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A Survey of Teacher Knowledge and Understanding of Special Education Law

Cassie Glidewell

University of Arkansas

Abstract

This study investigated teacher knowledge and understanding of special education law. Teachers from 3 elementary schools in a district in Northwest Arkansas were asked a sample of questions in a survey. Using the survey, the participants' responses were evaluated to determine the extent of their knowledge. Participation was voluntary, and conducted during school hours. The results of the study concluded that respondent teachers have a general knowledge of special education law indicating that they differentiate instruction as a means to meet IDEA and other laws as appropriate.

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Introduction

Disabilities have been around since the early Egyptians in 1552 B.C. (Harbour & Maulik, 2011), but the categories and number of children identified with them has changed tremendously over the years. The diagnosis of disabilities has developed over time because societies have become more complex and psychological testing has gained popularity. This has allowed for the development of different categories, more accurate identification of children with disabilities, and new laws concerning the needs of these children that need to be met by school personnel.

Statement of problem

All school personnel are expected to know and comply with the laws governing public education, especially Individuals with Disabilities Education Act (IDEA). They need to be knowledgeable of the current laws relating to special education in order to meet the requirements effectively. Therefore, it is important to discern to what extent elementary education teachers in local public schools demonstrate the ability to use Differentiated Instruction as a tool to meet the current requirements of IDEA and other laws.

Purpose and Significance of the Study

The purpose of this research is to determine if teachers have knowledge and understanding of special education law that is current and accurate. The research question asks whether or not teachers are current on special education law and differentiated instruction. The research will measure knowledge of special education law and how to use differentiated instruction through a survey instrument. The research will show whether or not these teachers have knowledge and understanding of special education law and differentiated instruction.

Definitions of Terms

The following terms are defined to further the understanding of the study:

1. IDEA is Individuals with Disabilities Education Act. This was originally Education for All Handicapped Children Act of 1975 until it was revised in 1990. It governs how states and public agencies provide early intervention, special education, and related services to children with disabilities. It addresses the educational needs of children with disabilities from birth to age 18 in cases that involve 14 specified categories of disability (Murdick, Gartin & Crabtree, 2007).
2. IEP is an Individualized Education Plan that is a written statement for each child with a disability that is developed, reviewed, and revised in a meeting of an IEP team (Murdick, Gartin, & Crabtree, 2007).

Organization of the Research Report

This research report is organized into five sections: Introduction, Review of Literature, Methodology, Results and Discussion. The first section presents the purpose of the study. It is a survey of teacher knowledge and understanding of special education law. The second section looks at past and current literature and laws regarding special education. The third section evaluates the methodology used for the research, the setting, participants, data collection methods and analysis. Section four analyzes the results of the study. The last section discusses the results of the study and draws conclusions, includes the limitations, implications, and recommendations.

Review of Literature

This section provides a complete review of literature on special education law and revision throughout history. The purpose of this section is to review literature that gives a foundation for current law and how it came about. This literature formulated the questions in the survey. The questions were based off the most recent research, law and differentiated instruction. The section is divided into three parts: The Foundation of Special Education Law, Changes to Special Education Law, and Summary.

The Foundations of Special Education Law

Before the eighteenth century, societies differed in how they identified and handled intellectual or other disabilities. Many children would be allowed to die, or received little to no treatment depending on their social status(Harbour & Maulik, 2011). Intervention began in France in the eighteenth century with Jean-Marc Itard, a medical doctor, who developed a skill-based program in order to educate the “feebleminded” in institutions. Later on in the United States there was an increase in urbanization with the Industrial Revolution that led to the increase of asylums for people with intellectual disabilities (Harbour & Maulik, 2011). The hope was to rehabilitate, train, and reintegrate the “feebleminded” back into “normal” life. This method proved ineffective after research revealed multiple etiologies for mental illness (Harbour & Maulik, 2011). There was still a generalization of people with disabilities being mentally

retarded with subcategories of Idiots, Imbeciles, and Simpletons. Idiot was used to describe people with severe intellectual disability and gradually became part of the mainstream. By the middle of the 1890s, the negative connotations prevented the term from being used by the medical community(Harbour & Maulik, 2011). Imbecile described someone who was physically weak and unable to take care of themselves. Simpleton referred to mild disabilities. These terms also dissipated due to the negativity connotations associated with them. Even in the mid-1900's the term Mongolism was used to describe children with Down syndrome. The World Health Organization decided the term should cease to be used in the medical community because the Mongolian People's Republic requested it not be used (Harbour & Maulik, 2011).

