

Summer 2017

# Assessing General Education Teacher Training on IDEA and Section 504 Law

Yolian Cintron  
*Governors State University*

Follow this and additional works at: <http://opus.govst.edu/capstones>

 Part of the [Disability Law Commons](#), [Education Law Commons](#), [Elementary Education and Teaching Commons](#), and the [Special Education and Teaching Commons](#)

---

## Recommended Citation

Cintron, Yolian, "Assessing General Education Teacher Training on IDEA and Section 504 Law" (2017). *All Capstone Projects*. 341.  
<http://opus.govst.edu/capstones/341>

For more information about the academic degree, extended learning, and certificate programs of Governors State University, go to  
[http://www.govst.edu/Academics/Degree\\_Programs\\_and\\_Certifications/](http://www.govst.edu/Academics/Degree_Programs_and_Certifications/)

Visit the [Governors State Multicategorical Special Education Department](#)

This Project Summary is brought to you for free and open access by the Student Capstone Projects at OPUS Open Portal to University Scholarship. It has been accepted for inclusion in All Capstone Projects by an authorized administrator of OPUS Open Portal to University Scholarship. For more information, please contact [opus@govst.edu](mailto:opus@govst.edu).

### **Acknowledgements**

First and foremost, I would like to thank God for the wisdom, knowledge, and capability to take on this project. I would next like to thank my family for their support through this project, especially my parents for supporting me in every way through this project and my entire life. I would also like to thank my sister, cousins, and family friends that served to distribute surveys to their Schools. They are Yocelin Perez, Karen Vincenty, Marlene Vincenty, and Carol Flores. I would also like to thank the CPS staff of the schools that shall remain nameless, who participated in the survey. I would also like to thank my classmate, Rachela Nichols, for all her academic assistance and friendly support as we went through this journey together. Lastly, I would like to thank Dr Phil for guiding us through this process. Now that this process is done, I feel confident that I can one day complete my doctoral thesis, which is a future goal of mine. That would not have been the case had I not gone through this research project with the guidance of Dr. Phil.

**Table of Contents**

Signature Page	
Acknowledgements	i
Table of Contents	ii-iv
List of Table	v
List of Figures	vi
Title Page	1
Abstract	2
Chapter 1: Introduction	3
Statement of the Problem	5
Purpose of the Study	6
Questions of the Study	6
Assumptions and Limitations	7
Educational Significance of the Study	7
Definition of Terms	9
Chapter Summary	12
Chapter 2: Review of Literature	13
IDEA Law	13
Section 504	17
Consequences of Not Following IDEA and Section 504	19
What Do General Educator Need to Know?	19
What Does the Law Say About General Educators?	23
General Education Teacher Responsibilities Under IDEA and Section 504	24

GENERAL EDUCATION TEACHERS AND SPECIAL EDUCATION	iii
Research to Address the Problem	25
Are Teachers Being Trained	25
Teacher Training is Adequate	25
Highlighting Insufficient Training Along with Training Needs	26
Reasons for Lack of Training	27
Chapter Summary	29
Chapter 3: Methodology	30
Participants	30
Instrumentation	32
Procedure	34
Data Collection	34
Data Analysis	34
Chapter Summary	35
Chapter 4: Results	36
Demographics	36
Referral and Assessment	37
IEP Team, Meeting, and Plans	39
Least Restrictive Environment	41
Section 504	43
Accommodations and Modifications	43
Measures of Spread and Central Tendency for the Survey Scores	45
Total Population	46
Scores Grouped by Years of Experience	46

Scores Grouped by Length of Time Away From School	47
Chapter Summary	49
Chapter 5: Discussion and Conclusion	50
Discussion	50
Referral and Assessment	50
IEP, Team, Meeting, and Plans	51
Least Restrictive Environment	51
Section 504	52
Accommodations and Modifications	52
Measures of Spread and Central Tendency	52
Conclusion	54
Educational Implications	56
Recommendations for Further Research	57
Chapter Summary	59
References	60-63
Appendix A: General Education Teacher Survey	64
Appendix E: Citi Training (IRB)	67

**List of Tables**

Table 1: The 13 Categories of Disability	15
Table 2: Components of an IEP	16
Table 3: IEP Participants	16
Table 4: Parents Due Process Rights	17
Table 5: Section 504 Similarities and Differences from IDEA	18
Table 6: ISBE Professional Teaching Standards With Mention of IDEA and 504 Law	20
Table 7: Instructional Competencies for the General Educator According to NJCLD	21
Table 8: Section 504 Knowledge and Skills	22
Table 10: Demographics	37
Table 11: Referral and Assessment Responses Described by Frequencies and Percentages	38
Table 12: IEP Team, Meeting, and Plans Responses Described by Frequencies and Percentages	40
Table 12 (continued) : IEP Team, Meeting, and Plans Responses Described by Frequencies and Percentages	41
Table 13: Least Restrictive Environment Responses Described by Frequencies and Percentages	42
Table 14: Section 504 Responses Described by Frequencies and Percentages	43
Table 15: Accommodations and Modifications Described by Frequencies and Percentages	45
Table 16: Descriptive Statistics for the Survey Scores of the Total Population	46
Table 17: Descriptive Statistics Grouped by Years of Experience	47
Table 18: Descriptive Statistics Group by Length of Time Away from School	48
Table 19: Teacher Performance According to CPS Grading Scale	54

**List of Figures**

Figure 1: The Placement Continuum	14
Figure 2: Referral and Assessment Flow Chart	15

ASSESSING GENERAL EDUCATION TEACHER TRAINING ON IDEA AND SECTION  
504 LAW

Yolian Cintron

Prepared in Partial Fulfilment of the Masters of Education Degree in Multi-categorical Special

Education

Governor State University

Summer 2017

**Abstract**

The purpose of this study is to assess how much general education teachers actually know about the Individuals with Disabilities Act (IDEA) and Section 504 of the Rehabilitation Act of 1973 in order to identify training needs for general education teachers regarding these two laws. A survey was created to cover several areas within the legal mandates of IDEA law (2004) and Section 504 of the Rehabilitation Act of 1973. Results showed that teachers have a lot to learn about 1) the referral, assessment, and placement process; and 2) requirements of the IEP team meeting and the IEP document; and 3) Section 504. Scores on the survey indicate that there is a significant need for better pre-service training and more widespread in-service training.

## **Chapter 1**

### **Introduction**

In the United States, education for school age children has been compulsory or mandatory since the mid-1800s (Johnson, Musial, Hall, and Gornick, 2018). Yet, school was not compulsory for children with disabilities (Yell, 2016). According to McGovern (2015), in the 1970s, only one in five children with disabilities were a part of public education. He says that many states barred children with disabilities from attending public schools based on their disability categories. That has situation has changed such that in the present students with disabilities are guaranteed access to

a free appropriate education [FAPE] specifically designed to meet the needs of the child with disabilities and provide related services as necessary to help the child benefit from the special program. The law requires that a child receive special education services in the least restrictive environment [LRE] and interact as much as possible with nondisabled children (Gee, 1996, p. LN1).

The rights summarized above, along with Section 504 law are of critical importance to students with disabilities (Weber, 2010) since the number of students who are served in the general education setting is steadily increasing (LaNear & Frattura, 2007; Rozenwig; 2009; Whitten & Campos, 2003). With these changes in the law, general education teachers are increasingly expected to serve students with disabilities in their classrooms (Whitten & Campos, 2003). Despite this expectation, general education teachers seem to be ill prepared to take on the challenges of working with students with disabilities (Brownell, 2006; Cameron and Cook, 2007; Rozenwig, 2009).

To students with disabilities dis-fortune, they are dependent on those ill-prepared teacher for their education (Rozenwig, 2009; Blanton, Pugach, & Florian, 2010). Rozenwig (2009)

argues that students can only truly be successful if general education teaching staff is adequately trained to serve their needs in the classroom. LaNear & Frattura (2007) argue that students with disabilities are actually not as successful as they could be stating, “increased access often lacks quality outcomes for students from all socioeconomic and ethnic backgrounds” (p. 88). Blaton et al (2009) make the same argument that students with disabilities are lagging behind their non-disabled peers.

An example of the effects of lack of general education teacher training on the rights of students with disabilities is that of Janderson. Janderson is a freshman in high school with attention deficit hyper-activity disorder (ADHD) on a 504 plan, which is a legally binding plan guaranteeing Janderson accommodations and modifications in the classroom (Section 504 Law. 1973). Janderson’s 504 states that he is to test in a small group setting (Section 504 plan for Janderson). When Janderson sat to take his TIA (targeted instructional area) assessment, a formal summative assessment, his general education teacher did not separate him into a small group to take his test. Janderson did not focus on the test, he did poorly, and his grades went down by one full letter grade in all of his classes. Upon receiving his report card, Janderson’s mother asked him what happened. Janderson told his mother how he took the test with the whole group. Furious Janderson’s mother contacted the school’s case manager, who tried to tell Janderson’s mother that Janderson’s testing accommodations only applied to high stakes district testing. Janderson’s mother, being an educator herself, knew that the case manager was wrong, and insisted that the situation had to be fixed. Janderson was allowed to retake the test in a room by himself. He did well, and his grades went back up by one full letter grade. (Y Perez, personal communication, November 4, 2016)

In the situation above, it was the general education teacher's responsibility to separate Janderson into a small group to take his test. (Section 504 Law, 1973) The reasons for the Janderson's teacher failing to provide him with his testing accommodations are unknown and beside the point. Janderson should never have been left to test by himself. Had his mother not been aware of Janderson's legal right to testing accommodations then Janderson would have never been given the opportunity to retest. Janderson was failing his classes with the TIA factored into his grades, and that would not have been fixed had his mother not mounted a protest. More alarming in this situation is that not even the case manager seemed to be fully trained on the requirements for testing accommodations for students on 504 plans. (Y Perez, personal communication, November 4, 2017). If the case manager, who is supposed to be a trained special education teacher, did not know that testing accommodations for students on a Section 504 plan apply to classroom tests; it is not surprising that a general education teacher would not know either (MaHeady, Harper, Mallete, & Karnes, 1993; Shaw & Madaus, 2008).

### **Statement of the Problem**

IDEA law mandates that students with disabilities receive a free appropriate public education in their least restrictive environment (deBettencort, 2002; Gee, 199; Johnson et al, 2018; Whitten & Campos, 2003; Yell, 2016). Section 504 law mandates that students with disabilities receive accommodations and modifications in the general education setting (deBettencort, 2002; Gee, 1996; Johnson et al , 2018; Shaw & Madaus, 2008; Whitten, 2003, Yell, 2016). General education teachers are expected to be aware of their legal obligations under these two laws (Baird, 2003; National Joint Committee on Learning Disabilities, 1998; Whitten & Campos, 2003). Yet, teachers are not being fully trained on the requirements of these laws, nor how to work with students with disabilities in the general education classroom (Blanton et al,

2010; Peterson, 2013; Rozenwig, 2009; Shaw & Madaus, 2008), which has significant consequences for students (Blanton et al, 2010; LaNear & Fraturra, 2007).

