
MODULE 1 – TITLE

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Module Description:

This module focuses on inclusion and the legislation and best practices that support the effective instruction of all students. It provides an overview of Individuals with Disabilities Education Act, the Americans with Disabilities Act and the Rehabilitation Act of 1973 along with the best practices of Response to Intervention and universal design for learning. Additional online resources will be suggested to supplement the information found in this module. Activities in the module will help facilitate a school administrators understanding of the law, the continuum of placements, removing the barriers to inclusion and observing, analyzing and evaluating effective inclusionary practices.

Module Objectives:

After completing this module you will:

- Explain legislation dealing with inclusion (ADA, IDEA and Rehabilitation Act of 1973)
- Identify and describe best practices in inclusion (UDL, RTI, culturally responsive pedagogy)
- Justify the concept of a continuum of educational placements (LRE)
- Analyze an inclusive classroom system
 - Assess barriers to inclusion
 - Demonstrate familiarity with the application of differentiation
 - Determine characteristics of a classroom environment conducive to inclusion
 - Recognize the dispositional characteristics of the personnel- teachers, paraprofessional, and service providers facilitate an atmosphere conducive to inclusion
 - Assess if delivery methods and lesson components determined to facilitate inclusion are being used in the classroom.
- Determine the need for professional development for all teachers involved in an inclusive classroom, general and special educators alike

Standards Alignment:

Ohio Principal Standards

- 1.3 Principals lead the change process for continuous improvement.
- 2.1 Principals ensure that the instructional content that is taught is aligned with the Ohio academic content standards and curriculum priorities in the school and district.
- 2.2 Principals ensure instructional practices are effective and meet the needs of all students.
- 2.3 Principals advocate for high levels of learning for all students, including students identified as gifted, students with disabilities and at-risk students.

RESOURCES & MATERIALS:

Culturally Responsive Pedagogy

Introduction to Culturally Relevant Pedagogy <https://www.youtube.com/watch?v=nGTVJuRaZ8>

Ladson-Billings, G. (1995). "But that's just good teaching!" The case for culturally relevant teaching. *Theory Into Practice*, 34, 159-165.

Inclusion Resources

The Iris Center Module. Creating an Inclusive School Environment: A Model for School Leaders

<http://iris.peabody.vanderbilt.edu/module/inc/>

Response to Intervention Resources

The IRIS Center – RTI online modules

<http://iris.peabody.vanderbilt.edu/iris-resource-locator/>

RTI Action Network

<http://www.rtinetwork.org/learn/what/whatisrti>

Center on Response to Intervention

<http://www.rti4success.org/>

For a RTI School Screening Tool

http://www.rti4success.org/sites/default/files/RTI_Fidelity_Rubric_Worksheet.pdf

Overview of Inclusion

What is inclusion?

Inclusion is the process of making the general education classroom accessible to all students. According to the Cambridge Online Dictionary, inclusion is “the act of including something as a part of something else.” In terms of education this is often interpreted to mean “the act of including special education students as part of the general education population.” While inclusion is often considered a special education term and concept it should be more realistically viewed “the act of including all students no matter their learning needs as part of general education population and curriculum to the greatest extent possible.” Including all students encompasses those in special education, with diverse learning needs, English Language Learners, at risk for school failure and those with a variety of other diverse learning needs. Including all students as part of the general education population allows all learners to work together and be equal members of the school community. This fosters the same sense of acceptance that is expected in the general community and society at large. This definition also allows all students’ access to the general education curriculum to the greatest extent possible. Providing access to all students allows each individual student to develop to their fullest potential and allows them greater access to later curricular and employment demands.

While inclusion gives all students access, it also demands that the students then receive the academic and behavioral supports needed to make inclusion successful. Without the needed plan and supports, inclusion is doomed to fail. Inclusion is a process, not a place but the focus must be on outcomes. Effective inclusion programs allow all students, including those with disabilities “to benefit from the general education curriculum” and to have the needed “intensive, focused instruction in critical skill areas (i.e. reading, writing, mathematics) (McCleskey and

Waldron, 2011, p19).” When an inclusive classroom provides access to the general education curriculum while providing the needed supports, it also provides a context for all students to improve academically and develop social skills and relationships that will better prepare them for the future. Students need to be able to fully participate in a well-designed inclusive program to fully reap the academic and social benefits and have a meaningful impact on learning. Without the needed supports or a well-designed program inclusion will not provide academic or social skills gains for students with disabilities (Pivik, McComas, & Laflamme, 2002; Carter, Sisco, Brown, Brickham, Al-Khabbaz, & McClean, 2008). Inclusion is a process, not a place. It is the process of providing the academic and behavioral supports that make an effective learning environment for all.

Inclusion involves effective instruction and learning which can occur in many different environments and many different ways. Inclusion may look and be different depending on the district, school and classroom in which it takes place. Inclusion looks and is different because of the culture of the district, school or classroom needs of the individuals being served. Inclusion was created as a way to serve the needs of all learners within a classroom setting while collaborating to create learning communities that respect the unique learning styles and personal differences of all students (Salend, Duhaney, & Garrick, 1999).

Why should school administrators support inclusive environments?

The following section provides a rationale for why school administrators should support inclusion within their school and/or district. There will be a brief summary of the three main laws that support inclusion, The Individuals with Disabilities Education Act, the Americans with Disabilities Act, and the Rehabilitation Act – Section 504. We will then examine professional

organizations including the Council of Chief State School Officers, National Association of Elementary School Principals, and the National Association of Secondary School Principals view on inclusion. This section will conclude with a review of the literature on the academic and social benefits for all students of inclusive environment.

Legislation Supporting Inclusion

Individuals with Disabilities Education Act

In 1975 the Education of All Handicap Children Act (P.L. 94-142) was passed and later reauthorized as the Individuals with Disabilities Education Act (IDEA). This is the primary law that guides special education in schools. This law provides students with disabilities, age birth-21 years, additional rights and guarantees than those provided to students without disabilities. One of the primary principles of IDEA guarantees students with disabilities the right to receive a free and appropriate public education (FAPE) in their least restrictive environment (LRE). FAPE and LRE are individual rights based on the specific needs of a student with a disability as determined by their Individualized Education Program (IEP). The IEP's determination of FAPE and LRE is based on a collaborative legal agreement between the school, the student's parents or legal guardian, and possibly the student themselves. Title I.B.612.a.5 of IDEA states that unless students are not able to benefit from an inclusive environment, students diagnosed with different learning difficulties are expected to be placed in regular classrooms with assistance with supplementary aids and services (IDEA, 2004).

