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Part 1: Reflection on Legal Protections

Reflecting on the Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act, and the Americans with Disabilities Act (ADA) and the court cases that provide clarity in interpretation, helps in understanding the legal protections that govern the rights of students with disabilities. These statutes create a framework that seeks to ensure equitable educational opportunities for students with disabilities. When looking at the legal protections with the lens as a Director of Special Education Services, it is important to understand the complex and, oftentimes interwoven ways that legislation and court cases help to ensure compliance and the importance of advocating for students' rights.

The development of IDEA, Section 504, and the ADA represents the progress in disability rights, shaped by the civil rights movements and the ever-changing societal understandings of equity. A legislative push came with Section 504 of the Rehabilitation Act of 1973, which prohibits discrimination against individuals with disabilities in programs receiving federal financial assistance. This laid the foundation by establishing that students with disabilities have the right to access public education and related services.

The Education for All Handicapped Children Act of 1975, later known as IDEA, expanded these protections by mandating that schools provide a free appropriate public education (FAPE) tailored to each student's unique needs. This legislation aimed to rectify the historical exclusion of students with disabilities from public schools, as shown by cases like *PARC v. Pennsylvania (1971)*. In *PARC*, the court ruled that students with intellectual disabilities could not be denied access to public education, marking a significant shift toward educational inclusion and setting the stage for IDEA's requirements regarding individualized education programs (IEPs) and procedural safeguards.

The ADA, established in 1990, further provided civil rights protections to individuals with disabilities across public and private sectors, including education, and in doing so, reinforced access and nondiscrimination that had been outlined in Section 504. Together, these laws ensure educational rights, with IDEA focusing on individualized support and procedural guidelines, Section 504 providing protections against discrimination, and the ADA focusing on accessibility and equal opportunity.

One of the key components that are important as a Director of Special Education Services is the provision of FAPE in the least restrictive environment that is outlined in IDEA. This is provided through IEPs (individualized education programs). The *PARC v. The Pennsylvania (1971)* court ruling established this foundational legal principle. The ruling's emphasis on individualized instruction foreshadowed IDEA's requirements for IEPs, and in doing so, framed how education systems approach the development of specialized services. For Directors of Special Education Services, the case highlights the need for advocating for inclusive practices and ensuring that IEPs are developed in accordance with legal standards. With IEPs in place, this also allows parents to be part of the educational goals for their child and IDEA provides safeguards that allow parents to challenge decisions through due process hearings.

Another key component is outlined in Section 504, which requires school districts to provide accommodations and modifications to ensure that students with disabilities have access to the same educational opportunities as their non-disabled peers, even if they do not qualify for services under IDEA. This is highlighted in the case of *Hendricks v. Gilhool (1989)*. In this case, the court addressed compensatory education as a remedy for a failure to provide provisions under Section 504 and IDEA. This also emphasized that corrective measures should be in place

to compensate for lost educational opportunities from the students of disabilities being in an inferior educational space.

Lastly, the protections under ADA address issues of accessibility and equality across various domains of public life, including schools, that ensure that discrimination does not limit student's from the ability to participate in educational programs. One case that emphasizes how all of the protections are interplayed, but especially the protections under ADA is *Fry v. Napoleon Community Schools (2017)*. The Fry case clarified the intersection of IDEA, Section 504, and ADA by determining that parents are not required to exhaust IDEA's administrative procedures when seeking relief for issues not directly related to FAPE, such as equal access to educational facilities. This decision expands the pathways for legal recourse, emphasizing the many responsibilities of Directors of Special Education Services, to not only comply with IDEA, but also ensure ADA and Section 504 obligations are met.

The Director of Special Education Services plays a crucial role in understanding the intersections of IDEA, Section 504, and ADA, ensuring compliance with legal standards and advocating for the rights of students with disabilities. From a legal standpoint, the Director must ensure compliance in the services provided to students with disabilities. Directors are responsible for implementing IDEA's mandates regarding FAPE, LRE, and IEP development. They must ensure that all procedural safeguards are followed, including conducting appropriate evaluations, facilitating meaningful parent participation, and providing adequate notice of educational decisions.

Above just compliance, Directors also need to advocate for equity. Given the disparities in resources and access, Directors must work to bridge gaps that may privilege certain families

over others. This includes proactively addressing service delivery issues, as was highlighted in *Hendricks v. Gilhool (1989)*. Directors need to be present in the classrooms and schools to have a personal perspective of service delivery, but also an active role in creating professional development to help unify the staff in the same goals of access and equity in education.

As shown in *S-1 v. Turlington (1981)*, Directors need to oversee that disciplinary procedures do not violate the rights of students with disabilities. In addition, the development of behavioral intervention plans fall under the Directors responsibilities. They must ensure that disciplinary actions are informed by comprehensive assessments of whether behaviors are manifestations of a student's disability. This follows that policies and procedures need to be analyzed and continually updated to align with legal standards.