### **Purpose of the Study**

The purpose of this study is to assess how much general education teachers actually know about the Individuals with Disabilities Act (IDEA) and Section 504 of the Rehabilitation Act of 1973 in order to identify training needs for general education teachers regarding these two laws. The study specifically examined general education teacher knowledge of the following portions of the law: 1) the referral, assessment, and placement process, 2) requirements of the IEP team meeting and the IEP document, 3) least restrictive environment, 4) section 504, and 5) accommodation and modification.

### **Questions of the Study**

Specific questions addressed in this study include:

1. To what degree do general education teachers understand the requirements of IDEA and Section 504 law in regards to the following areas:
  - a. Referral, assessment, and placement
  - b. The IEP and team meeting
  - c. Least restrictive environment
  - d. Section 504
  - e. Accommodations and modifications.
2. On which areas of special education law that general education teachers understand an in which areas do they need training?
3. Is a lack of knowledge due to lack or pre-service training or in-service training?
  - a. Which group of teacher know more about the law, veteran teacher with 10 or

more years experience or novice who have been teaching under 10 years?

4. Does the amount of time away from formal education make an impact on how much a general education teacher knows about the law?
  - a. Which group knows more about the law; more recent graduates who have been in school within ten years or teacher who have not been in school for at least 10 years?

### **Assumptions and Limitations of the Study**

Research was conducted via snowball sampling using an anonymous questionnaire that was distributed to general education teachers. The assumption is that the surveys were completed honestly. The study was limited to a small random sample of general education teachers that work specifically at Chicago Public Schools. Since the population was limited to such a small sample size, the generalizability of the results are limited. The study will highlight training needs for CPS elementary school teachers, which may not necessarily apply to teachers of other districts, which may be providing better training and professional development opportunities.

### **Educational Significance of the Study**

Over time, the legal requirements for serving students with disabilities has only increased (deBettencort, 2002, LaNear & Frattura, 2007, Peterson, 2013, Whitten & Campos, 2003), and both general and special education teachers are expected to know what the law mandates (Baird, 2001, Farnsworth, 2006, Rozenwig, 2009). There are not enough special education teachers or paraprofessionals to go around (Peterson, 2013; Nougaret, Scruggs, & Matropieri, 2005), and students with disabilities are being left with their general education teachers for increasing amounts of time (LaNear & Frattura, 2007, Peterson, 2013). Yet, these general education

teachers are not adequately trained on their responsibilities concerning students with disabilities on IEPs and 504 plans. (LaNear & Fraturra, 2007, Peterson, 2013, Rozenwig, 2009, Shaw & Madaus, 2008). This lack of training has significant consequences for students such as diminished educational outcomes (LaNear & Fraturra, 2007). An example of the consequences of the lack of teacher training is how Janderson almost failed a number of classes due to his lack of accommodations during testing (Y Perez, personal communication, November 4, 2016).

In order for students with disabilities to be successful in the general education classroom, general education teachers have to be trained (Blanton et al, 2010; MaHeady et al, 1993; Rozenwig, 2009), Unfortunately, training on the law and how to serve students with disabilities for general education teachers is limited, and teachers do not feel prepared (Buell 1999, Cameron & Cook, 2006). General areas for training have been highlighted in the research (Blanton, et al, 2010; Buell, 1999, NJLCD, 1998). Yet, the specific training needs of general education teachers in special education law have not been identified. In order to fill those needs, those gaps must be identified, which is what this study does.

### **Definition of Terms**

**Accommodations-** changes to how a students with disabilities completes an assignment (Yell, 2016)

**Free appropriate public education (FAPE)** - an education that is comparable to that of non-disabled peers that is provided at no cost to the parents (IDEA, 20 U.S.C. § 300.101-102)

**General education classroom-** physical classroom where instruction is led by the general education teacher with mostly students who are non-disabled. The percentage of students with disabilities should not surpass 30%. (Yell, 2016)

**General education teacher (gen ed teacher)** - grade level teacher licensed as a professional educator under state law either with a professional educator license, emergency licensing, or license with stipulation (Illinois State Board of Education, 2014)

**Inclusion-** providing students with disabilities services inside the general education classroom (Yell, 2016)

**Individual Education Plan (IEP)** - legally binding document which details the student with disabilities education plan with learning goals, accommodations and modifications for the classroom and testing, and defines the least restrictive setting where learning is to take place for the student ((IDEA, 20 U.S.C. § 300.320).

**Individual with Disabilities Act (IDEA)-** federal law that provides students with the 13 listed disabilities with a free appropriate public education in the least restrictive environment by providing an IEP, and gives parents the right to due process (Yell, 2016)

**Least restrictive environment (LRE)** - the setting in which learning will take place for a student with disabilities. Whenever possible, students with disabilities are to be educated with their non-disabled peers. Separation into more restrictive setting should only occur when the

severity of the disability deems it necessary in order for services to be provided effectively (IDEA, 20 U.S.C. § 300.114)

**Modifications-** changes to the assignment, which a student with disabilities will complete (Yell, 2016)

**Referral-** date which parent signed consent for the student to be evaluated and assessed for eligibility for placement in special education ((IDEA, 20 U.S.C. § 300.301)

**Response to Intervention (RTI) -** Response to Intervention (RTI) is a multi-tier approach to the early identification and support of students with learning and behavior needs. Struggling learners are provided with interventions at increasing levels of intensity. Progress is closely monitored to assess both the learning rate and level of performance of individual students. RTI is designed for use when making decisions in both general education and special education (Yell, 2012)

**Section 504 plan (504 plan) -** legally binding document, which provides students with disabilities with accommodation and modifications inside the general education classroom (Yell, 2016)

**Resource classroom-** separate classroom in a school with mostly non-disabled students where students with disabilities are provided with instruction for only certain parts of the day (Yell,2016)

**Section 504 of the Rehabilitation Act of 1975-** federal civil rights law that prohibit discrimination against students with disabilities by providing the students with accommodations and modifications inside the general education classroom (Yell, 2016)

**Special education teacher-** teacher licensed to teach through the state of Illinois, and endorsed as well as a special educator. The special education teacher writes the IEP in

conjunction with others on the IEP team, but takes on the most responsibility for goal setting, tracking, and daily instruction. (Illinois State Board of Education, 2014)

### **Chapter Summary**

General education teachers are increasingly expected to know how to serve students with disabilities in their classrooms (Whitten & Campos, 2006) as well as understand the provisions of IDEA and Section 504 law (NJCLD, 1998). Despite this expectation, general education teachers seem to be ill prepared to take on the challenges of working with students with disabilities (Brownell, 2006; Cameron and Cook, 2007; Rozenwig, 2009). This study seeks to assess general education teacher knowledge of IDEA and Section 504 law in order to identify which areas of the law general education teachers already understand, and on which areas of the law general education teachers should be provided with training.

## **Chapter II**

### **Literature Review**

The discussion starts with a review of the mandates of IDEA and Section 504 law. The discussion then goes on to highlight the specific responsibilities of the general education teacher under IDEA and Section 504 law. After, the discussions questions if teachers are receiving adequate training in these areas, along with the consequences for any lack of training. Lastly, previous research, which has addressed the questions in the study in any capacity, is reviewed.

#### **IDEA Law**

What does the law actually state about students with disabilities? There are two main laws which mandate certain requirements for educating students with disabilities enrolled in public schools, which are the Individual with Disabilities Education Act (IDEA) and Section 504 of the Rehabilitation Act of 1973 (Section 504) (deBettencort, 2002; Yell, 2016). DeBettencort (2002) notes that these two laws have many similarities and differences, but they work together to guide the education of students with disabilities in public schools. In reference to IDEA, Gee (1996) wrote,

the core of the law is to provide a free appropriate education [FAPE] specifically designed to meet the needs of the child with disabilities and provide related services as necessary to help the child benefit from the special program. The law requires that a child receive special education services in the least restrictive environment [LRE] and interact as much as possible with nondisabled children (p.LN1).

Free appropriate public education means that students with disabilities are entitled to an education designed to provide educational benefit for the student with disabilities (deBettencort, 2002; Gee, 1996; IDEA, 2004, McGovern, 2015)

In addition, students with disabilities are to receive that education in a “least restrictive setting,” which means that students should be educated alongside their nondisabled peers as much as possible. Students should not be isolated in other buildings or even other classrooms unless it is deemed absolutely necessary (IDEA, 2004). The least restrictive environment for a child falls along a continuum of placements, which are shown in the figure below.