The law does not state nor does an IEP mandate that all students with disabilities be educated in the regular education school and fully included in the general education classroom. The law does state that students' with disabilities are to be provided the supports and services to

be education with non-disabilities peers to the maximum extent appropriate. This means there is a hierarchy of least restrictive environments or a Continuum of Placement, students with disabilities are by law expected to be educated but must be in an inclusive environment with their general education peers to the greatest extent possible.

For more information on the legislation supporting the inclusive classroom see Activity One.

For more information on Least Restrictive Environment see the Ohio Department of Education Procedure and Guidance document (<https://education.ohio.gov/Topics/Special-Education/Federal-and-State-Requirements/Procedures-and-Guidance/Introduction/Least-Restrictive-Environment-LRE>).

For more information on the Continuum of Placement see Activity Two.

Americans with Disabilities Act

The Americans with Disabilities Act (ADA) is a law which prohibits discrimination and protects the civil rights of any individual with a disability. Section 35.130 of the ADA states no individual on the basis of disability, "Shall be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any public entity" (ADA, 1990). This law requires employers to provide reasonable accommodations for people with disabilities and requires public accommodations to meet accessibility requirements. This law strengthens IDEA's position within a school but does not expand upon it.

Rehabilitation Act of 1973 - Section 504

Section 504 of the Rehabilitation Act states that no individual with a disability can be excluded from any program that receives federal funding (Section 504, 1973). This standard has a broader definition of what constitutes a disability than IDEA. This Act requires free and appropriate public education to a student with any physical or mental impairment that limits one or more major life activities regardless of the nature or severity of the disabilities. This allows any student with a broader range of disabilities than covered in IDEA the needed supports to be successful in an inclusive environment. Students served under this law are afforded a 504 Plan that details the accommodations and supports they are to be provided.

For more information on Section 504 of the Rehabilitation Act of 1973 and a link to sample 504 Plans visit <http://www.parentcenterhub.org/repository/section504/>

Professional Organizations – CCSSO, NAESP, and NASSP

Professional organizations that support school administrators have each developed their own the professional standards or policies in which principals and other school administrators are expected to adhere and employ in their leadership. These professional organizations, such as CCSSO, NAESP, and NASSP all support an inclusive school environment.

The Council of Chief State School Officers (CCSSO) is committed to help “bridge special education and general education systems to ensure integrated efforts to improve outcomes for all students, including students with disabilities” (http://www.ccsso.org/What_We_Do/Standards_Assessment_and_Accountability.html).

The National Association of Elementary School Principals (NAES) Standard Two states that principals are to lead diverse communities by setting “high standards for the academic, social, emotional and physical development of all students (p6).” This means that principals are expected to “value and use diversity to enhance the learning of the entire school community” as well as “develop a learning culture that is adaptive, collaborative, innovative and supportive” (p.6, http://www.naesp.org/sites/default/files/LLC2-ES-2_0.pdf - page 6).

The National Association of Secondary School Principals (NAESP) supports the CCSSO policy “for education leaders to promote the success of every student by acting with integrity, fairness, and in an ethical manner” and recommends making “the well-being and success of students the fundamental value in all decision making and actions” while protecting “the civil and human rights of all individuals” (<http://www.naesp.org/Content.aspx?topic=47104>).

Academic and Social Benefits of Inclusion

Academic

Studies on inclusive classrooms have demonstrated potential benefits to students both academically and socially. Students with disabilities tend to improve academically in inclusion programs as compared to a resource room or self-contained classroom (Colle, Waldron, & Madj, 2004) but some students may require more intensive instruction to support an inclusive program (Fuchs, Fuchs, Craddock, et. al, 2008; Torgensen, 2009). This difference in needed supports is why inclusion is a process and not a place. The amount and types of additional support needed is dependent on a variety of factors including the supports provided in the general education environment and the needs of the students themselves.

Studies have reported academic improvement in students with disabilities including better performance on standardized tests, greater completion of IEP goals, great work completion, better grades, more on-task behavior, greater motivation to learn, and an improved attitude towards school and learning (Salend, Duhaney, & Garrick, 1999, Dore, Dion, Wagner & Brunet, 2002). When programs are well-designed and meet students' the needs achievement gains made are greater but studies have also revealed that poorly designed programs do not correspond to greater gains (Pivik, McComas, & Laflamme, 2002). Providing access to the general education classroom and curriculum alone will not lead to greater academic and social growth. Inclusion needs to be based on a well-designed program that provides both the students and faculty the needed supports and training.

Socially, with appropriate supports, inclusive placements have been shown to benefit students with disabilities through improved self-esteem and increase the number of interactions with other students including those without disabilities. Inclusion can also improve social competence and allow students to develop richer and more long lasting friendships while improving the social status of the students with disabilities (Salend, & Garrick Duhaney, 2007).

Students without disabilities also benefit from an inclusive experience. They report increased personal growth with a greater appreciation and acceptance of other children and feeling a sense of accomplishment in providing assistance to others. Students without disabilities develop of friendship with students with mild and significant disabilities thus improving their understanding and acceptance of those with a disability (Carter & Hughes, 2006; Idol, 2006)

General education teachers were also found to enjoy inclusive classrooms. Inclusion provided teachers with a platform to get to know their coworkers. It benefits general education

teachers' professional development through learning inclusive techniques, finding the best ways to integrate different learning styles, and feeling better equipped to serve the students who struggle in the classroom (Salend, Duhaney, & Garrick, 1999). Effective inclusion makes teachers better able to meet the needs of all students in their classroom.

Effective Inclusive Practices

While inclusion may look different in every region, district, school and classroom, there are certain best practices that effectively support an inclusive classroom. Two of those best practices will be briefly presented in this section and include Response to Intervention and Universal Design for Learning.

Response to Intervention/Multi-Tiered System of Support

Response to Intervention (RTI) is a type of multi-tiered system of support. While it can be used for special education purposes (e.g., determination of a Specific Learning Disability), it is designed to provide early intervention and support for all learners. RTI or any multi-tier system of support is based on effective teacher instruction using research validated strategies and curriculum in the general education classroom. The students are progress monitored on specific skills using frequent curriculum-based assessments. The results of these assessments are then used to guide instruction. RTI is data driven instruction using a curriculum and instructional methodology that is proven to be effective to increase student learning. It is just plain good teaching.

