142 in 1978, 1986, 1990, 1997, and 2004 required the building administrator to assume an extensive role in the education of children with disabilities. The reauthorization of IDEA and compliance with NCLB increased the challenges of administering special education programs. The principal became directly responsible for compliance with the IDEA. In addition, administrators were faced with the necessity of acquiring knowledge of special education law and compliance or face the possibility of litigious action.

It is well documented that principals' knowledge and support are pivotal in determining the success of special education programs (Smith & Colon, 1998).
Administrative certification programs provide the foundation for the academic success of public schools. Special education is a critical component of this academic preparation, and universities must align their curriculum and programs with this requirement (Hirth & Valesky, 1991). However, a number of studies reported universities have not prepared principals to administer special education programs because the administrative training programs did not require any special education course work (Hamill et al., 1999; Patterson, 2001). In addition, a nationwide survey that analyzed the requirements of university administrator education programs in special education and special education law concluded that universities were confused about endorsement requirements and had not adequately prepared administrators to address special education issues (Hirth & Valesky, 1991; Patterson, 2001). The research of Wilcox and Wigle (2001) indicated principals consistently and significantly overestimated their knowledge and competencies in special education.

The IDEA has provided the foundation for special education for over 30 years; however, a significant number of school administrators have inadequate knowledge of the law or the educational requirements of students with disabilities. These findings support previous research indicating administrators did not receive adequate preparation in special education law during administrative training (Lashway, 2002). The success of special education programs is determined to a large extent by the leadership of the principal (Collins & White, 2001; Patterson et al., 2002). Knowledge of the IDEA is crucial for administrators to ensure that students with disabilities receive a Free and Appropriate Public Education (FAPE). This study advocates additional training in
special education law for all practicing administrators and the inclusion of a comprehensive special education law component in all school law courses.

"The public education system in the United States is an instrumentality for carrying out a function that society has determined to be a desirable one—the education of all the children of all the people" (Reutter, 1994, p. 1).

Limitations

The following limitations should be considered when examining this study.

1. Participants of the study were limited to a select Georgia school district. This district was chosen because it is considered progressive and proactive regarding the IDEA.

2. The school district failed to provide the researcher with accurate and detailed information regarding the extensive application process required to conduct research in the district. At the end of a prolonged application process, the district severely limited administrative participation. The response rate (33%) aligns with the typical response rate of administrators who participate in research studies. However, due to the limited number of schools authorized to participate, the number of respondents who participated was low.

3. The demographic character of the study was not wide-ranging. The majority of the respondents were White, female, elementary school administrators.

4. The scenarios in the survey instrument could be subject to unintended personal interpretations.
Recommendations

Recommendations for future research include the following:

1. It is recommended that future study determine if levels of differences in knowledge of special education law exist between any of the following demographics: general education teachers, special education teachers, administrators, special education administrators, superintendents, and school board members.

2. It is recommended that future study determine if levels of differences in knowledge of special education law exist between university students who have completed school law classes through the general education department and students who have completed school law classes through the special education department.

3. It is recommended that a future study determine if levels of differences in knowledge of special education law exist based on the number of school laws classes that university students have completed.

4. It is recommended that future study determine if levels of differences in knowledge of school law exists based on the graduate level of the educational degree program that was completed.

5. It is recommended that future study determine if the tests conducted at the end of school law courses address all of the provisions of the IDEA.
APPENDIX A

SELECTED PROVISIONS OF THE U.S. CONSTITUTION

First Amendment
Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people to peaceably assemble, and to petition the government for a redress of grievance.

Fourth Amendment
The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

Tenth Amendment
The powers not delegated to the United States by the Constitution, nor prohibited by it to the States are reserved to the States respectively, or to the people.

Fourteenth Amendment
All persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.
APPENDIX B

PERMISSION TO USE TABLE 1

----- Forwarded message from Mitch Yell <myell@gwm.sc.edu> -----
Date: Mon, 12 May 2008 09:13:10 -0400
From: Mitch Yell <myell@gwm.sc.edu>
Reply-To: Mitch Yell <myell@gwm.sc.edu>
Subject: Fwd: RE: Law Book copyright
To: wl92869@mail.usm.edu

Here is the email that Ann sent regarding your dissertation.