## The Placement Continuum

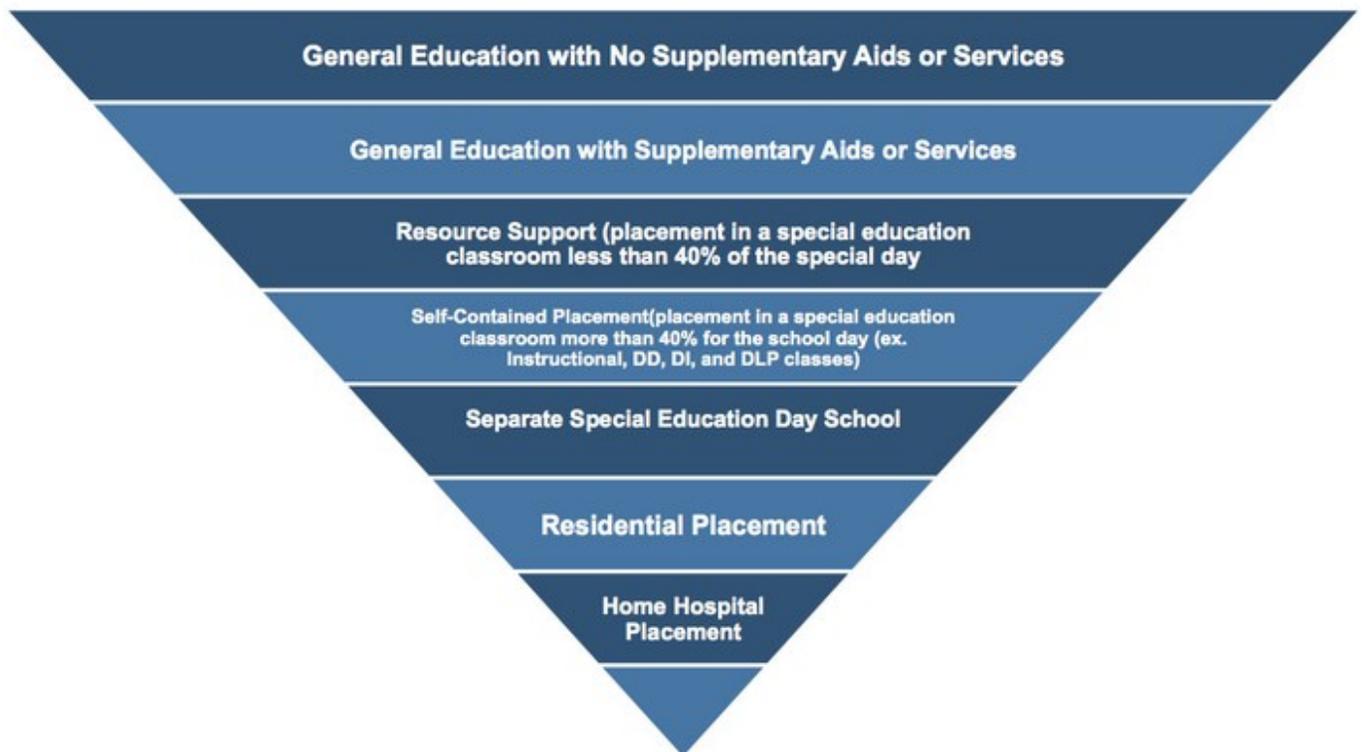


Figure 1: The Placement Continuum

In order to accomplish said goal, “the law obligates the school district to identify a child with disabilities, assess the child, design an individual program, and place the child in an

educational program” (Gee, 1996, p. LN2). A child must be identified with at least one of the thirteen disabilities. The table lists the 13 disability categories based on IDEA (2004)

Table 1

*13 Categories of Disability Under IDEA*

**Disability Categories for IEP Eligibility**

Specific Learning Disability	Multiple Disability
Speech Language Impairment	Hearing Impairment
Other Health Impairment	Orthopedic Impairment
Autism	Deaf-Blindness
Intellectual Disability	Traumatic Brain Injury
Developmental Delay	Visual Impairment
Emotional Disability	

Once a child is identified with one of the listed disabilities, the school district must obtain consent from the parent to evaluate the child to determine if the child is eligible for special education services. Once consent is obtained, then the district can evaluate a student to determine eligibility, and the district must follow federal requirements for evaluation, which are displayed in the figure below.



Figure 2: Referral and Assessment Flow Chart

Then the district must develop an individual education plan (IEP) that also follows federal mandates. The IEP is the document that drives the education of any student with the listed disabilities (deBettencort, 2002). There can be many parts to an IEP, but federal IDEA (2004) law mandates those listed in the table below:

Table 2

*Components of an IEP*IEP Components


---

Present levels of academic and functional performance  
 Annual goals and objectives  
 Progress monitoring  
 Special education and related services  
 Participation in the general education setting  
 Participation in state and district assessments  
 Frequency, location, and duration of services  
 Transition Plan (if necessary)  
 Behavior Plan (if necessary)  
 Extended School Year (if necessary)

---

In addition, IDEA (2004) also mandates participation of certain individuals in the IEP meeting.

The following table lists all the individuals that have to be a part of the meeting.

Table 3

*IEP Participants*Participants in an IEP Team Meeting


---

Parents	Related Service Personnel
Student	Social Worker
At least one general education teacher	Speech Language Pathologist
At least one special education teacher	Physical Therapist
A qualified representative of the district	Occupational Therapist
Evaluation Representative	Other Related Personnel

---

Lastly, IDEA guarantees parents' rights to participate in the meeting, along with due other process rights in the case that there is a disagreement with the school about any of the components of the IEP. Parents' rights to due process based on IDEA (2004) are listed in the table below.

Table 4

*Parents Due Process Rights*

---

Parental Rights to Due Process

---

Written consents to evaluation and services

Participation in IEP meetings

Written notice within 10 days of any changes to placement or services

Re-evaluations every 3 years

Independent evaluations

Impartial hearings for parents who disagree with identification, evaluation, or placement with a hearing officer

“Stay put” provision i.e. placement and services do not change until proceedings are resolved

---

**Section 504**

Section 504 of the Rehabilitation Act of 1973 is the other law that protects and guarantees services for students with disabilities (Shaw & Madaus, 2008). There are many overall differences between IDEA and Section 504, such as Section 504 has fewer limitations on which students can receive services, less requirements for evaluation and placement, and less requirements for due process as well (deBettencort, 2002). In fact there are very few similarities between IDEA and Section 504 (deBettencort, 2002). How Section 504 is similar differs from IDEA is listed in the table below.

Table 5

*Section 504 Similarities and Differences from IDEA***Similarities and Differences Between Section 504 and IDEA**

## Differences in eligibility:

the existence of an identified physical or mental condition, which substantially limits a major life activity instead of 13 disability categories

## Evaluation differences:

Comprehensive evaluation not required

Written parent consent not required

Re-evaluation must be “periodic” but not specifically required every 3 years; only required for significant change in placement

No provision for independent evaluations

## Evaluation similarities:

Evaluation drawing from multiple sources

## FAPE differences:

A plan not an IEP is required

Placement usually is in general education classroom, no placement in separate settings

Appropriate education must be comparable to that provided to non-disabled peers, but not necessarily provide “educational benefit

## FAPE similarities:

Related services if needed are provided

## Due process differences:

Consent not required

Hearing officer appointed by school

Procedures for due process are up to the discretion of the school

No “stay put” provisions (i.e. placement can change while proceeding are ongoing)

No specific timeline for notice of changes in services

## Due process similarities:

Impartial hearings are provided

Written notices of changes in placement

---

Although there are many differences between IDEA and Section 504 law as noted above, these two laws share a similar purpose, which is to provide services for students with disabilities in public schools (Blanton et al, 2010, deBettencort, 2002; Farnsworth, 2006; Shaw & Madaus, 2008; Weber, 2010).

### **Consequences of Not Following IDEA and Section 504**

When section 504 and IDEA are combined all students with any form of disability who are enrolled in public school are eligible for services and there are serious legal consequences for teacher and districts who do not implement the IEP and 504 plans regardless of whether it was out of ignorance or blatant disregard of the law (Baird, 2001; Farnsworth, 2006; Walsh, 2013). These authors explain that districts and specific teachers can be taken to court, found liable for failing to implement law, and even being mandated to pay damages to the families. Other consequences for teachers and districts, include additional stress on the job for teachers, (Peterson, 2013), lower evaluation scores (Walsh, 2013) higher attrition rates (Peterson, 2013; Nougaret et al, 2005) and according to the LaSalle Putnam Educational Alliance (LEASE) (2014) even dismissal from their teaching positions

### **What Do General Educators Need to Know?**

The Illinois State Board of Education (ISBE) (2013) has a list of professional teaching standards, which highlight the areas in which teachers are expected to be competent. Among the standards there are a number of knowledge and performance indicators that specifically mention the law. The table below details those standards, knowledge indicators, and performance indicators from the Illinois State Board of Education (2013)

Table 6

*ISBE Professional Teaching Standards With Mentions of IDEA and 504 Law***ISBE Professional Teaching Standards, Knowledge Indicators, and Performance Indicators**

---

**Standard 1: Teaching Diverse Students**

Knowledge Indicator (1D) - The competent teacher: understands the impact of various disabilities on learning and communication pursuant to IDEA law

Performance Indicator (3O) - The competent teacher: when planning instruction, addresses goals and objectives, contained in plans developed under Section 504, IEPs, and individual family service plans (IFSP)

**Standard 7: Assessment**

Knowledge Indicator (7H) - The competent teacher: knows legal provisions, rules, and guidelines regarding assessment and accommodations for all students

Performance Indicator (7Q) - The competent teacher- uses various types of assessments, including making accommodations for individual students

**Standard 8: Collaborative Relationships**

Knowledge Indicator (8I) - The competent teacher: understands the roles and importance of including students with disabilities and all team members in the planning of IEPs, IFSPs, and section 504 plans

Performance Indicator (8S) - The competent teacher: participates in the design and implementation of individualized instruction for students with special needs (i.e., IEPs, IFSPs, transition, and Section 504 plans)

---

IDEA and Section 504 law are actually quite extensive, and the standards listed by ISBE (2013) indicate that it is not necessary for every specific detail of the laws to be understood by general education teachers in their entirety. For example, there is no mention of least restrictive environment or due process rights in the teaching standards. Therefore, there are certain parts of the law that ISBE (2013) deems relevant to the general education teacher, and those parts which mostly focus around the IEP team and the meeting itself; pre-referral, referral and implementation.

Unlike the ISBE standards NJCLD (2017) lists a much broader list of instructional competencies for general education teachers, which are grounded in IDEA law. The table below lists those instructional competencies proposed by the NJCLD (2017)

Table 7

*Instructional Competencies for the General Educator According to NJCLD*

NJCLD Instructional Competencies

---

Develop and implement lesson plans to meet student needs listed in IEPs  
 Demonstrate knowledge of the continuum of services and placements  
 Plan and implement instruction in collaboration with special educators  
 Modify instruction given student unique learning characteristics  
 Adapt technology for students with learning disabilities  
 Integrate students with learning disabilities into the academic and social classroom community

---

The authors of the National Joint Committee on Learning Disabilities (NJCLD) (2017), stated that graduates of teacher preparation programs should be competent in certain areas in regards to students with disabilities. The authors list the following as areas which general education teachers should be competent in regards to the law:

Rights and Procedures... have knowledge of legal rights of the students and parents/guardians and the responsibilities of teachers and schools regarding special education and related services...have knowledge of procedures for assessing and providing special education and related services (i.e. pre-referral, referral, and implementation (p. 184).

DeBettencort (2002) and Shaw and Madaus (2008) feel that general education teacher knowledge of the law should extend far beyond the requirements of the pre-referral, referral, and implementation of IEPs, the meeting, and consequences for failure to implement plans. According to deBettencort (2002),

All teacher must understand the provisions of two major laws...IDEA and Section 504...and what similarities and differences exist... Both general education and special education teachers need to know the most appropriate law applicable for students having difficulty in their classrooms (p. 16).