Throughout the twentieth century, federal and local legislation in the U.S. codified rights and mandated services for disabled people, eventually including the intellectually disabled that changed identification and support. Specific categories were identified in 1975 when the Education for All Handicapped Children Act was enacted. This later changed to IDEA in the 1990's (Murdick, Gartin, & Crabtree, 2007). There are now fourteen specific categories that include, autism, which did not become a separate category until 1990, deaf-blindness, deafness, developmental delay, emotional disturbance, hearing impairment, intellectual disability, multiple disabilities, orthopedic impairment, other health impairment, specific learning disability, speech

or language impairment, traumatic brain injury, and visual impairment including blindness

(Murdick, Gartin, & Crabtree, 2007).

Changes to Special Education Law

The latest change to the law in special education came in October 2010 when President Obama signed Rosa's Law, which will change references in federal law from mental retardation to intellectual disability and references to a mentally retarded individual to an individual with an intellectual disability (U.S. Department of Education, 2011). The development of these categories has changed how we identify children with disabilities and the accuracy of the specific designation.

The United States Department of Education indicates that 1.15% of school-age population is identified as intellectually disabled. This percent has continued to grow each year with the identification of different disabilities. As of 2010, 5% of children ages 5-17 have disabilities according to the U.S Census Bureau (U.S. Department of Education, 2011). The way children are evaluated has changed, as well as how they are placed. In the early years of education, individuals with disabilities were excluded from school. Even after these individuals were allowed to attend school they received no services due to the lack of knowledge. Now there is a process that is followed in order to identify a child with a disability so they can be supported appropriately. First, they must be referred by a parent or a teacher. The school then evaluates the

child in a comprehensive and nondiscriminatory way for the areas of suspected disability. The evaluation material is then reviewed by the IEP team in order to determine if they are eligible for special education services. If they find the child eligible then they must identify the child under one of the categories under IDEA. The IEP team, which includes the teacher, parents, and other school staff needed to develop a plan that is beneficial to the student. Lastly, they determine the least restrictive environment for the student, be it an inclusion or the special education classroom (Murdick, Gartin, & Crabtree, 2007).

The steps that it takes to identify and address disabilities have changed because of the Rehabilitation Act of 1973. It contained Section 504 that related nondiscrimination in the provision of programs for individuals with disabilities. It also requires periodical reevaluation (Russo & Osborne, 2009). This has changed the way we teach our students for the better because we are now focused on their specific needs. Now that there is an awareness and understanding of different disabilities, we are able to accurately identify children with disabilities and attend to their needs. This change could not have happened without the many laws that have helped children with disabilities.

The greatest advancements in special education have come after WWII with the civil rights movement in the United States. It provided the initial motivation to secure rights for students with disabilities. The first case that was the start of change was *Wolf v. State of Utah* in

1969 (Wehmeyer, 2000). The case was filed in state court on behalf of two children with intellectual disabilities that were denied admittance to public schools. The ruling was in favor of the children, stating that children who were intellectually disabled were entitled to a free appropriate education under the state constitution. Two other cases that have had a tremendous impact include *Pennsylvania Association for Retarded Children v. Commonwealth of Pennsylvania* and *Mills v. Board of Education of the District of Columbia* (Wehmeyer, 2000). The first case ruled that no intellectually disabled child, or child thought to be intellectually disabled, could be assigned to a special education program or be excluded from the public schools without due process. The second case extended the same right to other classes of students with disabilities, stating that a lack of funds was not a sufficient reason for denying services. Subsequent litigation occurred, helping to launch many legal principles that later were incorporated into the federal special education law. The case of *In re Downey* (1973) helped establish the principle that special education programs had to be free of all costs to parents. Another case helped define what constituted an adequate program for a student with disabilities. The cases led to a legislative response (Wehmeyer, 2000).

