

# Special Education Placement: Is It What You Know or Where You Live?

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*ABSTRACT: Danielson and Bellamy's article on federal data on segregated placement of students with disabilities (see pp. 448-455 of this issue) points out the failings in many situations to live up to the intent of Public Law 94-142, which clearly sets forth a presumption in favor of regular class placement in regular school buildings for children with disabilities. The need to eliminate geographic and funding restrictions to placement of students with disabilities in the least restrictive environment is stressed. Realistic but affirmative action and closer scrutiny of demonstration projects that have successfully integrated children with various disabilities into the regular classroom should be the focus of efforts.*

• In much the same way that Burton Blatt, of such blessed memory, used to courageously speak about the secrets of institutional abuses we kept hidden in the "family" of professionals in the field of mental retardation, Danielson and Bellamy have done us all good by opening up to broader scrutiny the patterns of school segregation and isolation affecting large numbers of children with disabilities. Children who are placed in special education programs and have a disability of one sort or another will hereafter be referred to as children with NSL (negative school labels). Although Danielson and Bellamy's findings of significant state-by-state variations in placement settings was no secret and should hardly be a surprise, rarely has the data base been so comprehensively integrated with such clarity.

I am, of course, suggesting that given the long history of federal on-site monitoring in the states, monitoring teams from the U.S. Office of Special Education and Rehabilitative Services (OSERS)

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should have known about the variability phenomena for a long time. My respect for OSERS monitoring teams leads me to conclude that it was previously empirically known, but not enough policy makers were listening or interested or, if they were, not much political benefit would result from pursuing the issue. Given their policy positions within OSERS, Danielson and Bellamy (this issue, pp. 448-455) deserve credit for opening the door to the variability issue. I hope this door leads not to pointing accusatory fingers at selected states, but to addressing the fundamental conclusion that in the United States *too many children with NSL are being segregated in separate facilities and separate classrooms*. Of course it is disturbing that some states exceed the segregation placement rate by five or six times the national average, but the separation of certain student populations due to arbitrary rather than meaningful variables is one of the most insidious characteristics of segregation patterns. The point is that segregation, whether living in a certain neighborhood or being assigned to a special school or classroom, is a function of where you live and not the result of benevolent responses to individual need.

Earlier drafts of the Danielson and Bellamy article did find their way to most, if not all, of the states with predictable reactions. Some who work in states

greatly exceeding the national averages of handicapped students in separate classes or facilities challenged both the reliability of data reporting and collection and the inferences of superiority of regular class or school placements. In my own State of Illinois, several respected colleagues challenged the state's reported position—40th state in placement of students with NSL in separate schools and residential facilities, 43rd when separate classes in regular schools are included as an additional category. (See Figures, and 4 of the Danielson and Bellamy article.) Many in Illinois claim the low ranking is due to the state's unique reporting system which may categorize students in separate classes in regular schools as being educated in separate buildings. Ironically though, Illinois is well known throughout the nation for its large number of separate schools for NSL children.

Danielson and Bellamy respond unequivocally to these two criticisms of earlier drafts: Data reported are not to be interpreted as indicative of the quality of special education in a state (p. 452), and it is not at all likely that procedural or terminology differences could account for the degree of variances reported (p. 454). While I can understand Danielson and Bellamy's suggestion for caution until further work is done to determine if reported data are accurate, it would be tragic to enter an era of conducting efficacy studies on the accuracy of federal reporting of placement rates. For example, to recompute the Illinois data base using different variables or paying more attention to a unique reporting category may inflate or deflate certain student counts and determine that we are not 43rd among the 50 states but, in fact, we could be 32nd! Does it make a meaningful difference? We must, in every state, look around us . . . to see for ourselves if there are many NSL students in separate schools and classes. If there are, then federal law and the rights of children are possibly being undermined, for Public Law 94-142 creates a clear bias, a presumption in favor of regular classroom enrollment for all children whenever possible.

Recently on the television news program, *60 Minutes*, a local sheriff was being questioned about the probable guilt of a particular fugitive, (the accused had been observed in a criminal act by several people). Said the sheriff: "Hey, man, if it looks like a duck, flics like a duck, flaps like a duck, eats like a duck, walks like a duck, tends to like the company of other ducks . . . hey, I think you got yourself a duck!" and, so it is with the data base we are now considering. Students with NSL are being removed from regular schools and regular classrooms because of geography. Unquestionably, geography

(where a student lives) is both a powerful correlate to segregated school placements for NSL students and, interestingly, an important factor in explaining the variations in reported incidence rates of certain handicapping conditions in schools across the nation. For example, between 1985 and 1987 five states accounted for 60% of the national increase (2.9% overall) in children labeled learning disabled (National Association of State Directors of Education, 1988). This variation is clearly unacceptable and continued empirical validation of the placement patterns reported by Danielson and Bellamy is unnecessary.