Similarly Shaw and Madaus (2008) argue for extensive knowledge of Section 504 as well. The following table adapted from Shaw and Madaus (2008) lists area of knowledge and skills that they deem necessary for teachers:

Table 8

*Section 504 Knowledge and Skills*

---

Knowledge and Skills for Teachers for Section 504

---

Differentiating 504 from IDEA	Understanding section 504
Determining 504 eligibility	Applying 504 eligibility
Developing 504 plans	Differentiating 504 k-12 from post-secondary
Understanding 504 due process/enforcement	

---

Overall, there is disagreement about whether or not general education teachers truly need to know so much about the law (ISBE. 2013; NJCLD; 2017; deBettencort; 2002; Shaw and Madaus, 2008). One point that the authors did not discuss is student discipline and behavior intervention plans, although those topics are part of the law. Therefore, each author left out some part of the law implying that general education teachers do not have to know every little thing. Considering the consequences for failure to implement IEPs, Sections 504 plans, etc., it is best that teacher err on the side of caution and keep themselves informed of the law (deBettencort, 2002; Shaw & Madaus, 2008).

Baird (2001) included that a last point that about the importance of the general education teacher knowing consequences, which stated, "Regular education teachers who

willfully fail to implement... a child's IEP or 504 plan may be at risk of personal liability, including money damages.” She then goes on to mention *Doe v Withers*, a case in which a regular education history teacher was compelled to repay \$15,000 for refusing to provide a student with oral testing, which reinforces the seriousness with which regular education teachers should approach students' IEPs and 504 plans.

### **What Does the Law Say About General Educators?**

First of all, a general education teacher has to be a part of the development of a student's IEP under most circumstances. (Baird, 2001; deBettencort, 2002; Department of Education, 1999; Farnsworth, 2006; IDEA, 2004; Rozenwig, 2009). The circumstances under which a general education teacher must be present are “only if the child is or may be participating in the regular education environment” (Farnsworth, 2006, p. 641), and a teacher may only be excused with a parents written consent (IDEA, 2004).

There are a variety of reasons that explain why general education teachers need to be part of the IEP process. First of all, Farnsworth (2006) notes that only the general education teacher knows what is feasible for he/she to implement, what are the conditions in the classroom, how the student is performing relative to their nondisabled peers, etc. Secondly, “collaboration between regular and special education teachers helps avoid the well-documented problem of unnecessary duplication and in some cases conflicting instructional programs...[which] impede the academic progress of students with disabilities” (Farnsworth, 2006, p 643). Farnsworth further explains the purposes of this requirement arguing that the “requirement is primarily aimed at giving special education students the opportunity to integrate at an appropriate level into regular education classrooms” (Farnsworth, 2006, p 639).

### **General Education Teacher Responsibilities under IDEA and Section 504**

Baird (2001) stated the general education teachers' responsibilities by providing a list of questions for teachers to ask themselves. Baird (2001) lists the following five questions that teachers can ask to assure themselves that are handling their responsibilities.

- 1) Which students in my class have an IEP or a 504 plan?
- 2) Have a [I] personally reviewed each IEP or 504 plan?
- 3) Do I remember what these documents say?
- 4) Am I making 'a good faith effort' at implementing each IEP or 504 plans?
- 5) Do I have any proof that I am implementing the IEPs or 504 plans? (Baird, 2001).

As displayed by the questions, general education teachers need to know who has an IEP or a 504, what these documents say, how to implement the plans in their classroom, and be able to prove their role in implementation. In addition to those responsibilities, the general education teacher should be aware of accommodation, modifications, and behavior plans, and alert the special education teacher of progress (or lack thereof) so that the IEP can remain be kept current (LEASE, 2014). Rozenwig (2009) also notes that the classroom teacher has the responsibility for preparing students for state and districtwide assessments.

Since students with disabilities are being increasingly educated in the general education setting, the responsibilities of the general education teacher are ever increasing (LaNear & Frattura, 2007; Rozenwig; 2009; Whitten & Campos, 2003). Rozenwig (2009) noted that the general education teachers are "often being solely accountable for the education of special needs students who are now educated in the general education classroom" (p3). Blanton et al (2010) notes that the general education are often times the teacher of record on the students' IEPs. Considering that Section 504 plans are specifically for the general education setting (Section 504,1973; Shaw & Madaus, 2008) this makes

sense. Therefore, general education teachers need to take their responsibilities seriously (deBettencort, 2002; Shaw & Madaus, 2008).

### **Research to Address the Problem**

#### **Are Teachers Being Trained?**

The research presents opposing views on the status of training for both special and general education teachers. Some authors believe that training programs on the law are addressing training needs (Buell et al 1999; MaHeady et al, 1993; Shaw & Madaus, 2008), while others feel that training needs are not being addressed (Shaw & Madaus, 2008). In addition, researchers note even if training is being provided, said training is insufficient (Blanton et al, 2010; Buell, et al, 1999 deBettencort, 2002; Rozenwig, 2009; Whitten & Campos, 2003). Lastly, researchers also argue that the flaws in training are both a pre-service and in-service problem (Blanton et al, 2010; deBettencort, 2002; Rozenwig, 2009; Shaw & Madaus, 2008). In other words, the researchers argue that undergraduate and graduate programs are not meeting needs the training needs of teachers on the law, and districts are not providing adequate training for their employees either. (Blanton et al, 2010; deBettencort, 2002; Rozenwig, 2009; Shaw & Madaus, 2008). In addition, some researchers have noted some of the specific areas where the training is lacking (Rozenwig, 2009; Shaw & Madaus, 2008; Whitten & Campos). Lastly some researchers have noted the reasons for lack of training (Peterson, 2013; Rozenwig, 2009; Whitten & Campos, 2003)

#### **Teacher Training is Adequate**

Older research supports the notion that the training needs of general education teachers on the law are being addressed. MaHeady et al (1993) noted that from the 1980s into the early 1990s, when their research was conducted, special education coursework requirements for

general educators became mandatory across the country. They noted that in the 1980s only 20-30% of states mandated special education coursework for state certification. That figure was up to 70% by the 1990s. They also argue, “the content of such courses focused on the historical, legal, and social foundations of special education” (MaHeady et al, 1993). MaHeady therefore concludes, “pre-service teachers know more today about the nature of special education, its historical, legal, and legislative underpinnings” (MaHeady et al, 1993, p. 481). Shaw & Madaus (2008) come to similar conclusions about 15 years later in regards to IDEA law specifically. They argue, “personnel preparation programs have appropriately developed curricula based on [IDEA] mandates” (Shaw & Madaus, 2008, p. 226). They characterize training on IDEA law as “appropriate extensively” (Shaw & Madaus, p. 229).

Buell et al (1999) conducted an extensive research project to highlight training needs for general and special education teachers. They conducted a statewide needs assessment with said state’s Department of Education. 202 general education teachers completed a 25-item Likert scale type survey with 1 designating a strongly disagree to 5 designating strongly agree. Most teachers agreed that they understand inclusion ( $M=4.03$ ) and its history ( $M=3.9$ ). Hence, Buell et al (1999) agree with the research discussed above.

### **Highlighting Insufficient Training Along with Areas of Need**

While it may have been true that general educators teachers in the early ‘90s knew more about special education law than the teachers of the ‘80s (Buell et al, 1999; MaHeady et al, 1993), Buell et al (1999) highlighted the deficiencies in teacher training at that time. Since then, research conducted more recently supports the notion that there is either not enough training provided (Shaw & Madaus, 2008; Whitten & Campos, 2003) or that the training that is being provided is inadequate (Blanton et al, 2010; deBettencort, 2002;; Peterson, 2013; Rozenwig,

2009). Researchers have also highlighted the specific areas of need for training in regards to mandates of IDEA and Section 504 law (Buell et al, 1993; Shaw and Madaus, 2008).

In their needs assessment, Buell et al (1993) presented general education teachers with a list of 12 areas of training needs and asked them to rate their needs. The highest areas of need were program modification, assessing academic progress, adapting curriculum, managing behavior, developing IEPs, and using assistive technology (Buell et al, 1993), which are all areas listed under the legal responsibilities of the general education teacher (ISBE, 2013; Rozenwig, 2009, LEASE , 2014). Rozenwig (2009) also noted the need for training on IEP development.

Shaw & Madaus (2008) note that training on Section 504 is not being provided to adequate levels. Shaw & Madaus (2008) report the following participation rates in training on Section 504.

Twenty eight percent indicated they had “never” received any in-service training.

Sixteen percent of respondents indicated that they had received training in the present academic year, 21% in the previous academic year, and 35% more than 2 years prior to completion of the survey. For those in preservice training, 69% had received no training related to Section 504. Of the 28% who did receive Section 504 training...28% described the training as having ‘limited effectiveness (p. 227)

### **Reasons For Lack of Training**

Researchers note a variety of reasons for the lack of training on the law. Rozenwig (2009) and Whitten Campos (2003) argue that pre-service requirements are deficient. For example, “general educators reported taking 1.5 courses on average in which inclusion or special education content was a major focus” (Whitten & Campos, 2003). Rozenwig (2009) notes a lack of commitment from school administrations to provide training on inclusion, and as previously

discussed, Shaw and Madaus (2008) also noted the lack of both pre-service and in-service training. Katensiyannis and Conderman (1994) noted a lack of commitment from lawmakers to provide leadership and resources for training. Peterson (2013) also noted lack of resources, specifically funding for lack of improvement in teacher preparation and professional development.

### Chapter Summary

IDEA and Section 504 are federal mandates that work together to ensure that students with disabilities are guaranteed a free appropriate public education in the least restrictive environment through the creation and implementation of an IEP or a Section 504 plan (IDEA, 2004; Section 504, 1973). Competencies for general education teachers have been derived from those laws (ISBE, 2013; deBettencort, 2002; NJCLD, 2017; Shaw & Madaus, 2008), and general education teachers have a list of additional responsibilities to students with disabilities because of the mandates of those laws (Baird, 2001; Rozenwig, 2009). Despite all of the additional legal responsibilities for which general educators are being held accountable, their training on the law is still deficient (Blanton et al, 2010; deBettencort, 2002; Peterson; 2013; Rozenwig, 2009). A number of different areas of training have been highlighted by research dating all the way back into the '90s, such as IEP development, Section 504 law, program modification, etc. (Beull et al 1999; Rozenwig, 2009; Shaw & Madaus, 2008). In order to address those training needs, it is imperative that leaders come up with solution to the highlighted obstacles to training, which are deficient in-service requirements, lack of commitment by administration and state leadership to provide training, and lack of funding (Katensiyannis and Conderman, 1994; Peterson, 2013; Rozenwig, 2008; Whitten & Campos)

### **Chapter III**

#### **Methodology**

The purpose of this study is to assess how much general education teachers actually know about the Individuals with Disabilities Act (IDEA) and Section 504 of the Rehabilitation Act of 1973 in order to identify training needs for general education teachers regarding these two laws. The research was practical action based research with a quantitative approach utilizing a survey design in order to determine the training needs of general education teachers regarding special education law. A survey instrument was used to collect the data from the participating teachers.