Section 504 of the Rehabilitation Act was reauthorized in 1973, specifically guaranteeing the rights of the disabled by prohibiting discrimination in programs or facilities that receive federal funds. Two years later in 1975 Congress passed the Education for All

Handicapped Children Act, now known as the IDEA (Russo & Osborne, 2009). The IDEA provided funding and a federal mandate for states and school systems to provide all students with disabilities with a free appropriate public education. The third piece of legislation to provide rights to individuals with disabilities was the ADA. The ADA, passed by Congress in 1990, prohibits discrimination against individuals with disabilities in the private as well as the public sector (Russo & Osborne, 2009). This extended to programs or activities that do not receive federal funds. The No Child Left Behind Act of 2001 sought to improve intervention and prevention programs and close the achievement gap by holding states, local school districts, and schools accountable for improving the academic achievement of all students. This means that differentiated instruction needs to be used in order to meet the requirements of IDEA and NCLB. Differentiated Instruction provides students with different avenues to acquire content, process information, construct ideas, or make sense of new ideas to ensure all students can learn effectively in the classroom (Wehmeyer, 2000). Throughout the 20th and 21st centuries, the federal government has expanded its involvement in disability-related legislation (Wehmeyer, 2000).

Summary

Legislation and programs need to continually grow and change in order to protect the rights of individuals with disabilities. Currently, the Elementary and Secondary Education Act

(ESEA) is being revised to change the career-ready standards in schools (U.S. Department of Education, 2011). Further, it calls for full funding of the ESEA, known as NCLB, and IDEA.

There is continual change in the law in order to address and meet the needs of all individuals with disabilities. That is why it is important for educators to stay current in order to benefit all students.

Methodology

This study was set up to answer the research question of whether or not teachers are current on special education law and differentiated instruction. The study examined teacher knowledge and understanding of current laws and regulations. A survey was given to three different elementary schools in Northwest Arkansas. In this survey, the participants had ten questions to answer indicating if they agree, not agree, or not sure.

Setting

Teachers from three elementary schools were surveyed in one school district in Northwest Arkansas. There were 15 kindergarten through fifth grade teachers at School A, 38 pre-kindergarten through seventh grade teachers at School B, and 17 pre-kindergarten through fifth grade teachers at School C.

Participants

This study surveyed teachers from each elementary school. The website for each school was consulted to determine the number of teachers who could be surveyed. The three elementary schools were selected because they were familiar to the researcher from past experiences and observations. Each teacher from the schools received a survey in their faculty meeting. All of the

participants remained anonymous and were told they were not required to participate in the survey.

Confidentiality

Before beginning the study, permission to survey the teachers was granted by the University of Arkansas Institutional Review Board (see Appendix A). The school principals were given consent forms as well. After receiving permission from the principals, the surveys were given out along with an informed consent letter that stated participation was completely voluntary and anonymous. Each teacher received an informed consent letter (see Appendix B). This established that all results would be anonymous and only teachers' responses to the survey would be used in the study.

Data Collection

The total score from each survey was taken to evaluate the participants' knowledge of special education law. Each question was evaluated individually to determine how many participants responded correctly. The instrument used was a rubric with the correct answers to compare to the surveys. The data was then analyzed by comparing each teacher's responses to the survey. This showed where each score fell in the percentage quartiles. Each question was then evaluated to determine how many participants answered the question correctly.

Results

This section provides an analysis of the data collected. The participants received a survey of teacher knowledge and understanding of special education law. The participants were given the survey and had one week to complete it if they chose to do so. The survey consisted of 10 questions about special education law and differentiated instruction. There was a total of 42 participants who completed each survey by answering each question with agree, not agree, or not sure.