RTI is typically based on a three tier framework with increasing support or interventions for students who are not making satisfactory academic or behavioral progress. It begins with a universal screening, an assessment in core curriculum or behavioral areas that identifies students who may need additional support. These students are then progress monitored based on the specific skills in which they are having difficulties. These students are closely monitored in the areas of need during Tier One instruction. In Tier One students receive effective instruction in the general education classroom using a research validated curriculum and methodology. Students are assessed on the curriculum regularly and progress is monitored. Adjustments are made to instruction based on those assessment results to provide additional support to those who need it. Tier One, and all tiers, also include a fidelity check or an observation of the teacher to ensure that effective instruction is being provided in the way it is designed and validated.

The students whose assessment results indicate a lack of progress in Tier One are moved to Tier Two and provided more intensive interventions targeted to the specific areas of need. This can mean that the student receives any combination of more instruction, smaller group instructions, or different instruction. This more intensive intervention is typically still provided within the general education classroom. Fidelity checks are administered for insurances of validity of instruction. Progress continues to be monitored and instructional decisions are made based on the assessment results.

Students who continue to struggle typically either go through a second round of Tier Two instruction or are referred to Tier Three intervention. Tier Three is a referral for special education services typically for a Specific Learning Disabilities. The assessment results from the RTI intervention process can be used in helping determine eligibility for special education either independently or in conjunction with standardized norm referenced assessments.

RTI has the potential to benefit the school system in many ways. The emphasis on effective instruction and tiers of support allows for appropriate instruction for all. Teachers have the opportunity to challenge students at the students' rate of learning. There is shared responsibility between general and special education and increased accountability for all students learning. RTI allows for earlier intervention when difficulties arise due to the data driven nature of instruction. When done correctly RTI has the potential to increase the learning of all students including those with disabilities.

For more information on RTI see Activity Three: Removing Barriers to Inclusion and the online resources listed in the Resource section of this module.

Universal Design for Learning

Universal Design for Learning (UDL) is a way to design instruction that fully engage all learners. UDL is a brain based instructional framework based on the concept that everyone learns in a different way. Through UDL the classroom, instructional process, materials, and assessments are designed to facilitate greater learning for all students including those that have disabilities to those that are gifted. UDL was developed by researchers at the Center for Applied Special Technology (www.cast.org) as a way to remove barriers to learning and meet the needs of the greatest number of students by allowing them to learn and demonstrate their knowledge through a variety of learning styles or preferences (visual, auditory, kinesthetic, and tactile).

For a brief overview of UDL visit <https://www.youtube.com/watch?v=pGLTJw0GSxk>

UDL is based on the three main principles of Multiple Means of Representation, Multiple Means of Action and Expression, and Multiple Means of Engagement. Multiple Means of Representation means that information is presented by the teacher or in a lesson in multiple

formats and allows for alternative ways for students to access information. It incorporates methods of activating background knowledge and providing the required vocabulary and information needed for comprehension before the start of the lesson. Multiple Means of Action and Expression allows the students to show their knowledge or demonstrate their learning in a variety of ways. These allow students options on the way in which they respond to a question or prompt (ex. typing or handwriting) and allow options on the method in which an assignment is completed (ex. essay or project or presentation). Multiple Means of Engagement is designed to better stimulate students' interest and motivation in the learning activity. It increases the relevance and authenticity of an activity (ex. using money to teach math, culturally responsive pedagogy) and allows for greater peer collaboration and communication.

All students have individual needs, strengths, and interests. The benefit of the UDL is that it allows for more flexibility within the curriculum design and teaching process which allows students to access the information in ways they learn best. UDL allows students to be challenged and enriched based on individual needs and learning preferences.

For more information on UDL visit the Center for Applied Science Technology (www.cast.org). For more information on the three main principles of UDL view the UDL Guidelines – Educator Worksheet (<http://udlonline.cast.org/guidelines>) and corresponding video at <https://www.youtube.com/watch?v=rfsx3DGpv5o>.

For more information on the characteristics of an effective inclusion classroom see Activity 4: Inclusion Classroom Characteristics Check Sheet.

Glossary

Americans with Disabilities Act - A law which prohibits discrimination on the basis of disability.

Free and Appropriate Education (FAPE) - Free Appropriate Public Education

Individualized Education Plan (IEP) - A program used to identify students with educational learning difficulties which is broken into three tiers.

Inclusion - serves the needs of all learners within a classroom setting including students with mild disabilities.

Least Restrictive Environment (LRE) - The term used in official documents meaning inclusion; the inclusion of disabled students in a general education classroom.

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Module Activities

Activity One : Legislation Supporting the Inclusive Classroom

- 1) Read: Summary of Laws that support Inclusion in the introduction-
Narrative Overview of Inclusion
- 2) Read : Wright's La on.court cases-litigation that supports inclusion
<http://www.wrightslaw.com/caselaw.htm>
- 2) Read : The Big Six Key Points of IDEA-
<http://www.education.com/reference/article/six-major-principles-idea/>
- 3) Reflect on how LRE and FAPE influence inclusive placement and chat with a veteran school administrator about your perspective

Activity Two: Continuum of Placement

- 1) Read: Continuum of Placement-<http://www.specialed.us/pl-07/pl07-ieppro/07-plc3.html>
- 2) In a round table format with peers argue in defense of full of inclusion; reverse your position and argue for a more comprehensive continuum of services based on FAPE and LRE. See the **Narrative Overview** for arguments for and against inclusion-benefits and drawbacks.
- 3) Video your arguments

- 4) Construct a spider web of ideas to highlight the main tenets and points of contention on full inclusion for all students vs continuum of placement
<http://www.eduplace.com/graphicorganizer/pdf/spider.pdf>
- 5) Write a white paper on the key points that resulted from the round table

Activity Three : Removing Barriers to Inclusion

- 1) Read : On delivery methods and lesson components determined to facilitate inclusion in the classroom in the **Narrative Overview of Inclusion** section of this module
- 2) Read : http://iris.peabody.vanderbilt.edu/wp-content/uploads/pdf_activities/case_based/IA_He_s_Just_a_Goofy_Guy.pdf
- 3) Conduct an assessment of a either a virtual, case study observation (Appendix One) or actual classroom
 - Comment on the application of differentiation in this classroom
 - Determine: characteristics of the classroom environment conducive to inclusion
 - Assess: if delivery methods and lesson components determined to facilitate inclusion are being used in the classroom
 - Trace the activities of one student with a disability for 20 minutes – calculate the time spent on academics; socialization with peers; working in heterogeneous grouping; interacting with highly qualified teacher; instruction given by support personnel. Use your time analysis to comment on the nature of inclusion in this situation. Case study works well for this activity. (APPENDIX A)

Construct: a model of a lesson being implemented in an inclusive classroom; use a time management approach and document the skills needed by each member of the teaching team; be sure to include the environment in which each facet of instruction is to occur.