Mitch

Mitchell L. Yell, Ph.D.
Fred and Francis Lester Chair in Teacher Education Programs in Special Education 235-G Wardlaw University of South Carolina Columbia, SC 29208
(803)777-5279

>> "Davis, Ann (CHET)" <ann.davis@pearson.com> 3/3/2008 12:56:17 PM
>>>(3/3/2008 12:56:17 PM

Mitch -- If the dissertation isn't going to be published and distributed, then a formal permission is not needed, although appropriate citation should be given. In the event that at a later date the dissertation were to be published then permission would be required.

Our permission person is Emily McGee and her email address is Emily.mcgee@pearson.com

Ann

----- Original Message ----- 
From: Mitch Yell [mailto:MYelleqwm.sc.edu]
Sent: Sunday, March 02, 2008 3:30 PM
To: Davis, Ann (CHET)
Cc: wl92869@mail.usm.edu
Subject: Fwd: Law Book copyright

Hi Ann,

This is an email from a doctoral student who wants to include a figure from the law textbook in her dissertation. It is OK with me.

Who should I have her contact at Pearson regarding permission to use the figure?

Thanks!

Mitch

Mitchell L. Yell, Ph.D.
Fred and Francis Lester Chair in Teacher Education Programs in Special Education 235-G Wardlaw University of South Carolina Columbia, SC 29208
(803)777-5279

>>> <wl92869@mail.usm.edu> 3/1/2008 11:44:18 AM >>>

----- Forwarded message from wl92869@mail.usm.edu -----
Date: Sun, 11 May 2008 18:04:57 -0500
From: wl92869@mail.usm.edu
Reply-To: wl92869@mail.usm.edu
Subject: Permission Dissertation
To: myell@sc.edu

Dr. Yell, I have made "numerous" attempts since our conversation via, phone, fax, and mail to obtain permission from Michelle Johnson at Pearson to use a table from The Law and Special Education in my dissertation. I have not received "any" response from her, or the company.

Please advise me how to proceed? I strongly doubt my committee will accept my work without formal authorization to incorporate your table.

Thank you very much for your consideration regarding this matter.

Patricia Grasso
770-516-6159

----- End forwarded message -----
APPENDIX C

HUMAN SUBJECTS REVIEW COMMITTEE CONSENT FORM

THE UNIVERSITY OF SOUTHERN MISSISSIPPI

Institutional Review Board

118 College Drive #5147
Hattiesburg, MS 39406-0001
Tel: 601.266.6820
Fax: 601.266.5509
www.usm.edu/irb

HUMAN SUBJECTS PROTECTION REVIEW COMMITTEE
NOTICE OF COMMITTEE ACTION

The project has been reviewed by The University of Southern Mississippi Human Subjects Protection Review Committee in accordance with Federal Drug Administration regulations (21 CFR 26, 111), Department of Health and Human Services (45 CFR Part 46), and university guidelines to ensure adherence to the following criteria:

- The risks to subjects are minimized.
- The risks to subjects are reasonable in relation to the anticipated benefits.
- The selection of subjects is equitable.
- Informed consent is adequate and appropriately documented.
- Where appropriate, the research plan makes adequate provisions for monitoring the data collected to ensure the safety of the subjects.
- Where appropriate, there are adequate provisions to protect the privacy of subjects and to maintain the confidentiality of all data.
- Appropriate additional safeguards have been included to protect vulnerable subjects.
- Any unanticipated, serious, or continuing problems encountered regarding risks to subjects must be reported immediately, but not later than 10 days following the event. This should be reported to the IRB Office via the "Adverse Effect Report Form".
- If approved, the maximum period of approval is limited to twelve months.

Projects that exceed this period must submit an application for renewal or continuation.

PROTOCOL NUMBER: 27110101
PROJECT TITLE: Perceptions and Knowledge of Special Education Law Among Building Administrators in a Selected Georgia School District
PROPOSED PROJECT DATES: 06/05/07 to 12/01/07
PROJECT TYPE: Dissertation or Thesis
PRINCIPAL INVESTIGATORS: Patricia Grasso
COLLEGE/DIVISION: College of Education & Psychology
DEPARTMENT: Educational Leadership & Research
FUNDING AGENCY: N/A
HSPRC COMMITTEE ACTION: Expedited Review Approval
PERIOD OF APPROVAL: 11/01/07 to 10/31/08

[Signature]
Lawrence A. Hosman, Ph.D.
HSPRC Chair

Date: 11-05-07
APPENDIX D

SPECIAL EDUCATION LAW SURVEY

Part I—Opinions about special education (Please circle the letter indicating your response.)