In reflection, the Director of Special Education Services must work as a center for legal compliance, advocacy, and educational leadership. The role demands a deep understanding of how IDEA, Section 504, and ADA interact and a commitment to upholding the rights of students with disabilities through proactive, informed decision-making. The historical and legal context provided by the landmark cases discussed, above and throughout our course, had offered valuable insights into the complex legal landscape.

Part 2: Reflection on RDA

Results Driven Accountability (RDA) is a framework created by the U.S. Department of Education's Office of Special Education Programs (OSEP) to increase the educational outcomes for students with disabilities. RDA shifts the focus from solely compliance-based monitoring to a more results-focused approach. This emphasizes student outcomes such as academic

achievement, graduation rates, and post-school success. (“Office of Special Education Program’s Results Driven Accountability Home Page”)

Key parts of RDA focus on data and monitored support that are demonstrated by state testing or performance plans. With prioritizing student performance and growth, this shifts a school district's focus from compliance to productive academic and functional outcomes. RDA aims to create a more balanced approach to special education by aligning accountability measures with efforts to improve the educational experiences and outcomes for students with disabilities.

The cases of the *Board of Education of Hendrick Hudson Central School District v. Rowley* (1982) and *Endrew F. v. Douglas County School District RE-1* (2017) has influenced the development of RDA for students, including those with disabilities, by shaping the legal interpretation of the IDEA. To understand their impact on RDA, it is essential to examine each case and the broader implications for accountability standards under IDEA.

In *Rowley*, the U.S. Supreme Court ruled that the IDEA does not require schools to maximize the potential of students with disabilities but mandates that students receive a "basic floor of opportunity." (Justia). This standard established that the provision of a FAPE requires schools to offer services that are "reasonably calculated to enable the child to receive educational benefits." (Justia). The Court's decision emphasized procedural compliance over outcomes, setting a low bar for educational standards for students with disabilities. Compliance was measured primarily by adherence to legal processes—such as creating and implementing IEPs—rather than by the academic or functional outcomes for students with disabilities. This procedural emphasis influenced early accountability approaches under IDEA, where states and

districts were held accountable based on procedural compliance indicators, with limited focus on the actual educational results achieved by students.

Endrew F. marked a shift in the Court's interpretation of FAPE. The Supreme Court ruled that to meet IDEA's requirements, an IEP must be "reasonably calculated to enable a child to make progress appropriate in light of the child's circumstances." (Endrew F. V. Douglas County School District RE-1, 580 U.S. (2017)). This decision raised the standard from the "basic floor" established in Rowley to one requiring a meaningful educational benefit that aligns with the child's unique potential and circumstances.

The Endrew F. decision impacted RDA by signaling a shift toward an academic outcome-based accountability framework. It reinforced the need for educational programs that lead to data supported progress, rather than just procedural compliance. Consequently, RDA has evolved to incorporate both procedural and substantive measures, aiming to ensure that students with disabilities achieve meaningful educational outcomes. The decision encouraged states and districts to place greater emphasis on monitoring and improving educational results, such as graduation rates, performance on standardized assessments, and post-secondary outcomes for students with disabilities.

The combined influence of Rowley and Endrew F. has shaped RDA into a two-part accountability system, addressing both compliance with IDEA procedures and the achievement of educational results. Rowley laid the groundwork for procedural safeguards, while Endrew F. raised the standard for educational outcomes, leading to a more balanced approach in the establishment of RDA. This growth has prompted states to adopt more cohesive data collection,

monitoring, and intervention strategies to meet the needs of students with disabilities, which is in line with the IDEA's goal of ensuring equitable access to quality education.

In summary, Rowley and Endrew F. have had a profound impact on RDA by shaping the standards for FAPE under IDEA. The progression from a compliance-focused model to an outcomes-driven approach in RDA reflects the legal movement established by these cases, demanding that educational programs for students with disabilities not only follow the procedural requirements but also produce meaningful educational progress.

For a Director of Special Education and Pupil Services, the implications of the shift toward RDA are great. Directors play a critical role in promoting continuous improvement practices and creating an educational environment where progress is expected and celebrated. A Director needs to lead professional development initiatives that foster a growth mindset among educators and staff. This needs to emphasize that all students have the potential to achieve meaningful progress. Professional development should also foster collaborative practices among special education and general education staff. This will allow inclusive, high-quality instruction creation that can meet the needs of diverse learners.

The RDA framework includes differentiated monitoring and support based on state and district performance. Directors need to be prepared for levels of critical analysis and intervention, depending on their district's performance on the RDA indicators. Directors will need to stay informed on the district's RDA designation and understand the level of support and monitoring that are required. If performance shows needed growth, then a Director will need to develop action plans that address those areas that need improvement, and coordinate with the Director of Instruction and other administration to implement those action plans.

In conclusion, for a Director of Special Education and Pupil Services, RDA involves a shift from procedural compliance alone to a balanced approach that prioritizes meaningful progress for students with disabilities. This requires planning, continuous data-driven improvement, collaboration, and a commitment to ensuring that all students receive an education that truly prepares them for future success.

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