Activity Four : Inclusion Classroom Characteristics Check Sheet

- 1) Practice : using video rating a classroom for inclusive characteristics using the Inclusive Classroom Check Sheet (APPENDIX B)
 - a. <https://www.youtube.com/watch?v=2W4vpNDfhRs&sns=em>
 - b. <https://www.teachingchannel.org/videos/solving-equations-algebra-lesson-nea>
- 2) Following your video inclusion walk through with the Inclusive Classroom Check Sheet (APPENDIX B) to determine what areas you might need for professional development
- 3) Inventory of the dispositional characteristics of the personnel- teachers, paraprofessional, and service providers that you believe facilitated/or did not facilitate an

atmosphere conducive to inclusion; evaluate these dispositional characteristics in members of staff involved in the inclusive classroom

Summative Assessment

In an inclusive classroom determine a time to observe the classroom. Use the Inclusive Classroom Characteristics Sheet (APPENDIX B) to guide your observation. Following your inclusion walk write a summation of your experience that includes:

- 1) Legislation /Case Law applicable to this classroom
- 2) Barriers to inclusion recognized – access, implementation of differentiation, environmental, dispositions of personnel towards individuals with disabilities; delivery and lesson components.
 - Assess barriers to inclusion
 - Recognize implementation of differentiation in the classroom
 - Demonstrate familiarity with the application of differentiation
 - Determine characteristics of a classroom environment conducive to inclusion
 - Recognize the dispositional characteristics of the personnel- teachers, paraprofessional, and service providers facilitate an atmosphere conducive to inclusion
- 3) A determination of what areas of professional development would increase the professional skill development and address barriers observed to an effective inclusive classroom.

Follow up to analysis of the inclusive classroom

- Sufficient funding so that schools will be able to develop professional development programs for the building principal on the characteristics of a barrier free, best practice inclusive classroom.
- Time for and funding for the coordinated planning and communication between the principal, the "general" and the "special needs" staff designated to facilitate a barrier free, best practice inclusive classroom

RESOURCES & MATERIALS:

APPENDIX A-OBSERVATIONAL CASE STUDY

Observational Case Study

IDEA defines Autism as the following:

(1)

(i) Autism means a developmental disability significantly affecting verbal and nonverbal communication and social interaction, generally evident before age

three, that adversely affects a child's educational performance. Other characteristics often associated with autism are engagement in repetitive activities and stereotyped movements, resistance to environmental change or change in daily routines, and unusual responses to sensory experiences.

(ii) Autism does not apply if a child's educational performance is adversely affected primarily because the child has an emotional disturbance, as defined in paragraph (c)(4) of this section.

(iii) A child who manifests the characteristics of autism after age three could be identified as having autism if the criteria in paragraph (c)(1)(i) of this section are satisfied. (idea.ed.gov)

NICHCY provides a wealth of information about the Autism Spectrum Disorders. The following is a list of characteristics that NICHCY includes on their website about Autism Spectrum Disorders, and has been edited where appropriate:

Each of the disorders on the autism spectrum is a neurological disorder that affects a child's ability to communicate, understand language, play, and relate to others. They share some or all of the following characteristics, which can vary from mild to severe:

- Communication problems (for example, with the use or comprehension of language);
- Difficulty relating to people, things, and events;
- Playing with toys and objects in unusual ways;
- Difficulty adjusting to changes in routine or to familiar surroundings; and
- Repetitive body movements or behaviors.

These characteristics are typically evident before the age of three.

Children with autism or one of the other disorders on the autism spectrum can differ considerably with respect to their abilities, intelligence, and behavior. Some children don't talk at all. Others use language where phrases or conversations are repeated. Children with the most advanced language skills tend to talk about a limited range of topics and to have a hard time understanding abstract concepts. Repetitive play and limited social skills are also evident. Other common symptoms of a disorder on the autism spectrum can include unusual and sometimes uncontrolled reactions to sensory information—for instance, to loud noises, bright lights, and certain textures of food or fabrics.

There are five disorders classified under the umbrella category officially known as Pervasive Developmental Disorders, or PDD. As shown below, these are:

- autism;
- Asperger syndrome;
- Rett syndrome;

- childhood disintegrative disorder; and
- Pervasive Developmental Disorder Not Otherwise Specified (often referred to as PDDNOS).

An exhibit showing the five disorders on the autism spectrum, as currently classified in the DSM-IV-TR.

Although there are subtle differences and degrees of severity between these five conditions, the treatment and educational needs of a child with any of these disorders will be very similar. For that reason, the term “autism spectrum disorders”—or ASDs, as they are sometimes called— is used quite often now and is actually expected to become the official term to be used in the future.

The five conditions are defined in the Diagnostic and Statistical Manual, Fourth Edition, Text Revision (DSM-IV-TR) of the American Psychiatric Society (2000). This is also the manual used to diagnose autism and its associated disorders, as well as a wide variety of other disabilities.

At the moment, according to the 2000 edition of the DSM-IV, a diagnosis of autistic disorder (or “classic” autism) is made when a child displays 6 or more of 12 symptoms across three major areas:

- social interaction (such as the inability to establish or maintain relationships with peers appropriate to the level of the child’s development,
- communication (such as the absence of language or delays in its development), and
- behavior (such as repetitive preoccupation with one or more areas of interest in a way that is abnormal in its intensity or focus).

When children display similar behaviors but do not meet the specific criteria for autistic disorder, they may be diagnosed as having one of the other disorders on the spectrum—Aspergers, Rett’s, childhood disintegrative disorder, or PDDNOS. PDDNOS (Pervasive Developmental Disorder Not Otherwise Specified) is the least specific diagnosis and typically means that a child has displayed the least specific of autistic-like symptoms or behaviors and has not met the criteria for any of the other disorders.

Terminology used with autism spectrum disorders can be a bit confusing, especially the use of PDD and PDDNOS to refer to two different things that are similar and intertwined. Still, it’s important to remember that, regardless of the specific diagnosis, treatments will be similar. (NICHCY)

Demographics

For purposes of referring to the student who was observed in this study the pseudonym “Smith” will be used in place of the student’s name. Smith is a fifteen year old, Caucasian male. Smith is an only child living with his mother who is his residential and custodial guardian. His

parents are divorced and his mother has remarried. Smith was born in Texas and his family has some Hispanic background, but English is his only fluent language.