Data Analysis

The data were established by taking the total scores from each participant's survey. The scores were broken into percentage quartiles to demonstrate the level of accuracy (see Figure 1). This data shows that more than half the participants scored in the highest quartile, 76-100%. None of the participants scored in the lowest quartile, 0-25%.

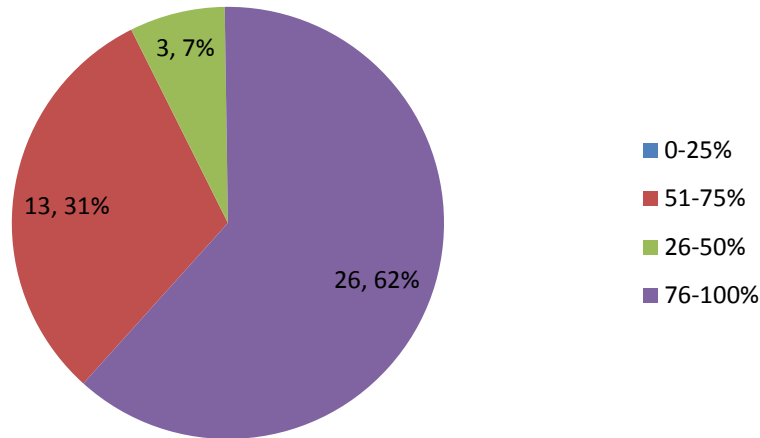


Figure 1. Participants total score, separated into percent quartiles

The fact that most of the participants were in the top 2 quartiles led to the evaluation of each individual question and the percent of participants who answered the question correctly was determined (See Figure 2). Questions 1 and 3 were answered correctly by all the participants. Question 1 states “Differentiated Instruction requires providing students with different avenues to acquire content, to process, construct, or make sense of ideas.” Question 3 states “An IEP team should include the parents, general education teacher, special education teacher, and an administrative representative.” Questions 4 and 8 were both answered with 98% accuracy. Question 4 states, “Differentiation of Instruction can be accomplished in a number of ways: Content -What the students learn, process -activities used to assist the learning, products-

demonstration of learning.” Question 8 states, “The IEP requires only an initial assessment” (See Appendix C).