#### **Participants**

The participants in this study consisted of a sampling of 30 Chicago Public School teachers. In order to participate, the participant must either be a teacher with a professional educator license, emergency licensing, or license with stipulations. Teachers who participated completed either a traditional four-year program or an alternative certification program. Only teachers teaching elementary grade levels participated. High school teachers, school administrators, para-professionals, and other school support personnel did not participate.

Teachers from four different CPS schools with high percentages of low-income students. School A is located on the South Chicago community in an area experiencing high poverty and high crime (Chicago Tribune, 2017). The student population consists of 472 students, which is ethnically split fairly even between African American (49.2 %) and Hispanic (48.5%) students. The majority of students are considered low income (96%), and about 12% are “diverse learners”, CPS’ term for special education students. The school is ranked Level 2 + on the CPS rating scale, which means they still receive provisional support from CPS network leaders (Chicago Public School, 2016). School A’s teaching staff consists of 22 general education

teachers and 4 special education teachers. (T. Noworyta, personal communication, July 27, 2017) 10 or about 45% of the general education teaching staff participated in the survey.

School B is located in the neighborhood known as New City, also in an area experiencing high poverty and high crime (Chicago Tribune, 2017). The student population consists of 343 students, which is ethnically split mostly between African American (39.1 %) and the majority Hispanic (59.2%) students. Most of the students are considered low income (97%), and about 11% are “diverse learners”, CPS’ term for special education students. . The school is ranked Level 2 + on the CPS rating scale, which means they still receive provisional support from CPS network leaders. (Chicago Public Schools, 2016) School B’s teaching staff consists of 18 general education teachers and 4 special education teachers. 4 or about 22% of the general education teachers participated in the survey (Y.Perez, personal communication, July 27, 2017).

School C is located in the neighborhood known as the “East Side,” which is a neighborhood that is low income, but is not experiencing high levels of crime relative to other neighborhoods (Chicago Tribune, 2017). The student population consists of 652 students, which is ethnically split between the large majority (97%) Hispanic students, and the remaining 3% divided amongst African American and White Caucasian students. Most of the students are considered low income (97%), and about 9.7% are “diverse learners”, CPS’ term for special education students. The school is ranked Level 1 + on the CPS rating scale, which means the school operates independent of CPS networks (Chicago Public School, 2016). School B’s teaching staff consists of 30 general education teachers and 3 special education teachers (K. Vincenty, personal communication, July 27, 2017). 10 or about 33% of the general education teachers participated in the survey

School D is located in the Chicago Lawn neighborhood is mostly low income and experiencing high levels of crime (Chicago Tribune, 2017). The student population consists of 1,319 students, which is ethnically split between the large majority (95%) Hispanic students, and the remaining 3% divided amongst African American, White Caucasian, and students of other races. Most of the students are considered low income (95%), and about 11% are “diverse learners”, CPS’ term for special education students. The school is ranked Level 1 on the CPS rating scale, which means they only need minimal support from CPS network leaders (Chicago Public Schools, 2016). School B’s teaching staff consists of 65 general education teachers and 18 special education teachers (C. Flores, personal communication, July 17, 2017). 6 or about 10% of the general education teachers participated in the survey.

### **Instrumentation**

A survey was created to cover several areas within the legal mandates of IDEA law (2004) and Section 504 of the Rehabilitation Act of 1973. The survey was reviewed for content validity by an expert panel of peer committee members of the Multi-categorical Special Education graduate seminar at Governor State University (see Gay, Mills, Araisian, 2012). The survey consisted of six sections.

#### **Section I: Demographic Information**

Section I contained five open ended and one yes/no question aimed at obtaining demographic data about levels of education and training as well as years of teaching experience.

#### **Section II: Referral and assessments**

The first section consisted of one true/ false question and four multiple choice questions. The questions asked about the legal requirements to complete an IEP referral along with the

timeline for its completion and implementation. Respondents were expected to check the answer, which represented the correct answer to the given question.

### **Section III: The IEP team, meeting, plans**

The second section consisted of 6 multiple choice questions. The questions asked about the following: 1) the categories to become qualified for an IEP and 2) requirements guiding the IEP meeting. Respondents were expected to check the answer, which represented the correct answer to the given question.

### **Section IV: Understanding least restrictive environment**

The section consisted of 3 true/false questions and 2 multiple choice. Questions asked about the following: 1) considerations for placement in general education; and 2) a scenario where teachers were expected to identify a violation of a student's rights for education in the least restrictive environment. Respondents were expected to check the answer, which represented the correct answer to the given question.

### **Section V: Understanding Section 504**

This section consisted of 2 multiple choice questions. The questions asked the following: 1) how can a child be put on a 504 plan, and 2) how a 504 plan is implemented in the general education setting. Respondents were expected to check the answer, which represented the correct answer to the given question.

### **Section VI: Understanding accommodations and modifications**

This section consisted of 2 true/false questions and four multiple choice questions. The first two questions ask whether or not accommodations and modifications are optional. The rest required identifying whether the given example was an accommodation or a modification.

Respondents were expected to check the answer, which represented the correct answer to the given question.

### **Procedure**

This design of the survey was based on information obtained from legal statutes outlined in IDEA and Section 504 law. The survey was then distributed to 30 general education teachers teaching in four CPS schools, which were previously described.

### **Data Collection**

Data was collected through surveys that were distributed to 30 teachers in four CPS schools. The survey was delivered using the snowball method. Ten paper surveys were given to one of the teaching staff members in each school, who in turn delivered the survey to other teachers in their respective schools. Completed paper surveys were returned to the same staff member within a week, who had distributed the survey throughout the school. That staff member in turn submitted the surveys for data analysis.

### **Data Analysis**

Quantitative methods were used to analyze the survey data. Data was grouped and analyzed according to the guiding topics of each section of the survey by utilizing Excel for analysis. Basic descriptive statistics (see Gay, Mills, and Airaisian, 2012) were performed with the data with calculations of measures of central tendency, spread, frequencies and percentages. Data was formulated into tabular and narrative formats

### **Chapter Summary**

The purpose of the study is to assess the how much general education teachers actually know about IDEA and Section 504 law. Licensed general educators from the four CPS schools completed the survey. The survey consisted of six sections aimed at gaining understanding into what general education teachers know about the law. The surveys were distributed through a snowball method and were analyzed with basic descriptive statistics. The results of the survey are presented in chapter 4.

## **Chapter IV**

### **Results**

The purpose of this study was to assess general education teachers' level of knowledge of different topics under special education law. A total of 40 surveys were distributed to general education CPS teachers at varying educational levels and years of experience. Of these 40 surveys, 30 were completed (a 75% response rate). There were 6 demographic questions, and 23 questions on the varying topics. Of the 30 surveys completed, 23 were 100% complete (i.e. all of the questions were answered). Only 7 respondents skipped at least one question on the survey. 4 respondents only skipped demographic questions, but completed all of the questions related to the topics of special education law. Therefore, each question had a response rate of 83% or higher.

#### **Demographics**

The demographic data indicated that the majority (67%) of the teachers had completed a masters or higher level of education. The teachers' years of experience were spread evenly from 0-5 years all the way up to 20 + years, but most teachers (63%) had at least ten years of experience. Not all of the teachers reported how many years it had been since they completed their pre-service teacher education programs with 2 respondents declining to respond. Of those that did respond, 57% have been in school within the last ten years, and 37% have been out of school for at least ten years. 5 respondents did not report what type of training they completed, but of those that did respond the majority (60%) completed a traditional teacher education program. Lastly, the large majority of respondents (76%) never received any in-service training from CPS. Table 1 summarizes the rest of the demographic data that was collected.

Table 10

*Demographics*

Demographic	n	%	Demographic	n	%
<b>Level of Education</b>			<b>Type of Training Program</b>		
Bachelor's Degree	9	30	Traditional	18	60
Bachelors +	1	3	Alternative Certification	7	23
Masters	15	50	No response	5	17
Masters +	5	17	<b>Special Ed Training</b>		
<b>Years of Experience</b>			Training	6	20
0-5 years	6	20	No Training	23	46
6-10 years	7	17	No Response	1	4
11-15 years	5	23			
16-19 years	5	17			
20 + years	7	23			
<b>Years out of school</b>					
Still in school	3	10			
0-5 years	6	20			
6-10 years	8	27			
11-15 years	5	17			
15-19 years	1	3			
20 + years	5	17			
No response	2	6			

**Referral and Assessment**

The questions in the survey were meant to measure the respondents' familiarity with the process and procedures for referring and placing a student in special education. This section required participants to check the box next to the given response, which they believed answered the question. The first question was true or false, and the rest were multiple choice. The data indicate that the majority of the respondents (87%) incorrectly believe that RTI is legally mandated before evaluation. The majority (47%) of respondents incorrectly believe that the

referral date is defined as the day data is submitted for evaluation. The majority (53%) incorrectly believe that the school only has 30 school days to complete an IEP and have the meeting. Lastly, the large majority (80%) believe the school has 30 school days to begin implementing the IEP. The referral and assessment data is summarized in Table 2.

Table 11

*Referral and Assessment Responses Described by Frequencies and Percentages*

Question	n	%
<b>RTI must be complete BEFORE intervention</b>		
TRUE	26	87
<b>*False</b>	<b>3</b>	<b>10*</b>
	1	3
<b>Referral date defined as:</b>		
After intervention	14	47
<b>*Parent signs consent</b>	<b>5</b>	<b>17*</b>
Teacher request	6	20
Parent request	3	10
No Response	2	6
<b>Days to complete evaluation</b>		
30 calendar	2	7
60 calendar	8	27
30 school	16	53
<b>*60 school</b>	<b>4</b>	<b>13*</b>
<b>Days to start implementing IEP</b>		
30 calendar	1	3
10 calendar	1	3
30 school	24	80
<b>*10 school</b>	<b>3</b>	<b>10*</b>
No Response	1	3

*NOTE: **Bold** \* highlight correct responses to the given question based on the law*

**IEP Team, Meeting, and Plans**

This section in the survey was meant to measure the respondents' knowledge of the requirements to complete an IEP meeting and the written plan itself. There were 6 multiple choice questions in the section, and respondents were expected to check the box next to the response they believe correctly answered the given question. The majority of respondents (67%) incorrectly believe that being absent from work excuses them from an IEP meeting. The majority of respondents (66%) believe they only have to be present at an IEP during the discussion of placement. 97% of respondents, the majority, correctly believe that the IEP meeting is to discuss goals, placement, accommodations, and modifications. Half of respondents (50%) correctly believe that the IEP and the 504 are legally binding contracts. The majority of respondents (63%) incorrectly believe that any disability qualifies a student for an IEP. Lastly, the large majority (93%) are aware that the consequences of not implementing an IEP or a 504 can include any or all of the following: discipline at work, naming in a due process, and legal liability in court.