Records show that Smith's father expressed that Smith had reached normal developmental levels as a child until the age of three when his abilities in verbal expression showed regression. At this point, his parents obtained speech services through the local school district. Smith's father is reported as expressing that from an early age his son had difficulty understanding social cues and situations, and that he had obsessive interests that were not normal for his age. His father continued to report that Smith did not engage in appropriate play with his young peers, and often played with toys in ways in which they were not designed. According to records Smith was diagnosed with ADHD in Kindergarten.

Smith attended school Texas until the fourth grade when he moved to Ohio. He attended fourth grade at a school district that is adjacent to this district, but moved back to Texas where he attended fifth grade. His family moved back to the area and he attended sixth grade at a different school district that is still in the area. Smith attended seventh and eighth grade back in the adjacent district, and now attends this district for the first time during his freshman year.

Smith's IEP includes postsecondary education and training goals, employment goals, independent living goals, and measureable annual academic goals. Smith's measureable postsecondary goal reads: Upon completion of high school, Smith will enroll in a four year college and be employed as a scientist. The transition services and activities listed include the following:

- The district will provide opportunities to research local colleges which offer science related degrees.
- The district will provide instruction in organizational skills.
- The district will provide the opportunity to speak with a local science expert.

Smith's measureable employment goal reads: Upon completion of high school, Smith will enroll in a four year college and be employed as a scientist. The transition services and activities listed include the following:

- The district will provide instruction in appropriate work place behaviors.
- The district will provide opportunities to speak with and/or interview a scientist within the community.
- The district will provide instruction in self-advocacy skills.

Smith's measureable independent goal reads: Upon graduation from high school, Smith will live at home and manage personal hygiene and self-care skills. The transition services and activities listed include the following:

- The district will provide instruction on maintaining personal hygiene.
- The district will provide instruction on maintaining living space.

Smith's measureable annual academic goal reads: Organization; Smith will go from not arriving to class on time or having the required materials to arriving to class on time, with all materials needed to begin and when given a non-preferred assigned tasks, Smith will independently

complete an assignment/task and ask for assistance, if needed, in 4 out of 5 instances as reported by the classroom teacher. The measurable objectives for this goal include the following:

- Smith will keep all materials in a regular place, returning them after each use in each classroom.
- Smith will organize his materials in a binder or folder and will bring assignments to and from school as direct by his teachers
- Smith will maintain his school issued agenda to keep track of short and long term assignments and due dates.

Environmental Report

In Smith’s IEP, the section regarding least restrictive environment states that he, “will receive small group instruction in the resource setting for one class period daily with focus toward transition skills and intervention strategies to maintain a productive work rate and submission”. And that Smith, “will also getting assistance with organization skills and maintaining required materials. In order to be successful and make adequate progress on IEP goals,” Smith “needs to a small group setting where he can receive skills training and immediate feedback”. During the observation period Smith was observed in the general education setting during his algebra course, his elective science course, and in the resource setting during his “Life Skills” course.

The classroom in which Smith was observed during his algebra course contained twenty-two students and had three columns of desks that were arranged with two desks adjacent to one another to create partner groups. The classroom contains posters with famous people and inspirational phrases on the walls. The classroom also contains colorful projects completed earlier in the semester, as well as colorful supply containers. During the classes that were observed the room never became excessively loud, but there was a constant level of discussion except when one of the teachers were talking. The general education math teacher and one special education teacher were present in the three class periods that were observed. The following chart contains activities and times that occurred during one typical class period that was observed:

Time	What teacher(s) did and what Smith did:
10:02-10:17	Smith walked into the classroom without talking and took his seat. The Sp. Ed. teacher began putting notes on the whiteboard while the general education teacher checked to see that student had their “flipbooks” and were recording the notes accurately. The Gen. Ed. Teacher noticed that Smith did not have his flipbook and she asked why he did not have it. Smith responded that he left it at home again (this was the second day). Smith struggled to keep pace with the notes being taken because he was drawing and shading stick figures on the extra notecards he was provided by the Gen. Ed. teacher, who was busy checking other students’ notes.
10:17-10:35	The Gen. Ed. teacher took about half of the class into another classroom to practice problems on the whiteboard. The Sp. Ed. teacher used the smart board to put up practice problems for Smith and the rest of the remaining students to attempt. Smith stayed at his seat and used a small white board while the majority of students went up to the whiteboards around the room. When Smith finished his

	problems earlier than the rest of the students he put his head down on his desk. When the Sp. Ed. teacher stopped to review the problems with the group, Smith laughed audibly when one of the students answered a problem incorrectly. The Sp. Ed. teacher told him that he was being rude. He put his head down during the rest of the review.
10:35-10:46	The Sp. Ed. teacher put a new group of practice problems on the board. Smith picked his head up to attempt the problems and finished within a couple of minutes. He put his head back down while waiting on the other students to finish. When the Sp. Ed. teacher asked him to pick his head up and participate he answered the question correctly and then kept his head up according to the Sp. Ed. teacher's prompting.
10:46-10:50	When the Sp. Ed. teacher was done reviewing the problems she began to put up a new set of questions. Smith picked up his head and said, "I don't think we will have time to finish those". The Sp. Ed. teacher told him to work on them until the bell rang, and he obliged.

The classroom and computer lab in which Smith was observed in his elective science class (environmental sciences) contained twenty-one students. The general education teacher began class in the regular classroom with a short explanation of the day's agenda before relocating to the computer lab. The computer lab had multiple rows of computers that sat next to each other on long tables. The lab was not excessively loud, but there was a constant level of discussion except when the teacher was talking. The following chart contains activities and the times that they occurred during the period this period that was observed:

Time	What teacher(s) did and what Smith did:
11:24-11:26	The teacher began to give instructions to the students about finishing the projects that they had been working on in the lab. Smith was two minutes late to class and missed almost all of the instructions. He walked into the room and slowly made his way to his seat in the back of the room.
11:26-11:31	While the rest of the class filed out of the room toward the lab, Smith was lingering behind and told me that he had mastered the stack of notecards that he was carrying that contained Japanese characters. I ask him how many characters that was and he told me that the Hiragana alphabet has something like forty-six characters, but that there are many more because there are three forms of Japanese alphabets. When Smith finally reached the hallway another teacher stopped him to ask if he had brought back any of the books she had let him borrow (the books are about the theories of the origin of the universe). He said that he had finished reading them but had forgotten to bring them.
11:31-11:59	For the majority of this time Smith was actively working on a project that included answering questions and presenting about a book he chose to report on called <u>Silent Spring</u> by Rachel Carson. The teacher was splitting time between checking on the progress of students' projects and grading quizzes. As he waited for the computer to log on he studied his Japanese character notecards. Even without monitoring from his teacher Smith worked silently and mostly diligently on the project while most of his classmates put in a much more lackadaisical effort and socialized. I did notice a few instances in which Smith was looking at a

	website devoted to a collectable card game that he very much enjoys.
11:59-12:09	With about ten minutes left in class Smith solely viewed the website about the card game. When the teacher came to check on his progress he quickly pulled up his project and then reported to her that he had mastered the Japanese alphabet.