1. I believe I have sufficient knowledge of special education law, as mandated under the Individuals with Disabilities Act (IDEA).
   - Strongly Agree (A)
   - Agree (B)
   - Disagree (C)
   - Strongly Disagree (D)

2. I believe I received adequate preparation in special education law during my administrative training.
   - Strongly Agree (A)
   - Agree (B)
   - Disagree (C)
   - Strongly Disagree (D)

Part II—Please read the statements below. Based on your knowledge of IDEA law and regulations, circle (V) if the decision violated the child's rights under IDEA regulations, circle (C) if the decision was in compliance.

3. At an Individualized Education Program (IEP) team meeting, it was determined that a child with a physical disability, needed physical therapy. Therapy was needed for one-half hour each school day. This was necessary for the child to benefit from the educational program, as indicated on the IEP. The Special Services Coordinator called the principal and stated they could only provide services three days a week.
   - (V) (C)

4. A third grade student was tested and identified as Emotionally / Behaviorally Disabled (E/BD). The IEP team agreed to meet the child's needs and provide resource services for one hour a day, five days a week, to address both behavior and academic needs.
   - (V) (C)

5. A foster parent attempts to enroll a preschool child who is Moderately Intellectually Disabled (MOD), in the local school. The principal is alerted that the child could have AIDS. In an effort to protect the teachers and other students, the principal refuses to enroll the child. He requests that social services inform him if the child does or does not have AIDS.
   - (V) (C)

6. A student had been referred for placement in an eligibility meeting. The child had been administered an IQ test by the school psychologist and scored extremely low. An IEP meeting was called and the student was placed in the special education program. Her parents agreed for placement without further testing.
   - (V) (C)

7. Parents of a third grader requested an evaluation for their child, for special education consideration, due to poor reading skills. The school staff conferred and determined that the child was doing well in school. The principal denied the parent's request. He informed them of the reasons the district denied their request and of their right to appeal that decision in a letter.
   - (V) (C)

8. An IEP meeting was scheduled with parents of a child with traumatic brain injury. Prior to the IEP meeting, the principal held a brief meeting with the school-based team. They discussed the psychological evaluation and specialized services the school could provide.
   - (V) (C)
9. The Student Support Team (SST) proposed an evaluation to the parents of a child who was failing all of her classes. The parents refused to sign the consent for the evaluation form. The school informed the parents that they were requesting a due process hearing, for authorization to test the child without their permission.

10. A student with behavior problems was served in an emotionally / behaviorally disabled (E/BD) class for one period of the day. After one month in the program, the student's inappropriate behaviors began to escalate. At the IEP meeting that followed, the parents asked for a more intense and restrictive program. The principal said that such a program was not available.

11. At an Evaluation Meeting the school psychologist presented the results of the student's evaluation. The parents of the student disagreed with the recommendation that their child needed special education services. They informed the school district, they wanted an independent evaluation at public expense. The school district then initiated a due process hearing. They felt their evaluation was appropriate and they did not want to pay for an independent evaluation.

12. Parents were invited to participate in the writing of their child's IEP. Thirty minutes prior to the meeting the parents notified the school they could not leave work, but would like to attend the meeting. They requested the IEP meeting be rescheduled, for the second time. The school developed the IEP and sent it home for the parents to sign. The parents returned the signed IEP the following day.

13. A student with teaming disabilities in reading and written expression was enrolled in the fifth grade. His standardized test scores indicated that he was almost three years behind in both areas and the IEP team placed him in the resource program. He would receive ninety minutes of resource instruction each day of the week.

14. After a full evaluation, it was determined that a child with learning disabilities was eligible for special education services including speech therapy. The speech therapist had a large caseload, at the current time. The district contracted with a private speech therapist to provide speech therapy to the student.