Table 12

*IEP Team Meeting and Plans Responses Described by Frequencies and Percentages*

Question	n	%
<b>Excusing gen ed teacher from IEP meeting</b>		
Admin approval	5	17
<b>*Parent signs consent</b>	<b>3</b>	<b>10*</b>
During prep/lunch	1	3
Teacher absence	20	67
No Response	1	3
<b>Teacher length of stay at meeting</b>		
Whole meeting	5	17
<b>*When contributing</b>	<b>3</b>	<b>10*</b>
Discussing goals	1	3
Discussing placement	20	66
No Response	1	3
<b>Purpose of Meeting</b>		
Determine goals	1	3
Determine placement		
Determine accom/mod		
<b>*All of the above</b>	<b>29</b>	<b>97*</b>
<b>IEP/504 document type</b>		
Suggestions	1	3
Guidelines	3	10
<b>*Legal Contract</b>	<b>15</b>	<b>50*</b>
Basic Outline	9	30
No Response	2	7

*NOTE: **Bold** \* highlight correct responses to the given question based on the law*

Table 12 (continued)

*IEP Team, Meeting and Plans Responses Described Frequencies and Percentages*

Question	n	%
<b>IEP Qualifier</b>		
Any disability	3	10
<b>*14 categories</b>	<b>6</b>	<b>20*</b>
Impaired function	2	7
Any disability	19	63
<b>Consequence of failure to implement IEP</b>		
Discipline at work	1	3
Named in due process	1	3
Legally liable in court		
<b>*Any/all of the above</b>	<b>28</b>	<b>93*</b>

*NOTE: **Bold** \* highlight correct responses to the given question based on the law*

**Least Restrictive Environment**

This section was meant to measure teacher respondents' knowledge of students' least restrictive environment, (i.e. where student with disabilities should be placed for education). There were 5 questions in this section, 3 true false, and two multiple choice where teacher respondents were expected to check the box next to the answer they believed correctly answered the given question. In this section, for every single question the majority of teachers responded correctly. 53% responded correctly that it is false that every student must be in the general education for some part of the day. 77% responded correctly that it is false that students should always be sent to resource for at least some part of the day. 83% responded correctly that student safety could be legally considered for student placement. 40% are aware that the maximum percentage for students with disabilities in a general education classroom is 30%.

Lastly, 83% agree that it is over restricting for a student to be sent to resource all day if they only have reading and math minutes.

Table 13

*Least Restrictive Environment Responses Described Frequencies and Percentages*

Question	n	%	
<b>Every student must be in gen ed at some point</b>	TRUE	13	43
	<b>*FALSE</b>	<b>16</b>	<b>53*</b>
	No Response	1	4
<b>Students always spend some time in resource</b>	TRUE	7	23
	<b>*FALSE</b>	<b>23</b>	<b>77*</b>
<b>Legal to consider student safety for placement</b>	<b>*TRUE</b>	<b>25</b>	<b>83*</b>
	FALSE	5	17
<b>% of students w/disabilities in gen ed classroom</b>	Twenty %	10	33
	<b>*Thirty %</b>	<b>12</b>	<b>40*</b>
	Forty %	4	13
	Twenty five %	4	13
<b>Sending student to resource all day</b>	Appropriate setting	3	10
	<b>*Over-restricting</b>	<b>26</b>	<b>87*</b>
	Student supported		
	None of the above	1	3

*NOTE: **Bold** \* highlight correct responses to the given question based on the law*

**Section 504**

This section in the survey was meant to measure the respondents' knowledge of the requirements of Section 504 law. There were 2 multiple choice questions in the section, and respondents were expected to check the box next to the response they believe correctly answered the given question. There were only two questions in this section with the majority (43%) incorrectly believing students can have any medical condition to qualify for a Section 504 plan and half (50%) correctly recognizing that a 504 provides accommodations and modifications in the general education setting.

Table 14

*Section 504 Responses Described by Frequencies and Percentages*

Question	n	%
<b>504 Qualifiers</b>		
Any medical condition	13	43
<b>*Impaired function</b>	<b>11</b>	<b>37*</b>
14 categories	5	17
Psychiatric condition	1	3
<b>504 plan provisions</b>		
<b>*Accom/Mod in gen ed</b>	<b>15</b>	<b>50*</b>
Separated instruction	1	3
Goals for education	2	7
All of the above	12	40

*NOTE: **Bold** \* highlight correct responses to the given question based on the law*

**Accommodations and Modifications**

This section in the survey was meant to measure the respondents' knowledge of the requirements of to complete an IEP meeting and the written plan itself. There were 2 true false questions along with four question where the respondents had to identify the example as an

accommodation or modification. Respondents were expected to check the box next to the response they believe correctly answered the given question. For both true false questions, the majority (93%) correctly stated that accommodations and modifications are not optional in the classroom or for testing. The majorities (80 % and 73%) correctly identified shortening an assignment and testing at a lower grade level as modifications. Lastly, (100% and 83%) correctly identified testing individually or in small group and reading aloud as accommodations.

Table 15

*Accommodations and Modifications Described by Frequencies and Percentages*

Question	n	%
<b>Accom/Mod in gen ed optional</b>		
TRUE	2	7
<b>*FALSE</b>	<b>28</b>	<b>93*</b>
<b>Testing accom/mod optional</b>		
TRUE	2	7
<b>*FALSE</b>	<b>28</b>	<b>93*</b>
<b>Shortening an assignment example of:</b>		
Accommodation	6	30
<b>*Modification</b>	<b>24</b>	<b>70*</b>
<b>Testing at a lower grade level example of:</b>		
Accommodation	8	27
<b>*Modification</b>	<b>22</b>	<b>73*</b>
<b>Testing individually or in small group example of:</b>		
<b>*Accommodation</b>	<b>30</b>	<b>100*</b>
Modification		
<b>Reading aloud example of:</b>		
<b>*Accommodation</b>	<b>25</b>	<b>83*</b>
Modification	5	17

*NOTE: **Bold** \* highlight correct responses to the given question based on the law*

**Measures Spread and Central Tendency for the Survey Scores**

Each survey was composed of 23 questions. Answers were marked correct or incorrect based on information stated in the legal statutes of IDEA and section 504 law. The percentage of correct answers was calculated for each survey. Those scores were distributed along a normal curve, and the following measures of spread were noted: minimum, maximum, and range. The following measures of central tendency were also noted: mean median, mode, and standard deviation.

### **Total Population**

The scores of the total population were spread along a range of 32 points with the minimum score being 50% correct and the maximum 82%. The mean and the median were the same at 62%, and the mode was nearby with 61%. Lastly, the standard deviation was 1.63 points.

Table 16

#### *Descriptive Statistics for the Survey Scores of the Total Population*

Statistical Measure	% Correct Answers
Minimum	50
Maximum	82
Mean	62
Median	62
Mode	61
Range	32
Standard Deviation	1.63

*NOTE: n=30*

### **Scores Grouped by Years of Experience**

The scores of the 13 teachers with 0-10 years of experience were spread along a range of 26 points with the minimum score being 52% correct and the maximum 78%. The mean was 64% and the median was close at 65%, and the mode was nearby with 61%. Lastly, the standard deviation was 6.76 points.

The scores of the 17 teachers with 10+ years of experience were spread along a range of 32 points with the minimum score being 50% correct and the maximum 82%. The mean was 59% and the median was close at 59%. The data set was bimodal with mode resting at 52% and 56%. Lastly, the standard deviation was 9.9 points.

Table 17

*Descriptive Statistics Grouped by Years of Experience*

Statistical Measure	% Correct Answers	
	Teachers w/ 0-10 years of experience	Teachers w/ 10+ years of experience
Minimum	52	50
Maximum	78	82
Mean	64	59
Median	65	56
Mode	61	52, 56
Range	26	32
Standard Deviation	6.76	9.9
	n=13	n=17

**Scores Grouped by Length of Time Away from School**

The scores of the 17 teachers that have been in school within 10 years (graduated within 10 years or are currently enrolled in school) were spread along a range of 26 points with the minimum score being 52% correct and the maximum 78%. The mean was 64% and the median was close at 65%, and the mode was nearby with 61%. Lastly, the standard deviation was 7.3 points.

The scores of the 11 teachers with 10+ years away from school (graduated over 10 years ago) were spread along a range of 32 points with the minimum score being 50% correct and the maximum 82%. The mean was 56% and the median was 52%. The mode of the data set was 52%. Lastly, the standard deviation was 9.2 points.

Table 18

*Descriptive Statistics Grouped by Length of Time Away from School*

Statistical Measure	% Correct Answers	
	Teachers in school within 10 years	Teachers out of school 10+ years
Minimum	52	50
Maximum	78	82
Mean	66	56
Median	65	52
Mode	61	52
Range	26	32
Standard Deviation	7.3	9.2
	n=17	n=11

### **Chapter Summary**

This chapter provides the results of the data gathered for 30 teachers from the four CPS schools. The results of the data are non-inclusive, but do suggest that general education teacher knowledge is below standard considering that. This data suggests there is a need for training and professional development on the requirements of IDEA and Section 504 law. This information and its implications will be discussed further in chapter 5

## **Chapter V**

### **Discussion and Conclusion**

The purpose of this study was to assess how much general education teachers actually know about the Individuals with Disabilities Act (IDEA) and Section 504 of the Rehabilitation Act of 1973 in order to identify training needs for general education teachers regarding these two laws. The data suggests that there are significant gaps in the general education teachers' knowledge of IDEA and Section 504 law.

### **Discussion**

There is an expectation that general education teachers should be aware of IDEA and Section 504 law (deBettencort, 2002; ISBE 2013; NJCLD, 1998; Shaw & Maduas, 2008). Yet according to deBettencort (2002) "Frequently pre-service and in-service teachers complete their training with minimal understanding of the provisions of IDEA and less of 504" (p. 23). Nougaret et al (2005) supports that conclusion stating that teachers and administrators report, "difficulty keeping up with changing laws" (p. 217). The data of this study supports the ideas previously stated by the research.

### **Referral and Assessment**

This area seems to be one of the areas of greatest weakness for the teachers participating in this survey. There were four questions in this part of the survey and the majority of teachers answered each question incorrectly. 90% of teachers incorrectly believe that RTI is mandatory before evaluation can take place under the law. 83% of teachers are not aware that parent consent is what defines a referral date. Most teachers (27%) believed that the referral date is when intervention data is submitted. 87% of teachers do not know that the school has 60 school days to complete an evaluation, and the majorities (53%) believe that the school has 30 school days.