#### FACTORING IN PUBLIC LAW 94-142

While the issue of least restrictive environment (LRE) is often addressed in the context of separate schools versus regular public school buildings, it is also disappointing to view Danielson and Bellamy's finding that clearly a quarter of all NSL children in regular school buildings are primarily in self-contained, separate classrooms. Public Law 94-142, with its presumption of regular education placement for the overwhelming majority of NSL students, is no longer based on value alone given the current knowledge and technologies. For example, *REGULAR LIVES*, a riveting documentary, describes the successful integration into regular education classes of children labeled autistic. Autism, with its counterpart "autistic like," is a *very* negative label given the restrictiveness of school placement options. Yet there *are* too few school districts successfully educating children with the most challenging behaviors in regular classes with reasonable modifications. If, as has been demonstrated beyond doubt, it is possible to integrate children with the most exceptional learning needs, why can we not educate other children in regular schools as well? When programs like those depicted in *REGULAR LIVES* now demonstrate what is possible, how can we continue to accept the astounding statistic that nearly 25% of *all* NSL students are educated in self-contained classes?

*REGULAR LIVES*, produced by Syracuse University's Center on Human Policy with support from other advocacy organizations and the U.S. Office of Special Education and Rehabilitative Services (OSERS), was aired on several public broadcasting television station in the United States. *REGULAR LIVES*, a realistic portrayal of the promises and challenges of total school integration, should be seen

by the entire world. (A copy of this 30-minute videotape is relatively inexpensive and may be obtained by sending a check for \$34.95 to WETA VISIONS, P.O. Box 2626, Washington, D.C. 20013).

Danielson and Bellamy conclude that some states have been more successful than others in providing supported education in regular settings. Good news comes from Douglas Biklen, whose book, *Achieving the Complete School* (1985), followed a series of on-site visits to school districts throughout the nation in search of better understandings about successful mainstreaming. One of the book's themes is "what is possible in one school is possible in every school." Biklen, like Danielson and Bellamy, found significant variability in practices and opportunities afforded children in school placements based on geography and negative school labels. Biklen's reassuring mainstreaming study conclusions (if it can work here, it can work there) suggest enormous hope about the future. At the very beginning of their study, Danielson and Bellamy realized the possibilities if state variations were found to exist: "If state-to-state variability does exist in school placement], this would demonstrate potential for improvement in the national effort to educate children with handicaps in less restrictive environments" (p. 449). In other words, we do not have to place the cause (for separate schooling) on the child's disability, but rather on geography, classroom environment, and instruction, all factors which are more easily adapted.

#### STATE AND FEDERAL ROLE IN STUDENT PLACEMENT

One modest disappointment is that Danielson and Bellamy's analysis overlooks the important role that federal and state legislation, regulation, and fiscal policies play in promoting segregated educational placements for children with NSL. The statement that "in and of itself, no particular pattern of placements is consistent with or contradictory to these requirements" (p. 452) (assumedly the authors are addressing themselves solely to federal requirements) is perhaps naive, too. The regulations, with their emphasis on eligibility, assessment, and labeling, promote never ending searches for pathology that can be used to justify segregation or separate schooling. P.L. 94-142, and the companion laws and regulations governing special education in the states, were designed to move children into appropriate public school settings. Clearly, the legislative history of P.L. 94-142 compellingly suggests that a publicly

supported education was not the sole desired end, but rather an education tailored to meet the individual needs of children within neighborhood public schools was most preferable. Surely, P.L. 94-142 did not intend for so many children to attend separate schools primarily because they lived in a particular geographic area.

Even more insidious are the special education categorical funding mechanisms that actually *promote* separate facility schooling. In Illinois, for example, it frequently costs a local school district *less* money to send a child to a private day, often even a residential school, than educating the child within the school district. Illinois has used part of its 94-142 state grant "set aside" monies to fully reimburse school districts for the room and board costs associated with residential placements. In addition, another state reimbursement program sets a ceiling on local school district contributions to private school tuitions (local costs usually cannot exceed twice the school district's per capita cost for regular education students). This makes sense in theory because the extraordinary costs associated with special education students are supposed to be shared by local, state, and federal governments. However, there is something terribly wrong when a state legislature approves a funding system that promotes, however unintentionally, sending children to private schools.