15. The parents of a six-year-old child, with severe intellectual (SID) and severe physical disabilities, requested educational services. The child must be fed through a tube that is surgically implanted into the stomach. The principal informs the parents that the school cannot assume the responsibility of the feeding the child and the child will only be allowed to stay for the morning. However, if the parents assume the responsibility of feeding the child, the child can stay for the entire day.

16. A six-year-old boy with little expressive language was suspected of having significant learning disabilities. In order to appropriately identify his disabilities, the child was tested with a non-verbal test of intelligence by the speech pathologist. He was asked to respond by pointing to the answers.
17. Parents of a child with cerebral palsy and physical disabilities request the school to purchase a motorized wheelchair, so their child can move about the school easier. The school denies the request stating the manual chair is sufficient for maneuvering around the new school building.

18. A middle school completed the evaluation of a child with a disability sixty days after the child had been referred. Two weeks later, the school district held an IEP meeting to determine an appropriate placement for the child.

19. The parents and the school district agreed on an appropriate placement for the student at the IEP meeting. The school district stated they could not place the student in the program for three weeks. The district would provide an interim program until the occupational therapist joined the staff in three weeks. The parents were given written notification of the nature of the academic services the child would receive and the child was placed on an interim IEP.

20. A representative from a group home for adolescents arrives at school to enroll an E/BD student. The student was placed in their custody by the local court system. The principal enrolls the student, but informs the representative, the student cannot attend school for two weeks. This is due to an overcrowded E/BD class and two vacant faculty positions at the student's grade level.

21. It was time for a student with learning disabilities to have his three-year re-evaluation. The school mailed the parents a notification that the three-year re-evaluation was due. The school informed the parents of their rights to object to the testing and of the procedures necessary to make an objection. The parents didn't respond and the school initiated the re-evaluation process.

22. A child that is profoundly intellectually disabled (PID) blind and deaf is receiving special education services. The child is currently being served through the same PID program that her brother attends, outside the school district. Her parents insist that she receive all special education services, in general education classes, at this school. The parents make a formal request for a change of placement. The principal informs the parents, the school cannot consider such a placement, due to the severity of their child's disabilities. The student's placement is not changed.

23. Parents requested the school system purchase an augmentative communication device for their child with a traumatic brain injury. The parents stated the device would assist the child in communicating with his teachers and classmates. It would also be used for class work and homework. The school refused and informed the parents it is their responsibility to provide this equipment.
Part III—Please complete this section

1. Identify your job classification: Principal, Assistant Principal, Administrative Assistant, Not Applicable.

2. Identify your last conferred degree: BA, Masters, Specialist, Doctorate.

3. Identify the number of law courses completed by academic department.
   - School law, general education department
   - School law, special education department
   - No law classes completed
   - District in-service training

4. Did the school district provide you with a special education manual?
   - Yes
   - No

5. Current school assignment
   - Elementary, Intermediate, Middle School, High School

6. Years of classroom teaching experience
   - 1-5 yrs.
   - 6-10 yrs.
   - 11-15 yrs.
   - 16-20 yrs.
   - 21-25 yrs.
   - 26-30 yrs.

7. Years of experience as a building administrator
   - 1-5 yrs.
   - 6-10 yrs.
   - 11-15 yrs.
   - 16-20 yrs.
   - 21-25 yrs.
   - 26-30 yrs.

8. To what degree do you feel prepared to address questions pertaining to IDEA? (circle answer)
   - Inadequate
   - 1
   - 2
   - 3
   - 4
   - 5
   - Prepared

9. Rate the degree to which you believe NCLB will impact the special education program at your school. (circle answer)
   - No impact
   - 1
   - 2
   - 3
   - 4
   - 5
   - Significant impact

10. Do you need additional training in special education law?
    - Yes
    - No

11. Identify your age range
    - 25-30 yrs.
    - 31-35 yrs.
    - 36-40 yrs.
    - 41-45 yrs.
    - 46-50 yrs.
    - 51-55 yrs.
    - 56-60 yrs.
    - 60-70 yrs.