The classroom in which Smith was observed during his Life Skills course is considered a resource room and contained fifteen students and had five groups of desks that were arranged with four desks adjacent to one another to create small groups. All of the students in this class are on IEPs. The classroom contains very little in the way of visual stimuli on the walls except for a few schedules and a smart board. During the classes that were observed the room never became excessively loud, but there was a constant level of discussion. The special education teacher had to yell over the discussion at times during the periods that were observed. The following chart contains activities and times that occurred during one typical class period that was observed:

Time	What teacher(s) did and what Smith did:
12:48-1:10	At the beginning of class Smith sat in a group of desks with a couple of other students with whom he does socialize on a daily basis. The Sp. Ed. teacher asked the students to obtain their binders, which holds all of the materials that they have used throughout the year. The students keep these binders in the room so that they do not lose them. The students were instructed as a group to organize their binders according to the teacher's verbal instructions. Smith finished this process faster than most of the students who struggled to keep up with the instructions. When he finished, he sat with his eyes closed and his head in his hands.
1:10-1:20	When the Sp. Ed. teacher gave new instructions to the class about a certain piece of work Smith continued to sleep until one of the students sitting in his group stirred him. The Sp. Ed. teacher walked around the room to help students who were still struggling with the directions. As soon as Smith had finished organizing again he laid his head down on the desk and tried to go to sleep.
1:20-1:35	When all of the students had organized their binders the Sp. Ed. teacher asked the class to get out a specific piece of work to review the answers. Smith continued to sleep until the teacher asked him to answer a question, which he got correct. She asked him to keep his head up for the rest of class and he did.
1:35-1:39	The students were instructed to put away their binders and began to talk until the end of class. Even though Smith was sitting with students with whom he usually interacted, he studied the Japanese notecards until the end of the period.

Cognitive Perspective

According to his records, Smith's academic strengths include reading comprehension, written language skills, and verbal communication. He is capable of explaining himself by using an extensive vocabulary. Smith scored above the proficient level in both reading and math on the eighth grade OAA with scores of 417 and 431 respectively. He does well academically in all subjects, but his grades are affected by his lack of organization and work completion. Areas of concern are in the area of organization, work completion, and ability to stay on task. Working on

organization skills and academics at the same time can create avoidance of work. He needs extended time to complete many of his assignments, projects and test. He needs designated time at school to work on homework and supervised study time and preparation. He also needs checks of notebook, of completed work, and of ongoing assignments in each class period on a daily basis. His parents need to know all upcoming assignments before they are assigned because he has trouble with this organization and often forgets about assignments or avoids them altogether. Smith is best motivated by utilizing his own special interests or routines (whatever is truly important to him at the time, such as books, movies, science topics) as a means to teach and provide practice in new concepts.

Smith has very strong computer skills and knows how to utilize such programs as Microsoft Office including Word, Excel, and PowerPoint. He also uses Google Docs and various other internet based tools. He knows how to use the internet to do research for projects and written tasks. Smith's IEP includes an accommodation that allows him to use the computer for written tasks that are longer than a paragraph.

He is able to communicate verbally in a clear and concise manner; however, he often struggles with using pragmatic language and he lacks in social skills and situational language skills when conversing with same age peers and adults. He nearly always communicates with a serious and formal demeanor, and his speech patterns often lack rhythm so his conversations have odd inflections and sometimes are either too soft or too loud for the setting. He has trouble reading social cues and recognizing other people's feelings. He tends to be very literal and have trouble understanding nonverbal cues. According to records, Smith is aware of possible career interests, however, he would not know how to select a college or university and would struggle trying to complete the admittance process. He does not demonstrate the motivation, independence, or problem solving skills that successful post-secondary students demonstrate. Smith understands that there are duties and responsibilities involved with his future occupational choices; however, he is unaware of the demands of such career choices and the functional skills needed to perform such tasks successfully. Smith does not show work habits that a potential employer would expect from an employee, such as arriving on time, following directives, or completing tasks in a timely manner.

Smith has poor hygiene habits as he has to be constantly directed to take a shower, brush his teeth, wash his clothes, etc. Even though he can independently perform personal hygiene functions, Smith's parents have to reinforce these skills on a daily basis. Smith can perform basic household maintenance tasks, such as cooking or food preparation, housing cleaning, dishwashing, clothes care, shopping for household items, and storage and disposal of waste, however, he must be directed to do these tasks as they are of no importance to him. Smith does not demonstrate knowledge and understanding of and skills in budgeting, making large purchases, care and handling of income and cash, using banking services, saving, buying on credit, or comparative shopping in other cost-saving techniques. According to records, Smith is not aware of areas that are problems for him. He is not always able to express personal feelings, attitudes, opinions, and ideas with conviction and confidence. He does not always recognize his strengths and limitations. He is, however, able to identify and discuss goals that reflect his personal interests and choices.

The following is a description of Smith's present level of organization according to his measurable annual goals of his IEP: Smith does not have strong organizational skills. His

teachers report that he does not come to classes with all necessary materials or have the materials needed to work on assignments whenever he has study time. He often requests to go to his locker to get the necessary class materials once the bell has sounded. He has difficulty keeping up with assignment dates and misses teachers' assignment due dates when assignments are given. Losing his belongings is a constant occurrence, as he has to keep a set of books at home and a set at school. Caleb leaves his backpack in the main office at school to ensure he does not lose or misplace his belongings between school and home.

The measureable annual goal that accompanies this present level of performance reads: Organization; Smith will go from not arriving to class on time or having the required materials to arriving to class on time, with all materials needed to begin and when given a non-preferred assigned tasks, Smith will independently complete an assignment/task and ask for assistance, if needed, in 4 out of 5 instances as reported by the classroom teacher. The measurable objectives for this goal include the following:

- Smith will keep all materials in a regular place, returning them after each use in each classroom.
- Smith will organize his materials in a binder or folder and will bring assignments to and from school as direct by his teachers
- Smith will maintain his school issued agenda to keep track of short and long term assignments and due dates.

