

History of Special Education

The History of Special Education at the Federal Level

| DATE | CONCEPT |
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| 1954 Brown v Board of Education | The issue was whether state-sponsored segregation in public schools was legal. Even though there was a separate school system for African Americans, those systems were not equal and violated the “equal protection clause” of the 14 th Amendment. The segregated school systems had a tendency to make black children feel inferior to white children, and thus this system should not be legal. US Supreme Court declared that segregation in public schools was unconstitutional. |
| 1965 Elementary and Secondary Education Act | The purpose of ESEA was to provide additional resources to vulnerable students. Offered federal grants to create special education centers, scholarships for low income students, and specifically to state educational agencies to improve the quality of public education. |
| 1972 Mills v BOE | Addresses the issue of educating children with disabilities. Concluded that the DC school had to provide a public education to each resident of DC who is capable of benefitting from such instruction. The Court held that no child could be denied a public education due to “mental, behavior, physical or emotional handicaps or deficiencies.” |
| 1973 Rehabilitation Act | Federally, the Rehabilitation Act prohibits discrimination on the basis of disability (physical or mental) in federally funded programs. 1973 Maryland passed local law to educate children with disabilities ages birth -21, becoming one of the first states to do so. |
| 1975 The Education for All Handicapped Children Act (IDEA) | Passed Congress to provide federal funding to support all school aged children with all disabilities, also known as PL 94-142. Since 1975, legislation mandated that all students be educated in the LRE with supplementary aids and services. Guaranteed a free and appropriate public education to every child with a disability. It also improved how children were identified and educated, and provided due process protections for families. |
| 1986 The Education for All Handicapped Children Act Reauthorization | PL 99-457 Part C, IDEA for infants and toddlers. Ensures that all states have appropriate early intervention services for children aged birth to 3 years and their families. Those who are experiencing developmental delays or have a diagnosed physical or mental condition. Here, IDEA also gives states the discretion to extend eligibility beyond a child’s third birthday and continue to provide early intervention services until the child enters kindergarten or elementary school. |
| 1990 ADA Amendments | Provides a clear and comprehensive national mandate to eliminate discrimination against persons with disabilities. Federal government plays a key role in enforcement. Congress recognizes that mental or physical disabilities in no way diminishes a person’s rights to full be included in society. |
| 1997 IDEA Amendments | PL 105-17 was enacted. This reauthorization of IDEA required a transition plan to be a part of every IEP no later than the child’s sixteenth birthday and regarded the discipline of children with disabilities. Held that every IEP must include present levels of performance, measurable goals, statement of services, and statement of accommodations or modifications. Safe school environment. |
| 2001 No Child Left Behind Act | NCLB now makes all students and schools accountable to educational outcomes. Requires that students have access to teachers who are qualified in their fields, or core academic subjects. Led to increased school accountability, more school choice for families, put reading first. |
| 2004 IDEA Amendments | PL 108-446. Purpose is “to ensure that all children with disabilities have available to them a free and appropriate public education that emphasizes special education and related services designed to meet their unique needs and prepare them for further education, employment, and independent living.” |