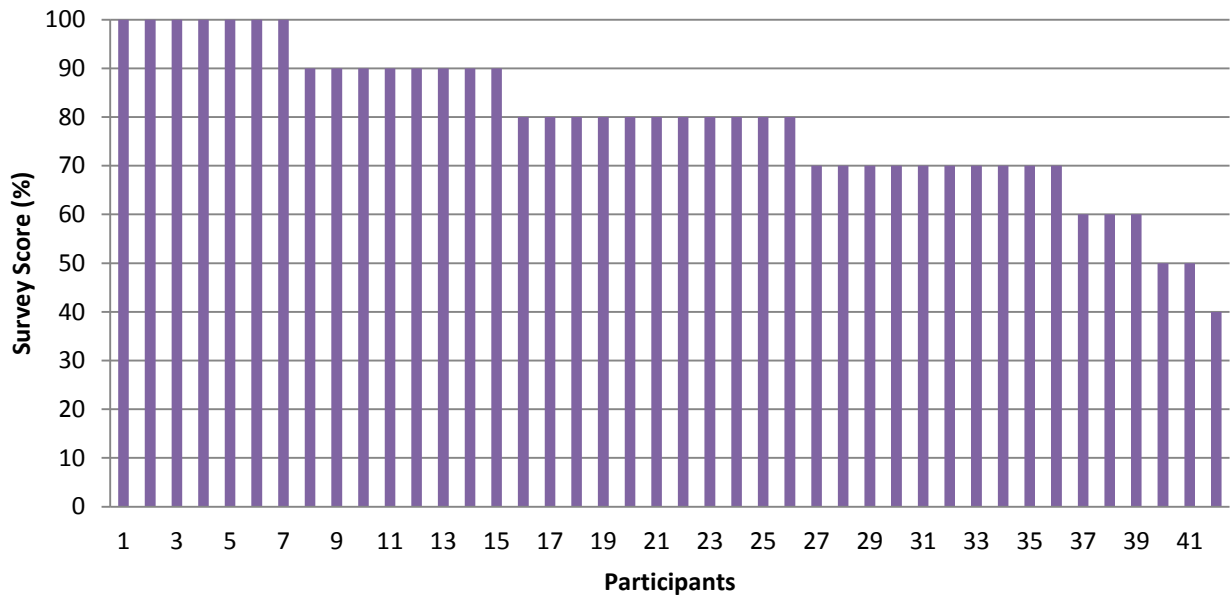


Figure 2. Participants’ individual survey scores

Figure 2 illustrates that participants had overall high scores on the survey. For example, seven participants scored 100% on the survey (See Figure 2). Thirty-six participants scored a 70% or above. Only 3 participants failed the survey by scoring a 50% or less. Figure 2 represents the quartiles from Figure 1 in more detail to show how each participant did on the survey. The results show that the participants have an understanding and knowledge of differentiated instruction and special education law.

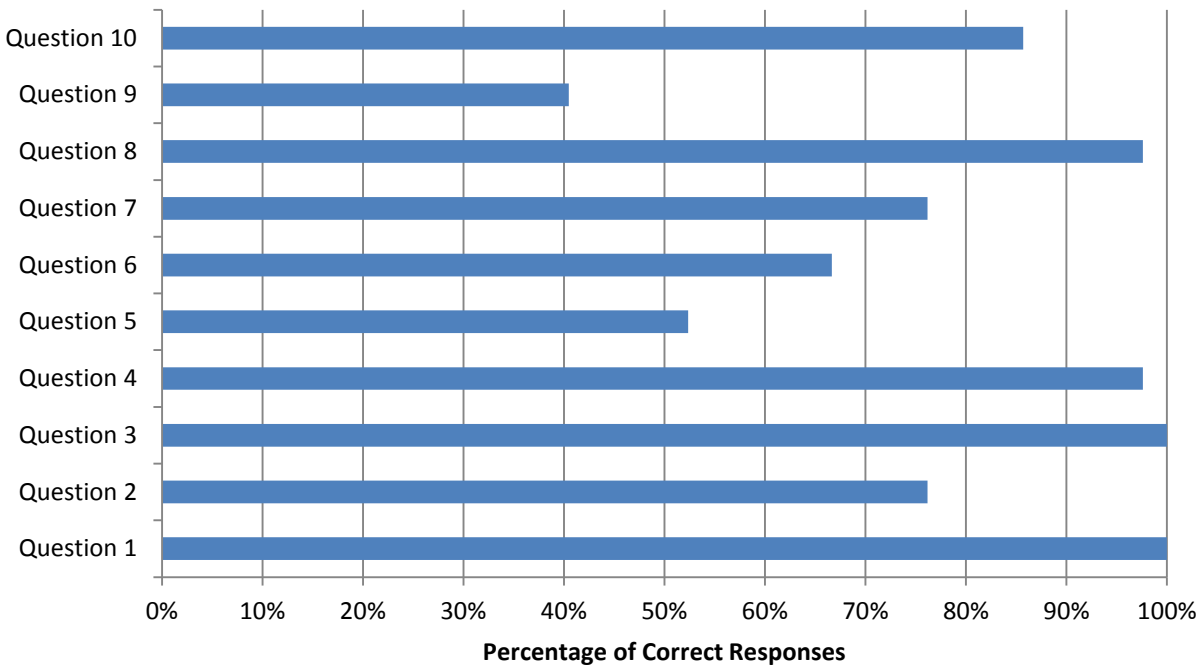


Figure 3. Item Analysis

Figure 3 shows that the question with less than 50% of correct responses was question 9, which states “Autism Spectrum Disorder is not included in the IDEA categories used to identify a student who may be eligible for special services” (See Appendix C). Questions 1, 2, 3, 4, 7, 8, and 10 were answered with a percentage of 70% correct or higher (See Figure 2).