The specially designed services or instruction section of Smith's IEP includes the following information: Direct instruction in organizational skills to include modeling, corrective feedback, and time management skills. This service is to be provided by the Intervention Specialist in a resource setting for an amount of ninety minutes per week. Accommodations listed in this section also include the following: extended time and use of a computer for completion of written assignments over two paragraphs in length, provided with a copy of guided notes prior to instruction, frequent notebook and binder checks, and a reduced amount of work to reflect understanding versus quantity. All of these accommodations are to be provided by his general education teachers and in the general classroom setting.

In discussing the implementation of the specially designed services described above the Intervention Specialist said that she and Smith were typically able to meet the expressed direct instruction for the amount of time described during the week. She said that this was possible because Smith has a period at the end of the day when he has time to work in a one-on-one setting with the interventions specialist for forty-eight minutes. This time is often used to work on Smith's organization skills, or to work on projects or other assignments that Smith may struggle with organizing or turning in to his general education teachers in a timely manner. Other than this period of the day, Smith is in the general education setting except when he is in the resource room with other students who are on IEPs in a Life Skills course. During my observation I was unable to observe the final class period of the day in which this direct instruction takes place, but during my observation I was able to see some of the accommodations listed above take place, such as access to a compute for longer written tasks and notebook checks for organization.

Smith conforms to many of the typical characteristics of autism as described by NICHCY. Smith has issues with communication in various aspects. He has been reported as

having issues with cooperative play and playing with toys and objects in unusual and inappropriate ways. He does not adjust well to changes in routines or to unfamiliar surroundings and people. Smith also diverges in some ways from the typical characteristics of autism. He does not show issues with fine motor skills or display repetitive body movements or any repetitive physical behaviors in general.

Physical Perspective

Smith has some medical issues that interfere with his general ability to function in a general education setting. Smith needs to use the restroom on a frequent basis. He needs to be able to leave the classroom often because he senses an urgency to use the restroom. He sometimes becomes uncomfortable in class due to issues with constipation. Less frequently at this point in the school year than early on, and not at all during my observations, Smith would ask to use the restroom and be out of the classroom for ten or more minutes at a time due to concerns with constipation. The school was unable to provide any kind of medical documentation because it has been unavailable.

Smith does not show any significant issues with either fine or gross motor skills. There is no record of Smith having issues with motor skills, and he is generally able to use all materials and resources in the general education setting without any kind of assistance. Smith's physical attributes are typical of a student his age. He does not have any physical limitations that disallow his ability to participate in academic, physical, or leisure activities. Smith does not receive any special services such as physical or speech therapy. Smith is included in physical education classes; however, he often tries to exclude himself from participation in physical education class. Teachers state that he does not like the physical education teacher because she forces him to participate. Also, Smith does not like to get sweaty at school because he does not want to take showers at school or when he returns home in the evening. His P.E. teacher expressed that he often "invents" physical issues such as injury or illness to attempt to exclude himself from participation.

Social-Emotional Perspective

The website of the Department of Education and Early Childhood Development of the Government of Victoria, Australia includes a comprehensive list of the social/emotional needs that schools should recognize and aid in the development of school aged children. The website reads, "As students graduate towards higher levels of schooling, training and employment, social and emotional skills become increasingly important. Social and emotional competencies can help students in managing stress, deciding on goals and planning for the future" (education.vic.gov.au). The website lists the social/emotional needs typical of secondary school-aged students:

- Self-awareness: identifying and recognizing emotions; recognizing personal interests and strengths; maintaining a well-grounded sense of self-confidence.
- Self-management: regulating emotions to handle stress, control impulses, and motivating oneself to persevere in overcoming obstacles, setting and monitoring progress toward the achievement of personal and academic goals; expressing emotions appropriately.

- Social awareness: being able to take the perspective of and empathize with others; recognizing and appreciating individual and group similarities and differences.
- Relationship skills: establishing and maintaining healthy and rewarding relationships based on cooperation and resistance to inappropriate social pressure, preventing, managing, and constructively resolving interpersonal conflict; seeking help when needed.
- Responsible decision-making: making decisions based on a consideration of all relevant factors, including applicable ethical standards, safety concerns, and social norms; the likely consequences of taking alternative courses of action; evaluation and reflection. (education.vic.gov.au)

Smith's social-emotional needs mostly reflect the typical needs of students his age. Throughout the observation Smith displayed behaviors that illustrated his social/emotional development which seems to be on par with other students his age in many aspects, but also certainly in need of development in other areas. In certain areas, such as all of those listed under the self-awareness and certain aspects of the relationship and decision making needs Smith has developed the skills and understandings necessary to satisfy his own needs. He has an understanding of who he is and what his strengths and weaknesses are in and out of the school environment. He maintains appropriate relationships with certain peers and teachers who he trusts and often seeks assistance or advice when he needs it. However, Smith also clearly has social/emotional needs in which he is still developing or completely lacking skills. Smith lacks development in almost all of the areas listed under self-management and social awareness as listed above. He is not able to control impulses and motivating himself to overcome obstacles in an educational setting. He has not developed the abilities needed to monitor progress toward the achievement of his personal and academic goals. He often does not express emotions appropriately. Smith is not able to take the perspective of and empathize with others. Many of the social/emotional areas in which Smith lacks development are typical of a student who is classified with autism.

Smith does not have ample opportunities outside of school to participate in community interaction. His parents do not have much involvement in community activities, and they are not part of any kind of organized religious organizations. Smith is usually either at school, at home with his family, or on very rare occasions, at a friend's house to participate in regular social interactions. Smith does participate in activities such sports, scouting, church groups, or any other organized activity. He has expressed interest in developing a card-collector-and-gaming club at the school, but he has been unable to find a viable sponsor or enough interested students to start the club. There does not seem to be a dominant cultural group that influences Smith's beliefs; however he seems to have developed what could be described as a somewhat liberal social ideology as described by educators and peers who have conversed with Smith about various social topics.