Lastly, 90% of teachers do not know that the school has 10 days to implement an IEP and the majority (80%) believe the school has 30 school days.

### **IEP Team, Meeting, and Plans**

This is another area of weakness for the participating teachers. There were six questions in this section. Teachers performed very poorly on half of the questions, but performed relatively better on the other half. 90% of teacher do not know that a parent must sign written consent for them to be absent from an IEP meeting. The majority (67%) believe the general education teacher can be excused if they are absent from work that day. 90% do not know that the general education teacher only has to be present for the portions of the IEP meeting, which they can make a direct contribution. The majority (66%) believe that the general education teacher only has to be present to discuss placement options. 80% do not know that there a 14 categories that students must fall under to qualify for an IEP. The majority (63%) believe that the student can have any disability.

Teachers performed much better on the remainder of the questions. 97% of teachers answering correctly that the purpose of an IEP meeting is to determine goals, accommodations, modifications, and placement options 93% of teachers recognize that failure to implement an IEP can result in discipline at work, naming in a due process hearing, and being help legally liable in court. Lastly, teachers performed relatively better with 50% recognizing that IEPs and Section 504 plans are legal documents.

### **Least Restrictive Environment**

Teachers performed relatively well on the questions regarding least restrictive environment. There were five questions in this section and teachers responded to the majority (4/5) questions correctly. 53% of teachers recognize that is false that every student must be in

the general education setting for at least some part of the day. 77% of teachers recognize that it is false that every student must be sent to the resource setting for at least some part of the day. 83% of teachers know that it is legal to consider students' safety when considering placement in a more restrictive setting. In addition, 83% recognized that by sending a student to the resource room all day, the general education teacher has violated a student's rights. The other two questions were more of a struggle for teachers. Lastly, 60% of teachers did not know that the maximum percentage of students with disabilities in their classroom should not exceed 30%, although the majority (40%) answered the question correctly.

### **Section 504**

This section only had two questions with teachers performing poorly on the first question and slightly better on the second. 67% did not know that to qualify for an IEP a student must have an impairment in a major life function. In addition, only 50% know that a 504 plan is given to provide accommodations and modifications in a general education classroom.

### **Accommodations and Modifications**

This area is where teachers performed the best. The majority of the teachers answered all of the questions correctly with exceedingly high percentages for some of the questions. 93% of teachers recognized that it is false that accommodations and modifications are optional under the given circumstances. 70% and 73% recognize shortening of an assignment and testing at a lower grade level as modifications. Lastly, 100% and 83% recognized testing individually or in small group and reading aloud as accommodations.

### **Measures of Spread and Central Tendency**

The statistical data which measure spread and central tendency highlight major issues with the teachers' knowledge (or lack thereof) of special education law. The mean for the total

population was 62%. The mean for teachers with up to 10 years of experience was not much higher at 64%, and then the mean for teachers with over 10 years of experience was actually lower 59%. This defies reason since it may be expected that more years of teaching would increase the teachers' knowledge as a group. Similarly, the mean for teachers who are currently enrolled in school or have been in school within the last ten years was 66%. The mean for the teachers that have been out of school for at least ten years was lower at 56%. This data may suggest that the teacher's lack of knowledge is due more to a lack of in-service training than pre-service training, since the teachers that have been out of school longer had lower scores.

All of the medians of each data set were within 1-4 points of the means indicating that outliers did not pull the mean up or down. This is surprising for the data set for the teacher with 10 or more years of experience because there was an outlier in that data set which was a score of 82%. This outlier should have pulled the mean scores up, but it did not. The same is true for the data set describing teachers who have been out of school for 10 or more years. Their score of 82% was an outlier in the data, and should have pulled the mean up. The means still remained depressed and fairly close to the medians in both data sets.

Within the CPS schools from which teachers participated in the survey the grading scale is as follows: 100-90, substantially exceeds the standards; 80-89, exceeds the standard; 70-79, meets the standard; 60-69, below standard; 59- does not meet the standard (Y. Perez, personal communication, August 1, 2017; C. Flores, personal communication, August 1, 2017; T. Noworyta, personal communication, August 1, 2017; K. Vincenty, personal communication, August 1, 2017). Based on these mean scores, most of the teachers mean scores place their performance below standard.

A large percentage (37%), over one third of teachers, answered under 60% of the questions correctly, and thereby, did not meet the standard to be considered knowledgeable of the law. Another (37%), another third of the teachers, answered between 60-70% of the questions correctly. Putting those percentages together, the majority (74%), almost three fourths of the participating teachers answered less than 70% of the questions correctly. Only 26%, about one fourth of the teachers answered at least 70% of the questions correctly, and one singular teacher answered 84% of the questions correctly. The table shows how teachers performed based on the grading scale.

Table 19

*Teacher Performance According to CPS Grading Scale*

Grading Scale	n	%
Substantially Exceed Standard (90-100)	0	
Exceed Standard (80-89)	1	3
Meets Standard (70-79)	7	23
Below Standard (60-69)	11	37
Does Not Meet Standard (59--)	11	37

---

### Conclusions

This data reflects that there is a significant need for more training specifically for CPS teachers on the topics of IDEA and Section 504 law (deBettencort, 2002; Shaw & Maudus, 2008). The areas which training should focus on are the referral and assessment process along with requirements for the IEP team meeting and plans. Those are the sections of the survey where the most teachers answered questions incorrectly the majority of the time. Rozenwig (2009) noted this same concern in her research where she argues “Despite this increase in participation current teachers feel they are still not adequately prepared to deal with matters concerning IEPs” (p. 13).

Teachers responded with a little bit more accuracy about Section 504 but only 40-50% of teachers answered the questions correctly meaning that 50-60% of the participating teachers do not know the information. Shaw and Madaus (2008) noted this concern in their research when they suggested that training on 504 is ignored in comparison to IDEA law.

On the other hand, the results of the survey were not all negative. The participating CPS teachers seem to understand the law regarding least restrictive environment, and accommodations and modifications. The majority of teachers answered most of the questions correctly. The only fact that most teachers did not know is that the percentage of students with disabilities in one general education classroom should not exceed 30%. Teachers may not be aware of that knowledge because they routinely teach in classrooms where more than 30% of the classroom is on an IEP (Y Perez, personal communication, July 28, 2017).

From these results, it is clear that there is a need for training for teachers to understand IDEA and Section 504 law. The data suggest that veteran teachers, as defined by having 10 or more years of experience are actually less knowledgeable than teacher who have been teaching under 10 years as evidenced by their mean scores being 56% in comparison to 61% for the other group of teachers. This indicates that the problem may be more to lack of in-service training than pre-service training. The participating teachers noted that they have not received any professional development on the topic of special education law. In fact, only 7 of the 30 teachers (23%) reported having any in-service training at all. Of the 7 that did receive training, only 2 answered 70% or more of the questions on the survey correctly. Therefore, either the training was not very good or the teachers did not retain the information very well. DeBettencort (2002) noted that this problem persists with in-service teachers, and so did Shaw and Madaus (2008).

Similarly, preservice teacher training on the law is not sufficiently meeting the training needs of teachers so that they can understand the law. Teachers that have been in school within the last ten years only responded about 65% of the question correctly. There seems to be some problems with pre-service teacher training as well, DeBettencort (2002) clearly states that pre-service and in-service teachers do not understand the law. Pre-service teachers may not understand the law because they are barely take any coursework that would include the law in its requirements as shown by Cameron and Cook (2007) statement “general education teachers reported taking 1.5 courses on average in which inclusion and special education was a major focus” (p. 360). This lack of quality teacher education on the law and students with disabilities is also noted by Blanton et al (2010), MaHeady, et al (1993) and Rozenwig (2009). Therefore, it is clear that pre-service training has to improve as well.

### **Educational Implications**

The findings of this study show that there is a significant need for training for teachers on special education law. First of all, pre-service teacher education appears to be lacking and in order to rectify the situation states must truly commit to making sure that general education teachers actually receive quality training on matters in regards to special education. MaHeady et al (1993) stated that “future teachers must be provided with dramatically different preparatory experiences” (p. 473) yet “educational reformers have been relatively silent on how to prepare future teachers to instruct pupils with special learning needs” (p477). Blanton et al (2010) makes one suggestion that more robust pre-service experiences can prepare teachers for the challenges of the classroom. Rozenwig (2009) specifically notes that training must be improved in the areas of the IEP and differentiation. Madaus and Shaw (2008) described deficiencies in 504 training and suggests the following for course content: differentiating 504 from IDEA, understanding

section 504, determining 504 eligibility, applying 504 eligibility, understanding 504 due process/enforcement, developing 504 plans, and differentiate 504 k-12 from post-secondary.

Lack of knowledge in these areas has significant consequences for both teachers and students. Students do not reach the same outcomes when teachers are not trained appropriately (Blanton, et al, 2010; LaNear & Frattura, 2007, Rozenwig, 2009). Schools districts and even teachers can suffer significant consequences such as being subject to litigation and even being found personally liable (Baird, 2001; Farnsworth, 2006; LEASE, 2014; Walsh, 2013).

DeBettencort (2002) said, “We are doing a disservice to these teachers by not including in their preparation a clear understanding of the differences between Section 504 and IDEA” (p. 23).

We are doing a disservice to the students as well, therefore, the situation needs to change.

### **Recommendations for the Further Research**

This survey was limited to discussing the referral and assessment process; the IEP team, meetings, and implementation; section 504; least restrictive environment; and accommodations and modification. The survey did not include any questions about important areas such as student discipline or assistive technology. The law has specific requirements around discipline for students with disabilities and access to assistive technology (Yell, 2016). Rozenwig (2009) notes that teachers should be knowledgeable and prepared to utilize assistive technology. ISBE (2013) also notes that teachers are expected to know the law around student discipline. Therefore, it may important for research to be conducted into what general education teachers know about these areas.

Another area for research is into pre-service education. Researchers have noted that pre-service is insufficient for preparing teachers for understanding IDEA and 504 laws (deBettencort, 2002; Shaw & Madaus, 2008) and other areas necessary to work with students

with disabilities (Blanton et al, 2010; MaHeady et al, 1993; Whitten & Campos, 2003). Since researchers are already aware that pre-service preparation is insufficient then research could be conducted to look at what is actually being taught in pre-service programs. Researchers could identify more areas of improvement for pre-service education in addition to those noted by Blanton, et al (2010) Rozenwig (2009), Shaw and Maduas (2008).