This section shows an analysis of the data from the survey demonstrating teacher knowledge and understanding of special education law. Next, there will be a discussion of the results and what conclusions can be deduced from the results.

Discussion

Through the use of the survey, the researcher was able to discern what knowledge and understanding teachers' have about special education law. Teachers need to have an understanding of special education law in order to meet the needs of all their students. The United States Department of Education indicates that 1.15% of school-age population is identified for special education. This percent has continued to grow each year with the identification of different disabilities (U.S. Department of Education, 2011). This fact makes teacher knowledge of laws and differentiated instruction all the more relevant to teaching.

Conclusions

Based on the results of the study, the researcher was able to conclude that teachers are current on special education law and differentiated instruction. Through evaluation of the surveys the researcher found that 62% participants scored in the 76-100% quartile (See Figure 1). This is a significant percent of participants who did well on the questions.

Additionally, the evaluation of each question shows that only Questions 5 and 9 were answered correctly by less than 60% of participants. Question 5 states, "References in federal law have changed from mental retardation to intellectual disability." Question 9 states, "Autism Spectrum Disorder is not included in the IDEA categories used to identify students who may be eligible for special services" (See Appendix C). Through analyzing the questions, the researcher

was able to determine that the teachers may have not been aware of recent changes in the law.

However, overall scores indicate a respectable understanding of the questions asked.

The survey results indicate that these teachers have general knowledge and understanding of special education law because Figures 1, 2, and 3 all show high percentages of accuracy. The results helped discern to what extent elementary education teachers in local public schools demonstrate knowledge of how to use Differentiated Instruction as a tool to meet the current requirements of IDEA and other laws. This is important because, as stated in the literature, the U.S. Department of Education (2011) asserts that as of 2010, 5% of children ages 5-17 have disabilities according to the U.S Census Bureau. The feedback provided through the surveys is a positive indicator that teachers demonstrate the knowledge to meet the requirements of IDEA and other laws.

Limitations

As with any study, there are factors that can affect the results of the research. One limitation is willingness and availability of participants. It was difficult to find a good time for all the teachers to take the survey during the school day. A lot of the participants took the survey during staff meetings, but some may have felt pressured to complete the survey in this situation.

Another factor that needs to be considered is that if teachers had been given more time outside of the school day then perhaps even fewer teachers would have completed the survey.

This can happen if the survey is lost, forgotten, or misplaced. This can have a great effect on the number of participants and consistency in responses.

Additionally, the instrument used to assess the surveys did not take into account the quality of the questions. Some of the teachers may read the questions differently than intended, which would lead to a wrong answer. The results could be affected in this manner.

Lastly, there were a small number of participants, which means that the results represent only a small number of teachers in the area. The survey was conducted in only one district in Northwest Arkansas. It did not cover a wide area that would perhaps have influenced what are more common results.

Implications

The results of this study imply that teachers have knowledge and understanding of special education laws. This indicates that the teachers are well equipped to meet the current requirements of IDEA and other laws. They also know about differentiation of instruction to meet the needs of their students.

Recommendation

For future research, the surveys could be hand delivered to each participant and picked up all in the same day. This gives the teachers time to complete the survey while eliminating most

of the pressure to do so. It also would resolve any problems with lost, forgotten, or misplaced surveys by giving a shorter time frame for the surveys to be completed and turned in. A larger variety of questions could be asked to ensure the participants' understand what is being asked of them. All of these things could benefit future research on teacher knowledge and understanding of special education law.

Summary

In summary, the research found that teachers have knowledge and understanding of special education law in order to meet the requirements of differentiated instruction and IDEA. This means that teachers are current and able to meet the needs of their students effectively.