Smith's observed behaviors also fall on both typical and atypical for his age. Erikson's Eight Stages of Development describe some typical behaviors along with other forms of development. Erikson described a stage called "Learning Identity Versus Identity Diffusion or the Fidelity Stage" in which an individual in "adolescence, from about 13 or 14 to about 20... learns how to answer satisfactorily and happily the question of 'Who am I?'" (graceangels.org). During this phase of development some of the typical behaviors displayed include:

“experimentation with minor delinquency; rebellion flourishes; self - doubts flood the youngster, and so on. Erikson believes that during successful early adolescence, mature time perspective is developed; the young person acquires self-certainty as opposed to self-consciousness and self-doubt. He comes to experiment with different - usually constructive - roles rather than adopting a "negative identity" (such as delinquency). He actually anticipates achievement, and achieves, rather than being "paralyzed" by feelings of inferiority or by an inadequate time perspective. In later adolescence, clear sexual identity - manhood or womanhood - is established. The adolescent seeks leadership (someone to inspire him), and gradually develops a set of ideals (socially congruent and desirable, in the case of the successful adolescent) (graceangels.org).

Some of Smith’s observed behaviors fall within this description of the age category in which he would classify. Smith behaves in a manner that projects a self-certainty and positive self-image. He understands his strengths and weaknesses and uses them to his advantage in most academic and social settings. Smith does at times behave in a manner that projects an air of “minor delinquency” such as ignoring assignments and deadlines that he views to be frivolous, and in often defending his opinions in discussions even though they are viewed as controversial. However, Smith also displays or lacks certain behaviors that would be typical of a student his age. He does not seem to behave in a manner that illustrates an established understanding of manhood, and this does not seem to be a viable concern presently. He does not maintain a mature set of ideals that are “socially congruent and desirable” as described above, and he often discusses controversial issues at inappropriate times with teachers and peers.

Legal Perspective

In observing Smith and exploring Smith’s records, including his IEP and other legal documentation, it is reasonable to give a positive evaluation that this school and the classrooms observed are following the intent of IDEIA. For all necessary purposes of evaluating the school’s ability to follow the intent of IDEIA I studied the current legislation and discovered that Subparts A, B, C, F, G, and H do not have direct bearing on this operational case study. These Subparts contain technical legislation regarding the general character of the legislation, the definitions used throughout the legislation, the eligibility of state, general, and LEAs, monitoring, enforcement, confidentiality, and program information, the allotment of funds, and preschool grants for children with disabilities. In general, Subpart D, which deals with evaluations, reevaluations, eligibility, Individualized Education Programs, and educational placements, and Subpart E, which deals with procedural safeguards, are the major areas that were taken into consideration in regards to judging the ability of this school to follow the intent of IDEIA (wrightslaw, IDEA) .

In regards to Subpart D and E, because the school was willing to provide documentation including past records of evaluations and the student’s current IEP, I was able to evaluate the extent to which the school and staff was following the intent of IDEIA. The information provided to me allowed me to verify, to the best of my ability, that the school had followed Subpart D in regards to parental consent, evaluations and reevaluations, additional procedures for

identifying children with Specific Learning Disabilities, Individualized Education Programs, and Development of the IEP. I did detect an issue with §300.324(a)(3) that reads:

(3) Requirement with respect to regular education teacher. A regular education teacher of a child with a disability, as a member of the IEP Team, must, to the extent appropriate, participate in the development of the IEP of the child, including the determination of--

(i) Appropriate positive behavioral interventions and supports and other strategies for the child; and (ii) Supplementary aids and services, program modifications, and support for school personnel consistent with §300.320(a)(4).

My hesitation to accept that the school has followed the intent of IDEIA in this case stems from a conversation that I had with a special education teacher and general education teacher that was focused on another general education teacher's disobedience to the section above in regards to implementing "appropriate positive behavioral interventions and supports and other strategies for the child... program modifications". Though a general educator was part of the IEP team and may very well have participated in determining the above necessities, I did not know whether another teacher's disobedience to the IEP went in contradiction of this part of the legislation (wrightslaw.com).

In observing Smith and exploring Smith's records, including his IEP and other legal documentation, it is reasonable to give a positive evaluation that this school and the classrooms observed are following the intent of NCLB. For all necessary purposes of evaluating the school's ability to follow the intent of NCLB I studied the current legislation and discovered that many parts of the legislation do not have direct bearing on this observational case study. Sections that I did find to be useful in evaluating the school's efforts to follow the intent of NCLB included Sec. 1003. School Improvement, Sec. 1118. Parental Involvement, Sec. 1119. Qualification for Teachers and Paraprofessionals, Title IV – 21st Century Schools, SEC. 1061, Title VI — Flexibility and Accountability including Subpart 4 - State Accountability for Adequate Yearly Progress (www2.ed.gov/nclb).

For the purposes of this observation, I focused my evaluation of the school's ability to follow the intent of NCLB in its emphasis of the school's ability to properly assess its students. Also, I considered the qualification of the school's teachers and paraprofessionals. NCLB holds the school accountable for the proper instruction, assessment, and improvement of the schools' students. This school and its teachers seem to follow the intent of NCLB by following the requirements of the law that states that the school must to show Adequate Yearly Progress in raising student achievement. In Smith's case, his state standardized test scores are present in his records and are considered when developing instructional strategies for the student. His participation in statewide and districtwide testing is required by NCLB, and he has shown improvement in the academic areas taken into consideration in these assessments. The teachers and paraprofessionals directly responsible for Smith's instruction and assessments are considered either Highly Qualified, in respects to his special and general education teachers, or meet the standards for qualification expressed by NCLB (nichcy.org/laws/nclb).

In observing Smith and exploring Smith's records, including his IEP and other legal documentation, it is reasonable to give a positive evaluation that this school and the classrooms

observed are following the intent of ADA and Section 504 of the Rehabilitation Act. For all necessary purposes of evaluating the school's ability to follow the intent of ADA and Section 504 I studied the current legislation and a study by S. James Rosenfeld, Esq. and President of EDLAW, Inc. After studying the various sources, I discovered that the relationship between these pieces of legislation can be described in the following manner:

“The Americans With Disabilities Act (ADA), enacted in 1990, has deep roots in Section 504. In many ways, the ADA is Section 504 "writ large." The primary difference is that while Section 504 applies only to organizations that receive Federal funding, the ADA applies to a much broader universe. However, with respect to education, the ADA's objectives and language are very similar to Section 504, and for this reason both statutes are administered by the Office for Civil Rights and considered essentially identical” (wrightslaw.com, Rosenfeld).

Smith's records, current IEP, and current educational placement allow for a positive evaluation of the school's efforts to follow the intent of ADA and Section 504. Because Smith is in the general education setting for almost the entire school day he is included in the educational opportunities provided to students who are not disabled. This qualifies as an appropriate educational placement because this placement allows the opportunity for educators to meet Smith's and other students who classify for having disabilities individual needs as adequately as non-disabled students in a general education setting (ada.gov).

APPENDIX B– Inclusion Classroom Characteristics Check Sheet