This funding program is typical of many reimbursement programs in other states. In fact, Illinois' funding programs may be better (at least in theory) than many others because there are a variety of categorical programs that promote state-local partnerships. Theory breaks down in practice, however, because almost every state reimbursement program is significantly underfunded, which encourages school districts to choose the most cost-effective (cheapest) placement and not necessarily the least restrictive. The fact that funding programs in so many states contradict integration ideologies creates serious problems. *We will make little progress until our funding programs are driven by our values and integration ideologies and variations will likely continue as long as funding programs overtly undermine least restrictive environment options. We must instead concentrate our efforts on developing policies and funding mechanisms that will enable all children, regardless of disability, to be educated in neighborhood schools.*

#### SOME STATES' SUCCESS

According to Danielson and Bellamy, the data suggest that some states have been more successful

than others in providing services in regular settings (p. 452). This may well be the result of a state's ability to successfully subvert the myriad rules and regulations that foster segregated models. Surely there are ways to reform regulations and modify legislation without assaulting provisions like parental consent, the IEP, and due process rights. I am well aware that regulatory barriers to integration are most prevalent at the state level, and therefore removed from Danielson and Bellamy's current focus on federal policy. Nevertheless, there is much for Danielson and Bellamy to ponder as a result of their study. Given the state-by-state variability in segregated placements and the number of states that exceed the average by astounding percentages, does OSERS need to refocus its monitoring and technical assistance? For example, reported data reveal little change in over a decade in the use of separate facilities for NSL students. Since P.L. 94-142 creates a presumption in favor of schooling in regular public school buildings, what is wrong? Perhaps we need to redirect OSERS resources toward promotion of programs like *REGULAR LIVES* that communicate possibilities and expectations, and toward encouraging states to restructure regulations that now inhibit, and in many cases actually prohibit, school integration practices.

## CONCLUSION

I end with a reinforcement of two points. First, it is my hope, more accurately my plea, that we not focus energies on data collection and reporting debates. We, who administer programs and teach children in local school districts, need state and federal policy makers to work with us to create more total school integration opportunities for children in neighborhood schools. Second, I applaud Danielson and Bellamy for their pursuit of truth about the nature of the segregated school settings in which our children are today being educated in numbers that are far too large.

Rud Turnbull of the University of Kansas (Personal communication, 1988) reminded me that we need to promote integration in all settings for people with disabilities. While educators have focused on school integration, and more recently on community living, other settings, such as work and recreation, are equally important. Rud Turnbull and others help frame an important issue, that is the necessity to create and sustain integrated settings beyond schools. Given this, OSERS needs to make public in much the same way other readily available data bases, such as the number of adults participating

in supported employment settings rather than placed in sheltered workshops, to ensure awareness of patterns of segregation across environment. Surely, state-by-state variation (if found) in other settings would open the same window of opportunity mentioned earlier, that is, what is possible in one place is possible in every place.

Finally, Danielson and Bellamy should also be recognized for coming forth with frankness and optimism. My hope is that Danielson and Bellamy's data will lead all educators to view contemporary LRE issues as a continuum of knowledge about the needs of people and about raising expectations for all people. LRE involves basic human issues, such as the right to live one's life well, in the community, in neighborhood schools, in parks, everywhere. That we can reject earlier insights about the nature of separate schooling, for example, only confirms our humaneness. Burton Blatt, no stranger to LRE debates, used to tell us that before you seek to change others you must be willing to first change yourself. As we examine the implications of the Danielson and Bellamy data, we must ask ourselves, in our own circumstances . . . in our own states . . . in our own local school districts . . . in our own neighborhood school buildings: Are all our children among us? As Marsha Forest (1988) and her colleagues at Canada's Hamilton Wentworth Separate School Board and the Waterloo Region Separate School Board have demonstrated, total school integration works for all children. As they so movingly remind us, are not our schools supposed to be communities of inclusion, places where no child is rejected? To respond affirmatively to these inclusion values is to renew our commitment to foster the changes so clearly suggested by Danielson and Bellamy's study that will make school inclusion a reality for all children.

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