12. Gender
    - Male
    - Female

13. Ethnicity
    - Black
    - White
    - Other

14. Identify the title of the person you speak with concerning any questions you have regarding special education law or procedures.
To: Patricia Grasso

From: J.T. Johnson, Ph.D.
Director and Research Consultant

Re: Hines Special Education Knowledge Instrument

Date: April 19, 2007

I hereby grant you permission to modify as necessary and use the special education knowledge questionnaire developed by Joy Hines and myself in 2001 in your doctoral dissertation research. We request that you share results with us and that you acknowledge authorship in any publications.
APPENDIX F

LETTER OF REQUEST

Patricia C. Grasso
914 Victoria Landing Drive
Woodstock, GA 30189
770-516-6159

Dear

I am a doctoral candidate at The University of Southern Mississippi, and I am conducting research on Building Administrators Perceptions and Knowledge of special education law. I am requesting your assistance in the validation of the survey instrument that I plan to use in this study. Your participation would benefit the study significantly.

Enclosed is a copy of the survey instrument that will be sent to administrators to measure their perceptions and knowledge special education law. A set of questions is included pertaining to the validity of the instrument for you to address, as you review the instrument. Please feel free to make any comments, corrections, and suggestions concerning the survey on the validity questionnaire.

I sincerely appreciate your time, assistance and comments.

Sincerely,

Patricia C. Grasso, Ed.S.
APPENDIX G

VALIDITY QUESTIONS

Please feel free to make any comments, corrections, and suggestions on this form, as you review the survey.

1. Do the questions convey the intended information clearly? Please make recommendations for any changes you feel would clarify the questions. In addition, please include the number of the question with specific suggestions (wording).

2. Are any of the questions redundant? If so, please make recommendations.

3. Please make recommendations for additional topics or questions that you believe are important to the subject matter.

4. Please answer the scenarios as directed in the survey, to verify the current answer key.
Dear Building Administrator:

I would like to thank you for participation in this research project. As part of my doctoral dissertation process, I am conducting research on Perceptions and Knowledge of Special Education Law Among Building Administrators in a Selected Georgia School District. Your participation will consist of answering questions related to your knowledge of special education law. The survey should take approximately ten minutes to complete.

There are minimal risks associated with participation in this study. The risks include the inconvenience of dedicating time to answering the questions. However, I believe that the information and insight that you share will potentially benefit the profession. While all risks to confidentiality cannot be predicted, you may be assured that your participation and responses will be held in the strictest confidence. Survey materials will be securely stored and all identifying materials will be shredded and discarded after the study is completed.

Your participation in this study is completely voluntary and will not affect employment status or annual evaluations. You may withdraw at any time without penalty, prejudice, or loss of benefits.

requires the participant of any research study in the county to sign a consent form. Please mail the survey in the second envelope to maintain anonymity.

Thank you very much for your participation. Your time and consideration are greatly appreciated. If you have any questions or concerns, please contact me at patricia.grasso@usm.edu or by calling (770) 516-6159.

Participants Signature of Consent

Date

PLEASE RETURN YOUR SIGNED CONSENT FORM TO THE OFFICE OF DIRECTOR OF RESEARCH, EVALUATION AND STUDENT ASSESSMENT, TO COMPLY WITH THE POLICIES OF COUNTY AND MAINTAIN SURVEY CONFIDENTIALITY.

Patricia Grasso
Graduate Student
The University of Southern Mississippi

This project has been reviewed by the Human Subjects Protection Review Committee, which ensures that research projects involving human subjects follow federal regulations. Any questions or concerns about rights as a research subject should be directed to the Chair of the Institutional Review Board, The University of Southern Mississippi, 118 College Drive #5417, Hattiesburg, MS 39406-0017, (601) 266-6820.
REFERENCES


Individuals with Disabilities Education Act (IDEA), 20 U.S.C. § 1400 (c) et seq.


Eugene, OR: Office of Educational Research and Improvement (ED).
(ERIC Document Reproduction Service No. ED470967).

Washington, DC: JKL Communications.


Rowe, J. R. (2004). High school exit exams meet IDEA—An examination of the
history, legal ramifications and implications for local school administrators

http://www.nd.edu/~rbarger/www7/jdewey.html


Longman.

*Timothy W. v. Rochester New Hampshire School District*, 875 F.2d 94 (1st Cir.
1989).


side of the two way mirror* (3rd ed.). Denver, CO: Love.


Winzer, M. A. (1998, July/August). A tale often told: The early progression of