Lastly, research should look into the availability of in-service trainings for teachers. Researchers could reach out to administrators to figure out barriers to providing training, and then make recommendations for in-service training for teachers. One suggestion by MaHeady et al (1993) was for teachers to work together more often so that general education and special education teachers can collaborate. Special education teachers receive more education about the law and inclusion (Cook & Campos, 2007), therefore, they should be more knowledgeable about the law, and they can help to keep general education teachers informed about the law. Yet, Whitten and Campos (2003) noted a lack of training on collaboration, therefore, the research could look into how to improve collaboration amongst general and special education teachers.

### Chapter Summary

The main areas of research that were included in this study were about the following areas of special education law: : 1) the referral, assessment, and placement process; 2) requirements of the IEP team meeting and the IEP document, 3) least restrictive environment, 4) section 504, and 5) accommodation and modification. A survey was developed and administered to assess general education teachers' levels of knowledge of the law in the above listed areas. The areas of strength, where the majority of teachers understand the law is least restrictive environment; and accommodations, and modifications. Teachers have a lot to learn about 1) the referral, assessment, and placement process; and 2) requirements of the IEP team meeting and the IEP document; and 3) Section 504. Scores on the survey indicate that there is a significant need for better pre-service training and more widespread in-service training. Further research can be conducted to assess teacher knowledge about student discipline and assistive technology. In addition, research is needed to improve pre-service and in-service teacher training opportunities.

### References

Baird, M. (2013). *What Every General Education Teacher Should Know About Special Ed Law*.

Retrieved from MetroState: [www.faculty.metrostate.edu](http://www.faculty.metrostate.edu)

Blanton, L. P., Pugach, M. C., & Florian, L. (2013). Preparing General Education Teachers to

Improve Outcomes for Students with Disabilities. Retrieved from National Center for

Learning Disabilities: [http://www.nclld.org/wp-](http://www.nclld.org/wp-content/uploads/2014/11/aacte_nclld_recommendation.pdf)

[content/uploads/2014/11/aacte\\_nclld\\_recommendation.pdf](http://www.nclld.org/wp-content/uploads/2014/11/aacte_nclld_recommendation.pdf)

Brownell, M. T., Ross, D. D., Colon, E. P., & McCallum, C. L. (2005). Critical Features of Special Education: Teacher Preparation: A Comparison with General Education Teacher.

*The Journal of Special Education*, 242-252.

Buell, M., Hallem, R., & Gamel-McCormick, M. (1999). A Survey of General and Special Education Teachers' Perceptions and In-service Needs Concerning Inclusion.

*International Journal of Disability*, 143-156.

Cameron, D., & Cook, B. G. (2007). Attitudes of preservice teacher enrolled in an inclusion preparation program regarding planning and accommodations for included students with mental retardation. *Education and Training in Developmental Disabilities*, 353-363.

Chicago Public Schools. (2016). *Addams*. Retrieved from Mireles-Chicago Public Schools:

<http://schoolinfo.cps.edu/schoolprofile/SchoolDetails.aspx?SchoolId=609898>

Chicago Public Schools. (2016). *Mireles*. Retrieved from Mireles-Chicago Public Schools:

<http://schoolinfo.cps.edu/schoolprofile/schooldetails.aspx?SchoolId=610171>

Chicago Public Schools. (2016). *Eberhart*. Retrieved from Eberhart-Chicago Public Schools:

<http://schoolinfo.cps.edu/schoolprofile/SchoolDetails.aspx?SchoolId=609772>

Chicago Public Schools. (2016). *Fulton*. Retrieved from Fulton-Chicago Public Schools:

<http://schoolinfo.cps.edu/schoolprofile/schooldetails.aspx?SchoolId=609929>

Chicago Tribune. (2017). *Crime in Chicagoland*. Retrieved from Chicago Lawn-Crime in

Chicagoland: [http://crime.chicagotribune.com/chicago/community/chicago-](http://crime.chicagotribune.com/chicago/community/chicago-lawn/#?address=chicago%20lawn&lng=-87.6963424683&lat=41.7754096985)

[lawn#?address=chicago%20lawn&lng=-87.6963424683&lat=41.7754096985](http://crime.chicagotribune.com/chicago/community/chicago-lawn/#?address=chicago%20lawn&lng=-87.6963424683&lat=41.7754096985)

Chicago Tribune. (2017). *Crime in Chicagoland*. Retrieved from New City-Crime in

Chicagoland: [http://crime.chicagotribune.com/chicago/community/new-](http://crime.chicagotribune.com/chicago/community/new-city/#?address=new%20city&lng=-87.6600036621&lat=41.8100013733)

[city#?address=new%20city&lng=-87.6600036621&lat=41.8100013733](http://crime.chicagotribune.com/chicago/community/new-city/#?address=new%20city&lng=-87.6600036621&lat=41.8100013733)

Chicago Tribune. (2017). *Crime in Chicagoland*. Retrieved from East Side-Crime in

Chicagoland: <http://crime.chicagotribune.com/chicago/community/east-side>

Chicago Tribune. (2017). *Crime in Chicagoland*. Retrieved from South Chicago-Crime in

Chicagoland: [http://crime.chicagotribune.com/chicago/community/east-](http://crime.chicagotribune.com/chicago/community/east-side/#?address=south%20chicago&lng=-87.5362472534&lat=41.7226104736)

[side#?address=south%20chicago&lng=-87.5362472534&lat=41.7226104736](http://crime.chicagotribune.com/chicago/community/east-side/#?address=south%20chicago&lng=-87.5362472534&lat=41.7226104736)

deBettencort, L. U. (2002). Understanding the Difference Between IDEA and Section 504.

*Council for Exceptional Children*, 16-23.

Department of Education. (1999, March). Regular Education Teacher as IEP Team Members---

Topic Brief. Retrieved from Department of Education:

<http://www2.ed.gov/speced/leg/idea/brief3.html>

Farnsworth, C. (2006). Regular Education Teachers Formulating Special Education Plans: ML v

Federal Way School District and the IDEA. *Brigham Young University Education and*

*Law Journal*, 639-659.

- Gay, L.R., Mills, G.E., Airasian, P.W. (2012) *Educational Research: Competencies for Analysis and Application*. New York. Pearson
- Gee, J. L. (1996). Special Education Law An Overview. *The Compleat Lawyer*, LN1-LN3.
- Individuals with Disabilities Act 20 U.S.C. § 1400 (2004)
- Illinois State Board of Education. (2013). Illinois Professional Teaching Standards. Retrieved from Illinois State Board of Education:  
[https://www.isbe.net/Documents/IL\\_prof\\_teaching\\_stds.pdf](https://www.isbe.net/Documents/IL_prof_teaching_stds.pdf)
- Johnson, J.A., Musial, D., Hall, G.E., Gollnick, D.M. (2017) *Foundations of American Education*. New York. Pearson
- Katsiyannis, A & Conderman, G. (1994) Section 504 policies and procedures: An established necessity, *Remedial and Special Education*, 311-318
- LaNear, J., & Frattura, E. (2007). Getting the stories straight: allowing different voices to tell an 'effective history' of special education law in the United States. *Education and the Law*, 87-109.
- LaSalle/Putnam Educational Alliance for Special Education. (2014). Special Education Questions and Answers for General Education Teachers. Retrieved from LaSalle/Putnam Educational Alliance for Special Education: <http://www.lease-sped.org/>
- MaHeady, L., Harper, G. F., Mallette, B., & Karnes, M. (1993). The Reflective and Responsive Educator (RARE): A Preservice Training Program to Prepare General Education Teachers to Instruct Children and Youth with Disabilities. *Education and Treatment of Children*, 474-506.
- McGovern, M. (2015). Least Restrictive Environment: Fulfilling the Promises of IDEA. *Widener Law Review*, 117-137.

- National Joint Committee on Learning Disabilities. (1998). Learning Disabilities: Preservice Preparation of General and Special Education Teachers. *Learning Disability Quarterly*, 182-186.
- Peterson, R. (2013). Caught in the Cross Fire: The Psychological and Emotional Impact of the Individuals with Disabilities Act (IDEA) upon Teachers of Children with Disabilities, A Therapeutic Jurisprudence Analysis. *Pace Law Review*, 878-964.
- Rozenwig, K. (2009). Are Today's General Education Teachers Prepared to Meet the Needs of Their Inclusive Students? Northeastern Educational Research Association.
- Section 504 of the Rehabilitation Act 29 U.S.C. §794. (1973)
- Shaw, S. F., & Madaus, J. W. (2008). Preparing School Personnel to Implement Section 504. *Policy and Law Briefs*, 226-230.
- Walsh, J. (2013). General Education Teachers and Special Education. Retrieved from Walsh Anderson: [www.walshaderson.com](http://www.walshaderson.com)
- Weber, M. C. (2010). A New Look at Section 504 and the ADA in Special Education Cases. Retrieved from American Bar Association:  
<https://apps.americanbar.org/litigation/committees/childrights/content/articles/summer2011-section-504-ada-idea.html>
- Yell, M (2016) *Special Education and the Law*. New York: Pearson

Appendix A:

Survey

**Demographic:**

What is your level of education? \_\_\_\_\_

How many years have you been teaching? \_\_\_\_\_

How long ago did you go to school?/ How many years has it been since you graduated with your teaching degree?  
\_\_\_\_\_

Did you complete a traditional four year teaching degree or did you complete an alternative certification program?  
\_\_\_\_\_

Has CPS provided you with any training on this topic:  Yes  No

If so, what training have you been provided and when did training occur?  
\_\_\_\_\_

**Referral and Assessment Process**

RTI interventions must be completed and data submitted before evaluation can take place

True  False

A referral date is defined as:

- The date after interventions are complete and data submitted
- The date the parent signs consent
- The date when the teacher asks the case manager for evaluation
- The date when the parent asks the case manager for evaluation

How many days the school have to complete the evaluation and IEP meeting?

- 30 calendar days  60 calendar days
- 30 school days  60 school days

How many days after the IEP meeting do teachers have to start implementing an IEP?

- 30 calendar days  30 school days
- 10 school days  10 calendar days

**The IEP team, meeting, and plans**

When can a general education teacher be excused from an IEP meeting?

- When an administrator gives approval
- When a parent signs written consent
- When the meeting takes place during teacher's prep or lunch period
- If a teacher is absent from school that day

The purpose of the IEP meeting is to

- Determine appropriate educational goals for the student
- Determine the least restrictive environment for the student
- Determine appropriate accommodations and modifications for the students in the general education classroom
- All of the above

How long does the general education have to be present for the entire meeting

- The whole meeting  Only those portions during which the general education can contribute
- Only when goals are discussed  Only when the placement setting is discussed

The IEP and the 504 plan are

- Suggestions for how to work with the student  Guidelines for the students education plan
- Legally binding contract  Outline of students goals and accommodations for the classroom