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Appendix A

November 30, 2011

MEMORANDUM

TO: Cassie Glidewell
Barbara Gartin

FROM: Ro Windwalker
IRB Coordinator

RE: New Protocol Approval

IRB Protocol #: 11-11-299

Protocol Title: *A Survey of Teacher Knowledge and Understanding of Special Education Law*

Review Type: EXEMPT EXPEDITED FULL IRB

Approved Project Period: Start Date: 11/30/2011 Expiration Date: 11/29/2012

Your protocol has been approved by the IRB. Protocols are approved for a maximum period of one year. If you wish to continue the project past the approved project period (see above), you must submit a request, using the form *Continuing Review for IRB Approved Projects*, prior to the expiration date. This form is available from the IRB Coordinator or on the Research Compliance website (<http://vpred.uark.edu/210.php>). As a courtesy, you will be sent a reminder two months in advance of that date. However, failure to receive a reminder does not negate your obligation to make the request in sufficient time for review and approval. Federal regulations prohibit retroactive approval of continuation. Failure to receive approval to continue the project prior to the expiration date will result in Termination of the protocol approval. The IRB Coordinator can give you guidance on submission times.

This protocol has been approved for 75 participants. If you wish to make *any* modifications in the approved protocol, including enrolling more than this number, you must seek approval *prior to* implementing those changes. All modifications should be requested in writing (email is acceptable) and must provide sufficient detail to assess the impact of the change.

If you have questions or need any assistance from the IRB, please contact me at 210 Administration Building, 5-2208, or irb@uark.edu.

Appendix B

INFORMED CONSENT

Title: A Survey of Teacher Knowledge and Understanding of Special Education Law

Researcher(s):

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Research Compliance
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Description: The present study, *A Survey of Teacher Knowledge and Understanding of Special Education Law*, is an action research project designed to investigate teacher understanding of current special education laws. It will show their knowledge of how to use Direct Instruction as a tool to meet the current requirements of IDEA and other laws. The participants will be given a survey that should take approximately 15-30 minutes to complete. After completing the survey, the participants will e-mail their responses to the researcher.

Risks and Benefits: There are no foreseen risks to participating in this research. The benefits include enhancing knowledge of special education laws and how to use them to benefit students.

Voluntary Participation: You will participate in a short survey about special education law. Participation is completely voluntary.

Confidentiality: Names will not be requested. All survey responses will be anonymous.

Right to Withdraw: Participation is voluntary, refusal to participate will involve no penalty or loss of benefits to which the subject is otherwise entitled and the subject may discontinue participation at any time without penalty or loss of benefits to which the subject is otherwise entitled.

*If you have questions or concerns about this study, you may contact Cassie Glidewell at (479) 502-0434 or by e-mail at <cglidewe@uark.edu>, or Dr. Barbara Gartin at (479) 575- 7409 or by e-mail at <bgartin@uark.edu >. For questions or concerns about your rights as a research participant, please contact Ro Windwalker, the University's IRB Coordinator, at (479) 575-2208 or by e-mail at irb@uark.edu.

Appendix C

Survey of School Personnel

A. Agree

B. Disagree

C. Not Sure

1. Differentiated Instruction requires providing students with different avenues to acquire content, to process, construct, or make sense of ideas.
2. A complete individual evaluation needs to be conducted before providing special services to any student.
3. An IEP team should include the parents, general education teacher, special education teacher, and an administrative representative.
4. Differentiation of Instruction can be accomplished in a number of ways: Content -What the students learn, process -activities used to assist the learning, products- demonstration of learning.
5. References in federal law have changed from *mental retardation* to *intellectual disability*.
6. The IDEA imposes on the state an overarching responsibility to ensure that the rights created by the statute are protected, regardless of the actions of the school districts.
7. The IEP requires only an initial assessment.
8. It is appropriate to exclude students with disabilities to complete a lesson.
9. Autism Spectrum Disorder is not included in the IDEA categories used to identify students who may be eligible for special services.
10. The following scenario shows compliance with IDEA through Differentiated Instruction:

Ms. Smith has just taught a mini-lesson to her second graders on the comprehension strategy of making text-to-self connections (connecting reading to personal experience). She is now working with a lower level group of readers as they practice using this strategy. The students are using texts which are appropriate for their reading level.