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KNOWLEDGE, ATTITUDE, AND DEMOGRAPHIC CHARACTERISTICS OF
SELECTED LOCAL EDUCATION AGENCIES AND THEIR RELATIONSHIP
TO PROCEDURAL COMPLIANCE WITH EXCEPTIONAL CHILDREN
LEGISLATION

The University of North Carolina at Greensboro

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KNOWLEDGE, ATTITUDE, AND DEMOGRAPHIC CHARACTERISTICS OF SELECTED
LOCAL EDUCATION AGENCIES AND THEIR RELATIONSHIP TO PROCEDURAL
COMPLIANCE WITH EXCEPTIONAL CHILDREN LEGISLATION

by

Alice N. Stone

A Dissertation Submitted to
the Faculty of the Graduate School at
The University of North Carolina at Greensboro
in Partial Fulfillment
of the Requirements for the Degree
Doctor of Education

Greensboro
1983

Approved by



Dissertation Adviser

APPROVAL PAGE

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STONE, ALICE N. Knowledge, Attitude, and Demographic Characteristics of Selected Local Education Agencies and Their Relationship to Procedural Compliance with Exceptional Children Legislation. (1983)
Directed by: Dr. Roland Nelson. Pp. 153.

This dissertation was designed to investigate the relationship of selected local educational agency variables to compliance with federal and state legislative procedural requirements for exceptional children programs. The variables investigated included principals' and special education administrators' level of knowledge of legislative procedural requirements and their attitude toward these requirements; principals' and special education administrators' experience, training, and degree or degrees earned; total student enrollment of school system; and type of administrative school unit (city or county).

Data for this study were collected through the administration of an opinionnaire developed to measure knowledge of legislative procedural requirements and attitude toward these requirements. The opinionnaire was also designed to collect demographic characteristics of the two respondent groups, randomly selected principals and special education administrators, in the North Central Educational Region of the North Carolina Department of Public Instruction. Respondents in the two groups indicated whether the items on the opinionnaire were or were not required and if they should or should not be required. The 34 items and demographic characteristics included in the opinionnaire were selected after a thorough review of pertinent literature and state monitoring documents, and after consultation with a variety of specialists in exceptional children education and research.

The 14 hypotheses utilized in this investigation were tested by analyzing responses within and between groups with the appropriate

statistical procedure for each hypothesis. The t test was judged appropriate for three of the hypotheses, the F test for ANOVA for four, and the Pearson product-moment correlation coefficient for seven. Each of the 14 hypotheses were tested at the .05 level of significance.

The analyses of the data collected for this study supported 11 of the 14 hypotheses. Three were not supported. The results revealed a significant statistical difference in principals' and special education administrators' level of knowledge of legislative procedural requirements. The findings further indicated a significant statistical relationship between principals' attitude with percentage of compliance. The analysis of data yielded a significant statistical relationship between total student enrollment of school system with percentage of compliance. School units with less than 5,000 or more than 15,000 students were in less compliance than school systems with an enrollment between 5,000 and 15,000 students.

ACKNOWLEDGMENTS

The writer wishes to express sincere appreciation to Dr. Roland Nelson, Adviser, for his encouragement and guidance throughout this study.

Gratitude is also extended to other members of the committee who from time to time offered valuable support and suggestions that proved beneficial during the course of this study: Dr. Joseph Bryson, Dr. Gary Hoover, Dr. Donald Russell, and Dr. James Watson.

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CHAPTER I
INTRODUCTION

During the 1970s federal and state legislation provided for the educational rights of exceptional children. Federal legislation (Public Law 94-142), The Education for All Handicapped Children Act, affirmed the right of handicapped children to a free appropriate public education (FAPE). The Education Amendments of 1974 (Public Law 93-380) funded grants to state and local education agencies to be used for educating gifted and talented students. North Carolina legislation, Educational Opportunities for All Children Requiring Special Education (Chapter 927), reaffirmed this right set forth in federal legislation for handicapped, and for gifted and talented children. Both federal and state legislation require that the impact of program activities authorized in these laws be adequately and periodically monitored and evaluated. Section 121a.601 of Public Law 94-142 states:

Each state educational agency shall:

- (a) Undertake monitoring and evaluation activities to insure compliance of all public agencies within the State and with the requirements of Subparts C (Services), D (Private Schools), and E (Procedural Safeguards).
- (b) Develop procedures (including specific timelines) for monitoring and evaluating public agencies involved in that education of handicapped children. These procedures must include:
 - (1) Collection of data and reports;
 - (2) Conduct of on-site visits;
 - (3) Audit of Federal fund utilization; and
 - (4) Comparison of a sampling of individualized education programs actually provided.

Although the Act has designated the responsibility for monitoring of Public Law 94-142 to the state agency, it implies that the local educational

agencies should be involved in gathering and reporting data to the state educational agency (Section 614 (a) (3)). Chapter 927, Section 115-364 (K) states: "The department (State Department of Public Instruction) shall monitor the effectiveness of individualized education programs in meeting the educational needs of children with special needs." It is further indicated that the local educational agency is to keep complete written records of all diagnostic and evaluation procedures attempted, the results, conclusions reached, and the proposal made from the findings. It is further required that parents be given, in writing, a description of the types of evaluation instruments to be administered and a written summary of the findings (115-372 (c) (d)).

As a result of the magnitude of the monitoring process that has been designed by the state agency and mandated by state and federal legislation, public school administrators have been subjected to many forces for change in their leadership role. These forces have had direct impact upon principals and special education administrators. As viewed by Burrello and Sage (1979, p.57),

The driving forces for change, which establish the environment and tasks of the current day leader in the field of special education, consist of such externally based sources as the general social climate, actions of the courts, and legislation at both the state and federal levels. In addition, forces internal to the education establishment, generating from professional doubts, functions, and innovative ideas, suggests new policies, new models, and new approaches to serving new populations. The pervasiveness and potency of these forces seem to leave little chance for anything but accelerating change.

In addition to the driving forces for change that have influenced the performance of public school administrators, there are restraining forces with equal power. Burrello and Sage characterized these forces

as "status quo maintenance" (1979, p.58). These restraining forces are referred to as idealogical, bureaucratic and pragmatic factors

generated by the fervent, zealous behavior of the special educators who have been agitating for recognition of the rights of handicapped children. The specialization and technical expertise developed by special educators can easily lead to a self proclaimed commitment that 'we are the only ones who care for the handicapped.' The emotional involvement generated by such a perception has led to a desire to maintain control over the programs to which that zeal has given life (Burrello & Sage, 1979, p.66-67).

These driving and restraining forces that directly influence the administration of special education, by principals and special education administrators, in the public schools are portrayed in Table 1.

It is the opinion of Baumgartner and Lynch (1967) that the principal is the instructional leader in the school. He/she must be knowledgeable of both state and federal rules and regulations governing programs for exceptional children. These have suggested that the principal assist in the referring, identification, and assessment process of exceptional children. The North Carolina Rules Governing Programs and Services for Children with Special Needs has assigned the chairmanship of the school-based committee to the principal or his/her designee (1981, p.13).

According to Simpson and Lamb, the role of the special education administrator is becoming increasingly complex (1979, p.77). The necessity for the development and implementation of procedures to comply with the mandates of Public Law 94-142 is almost a full-time job.

The provisions of Public Law 94-142 and Chapter 927 are intended to change and improve educational opportunities for handicapped and gifted and talented students. These students should receive their education in a setting most conducive to growth in all areas of their lives. The

educational program for each identified and placed student with special needs should be designed to meet his/her unique needs as determined by a multidisciplinary team evaluation. The student should be assessed in all areas related to his/her suspected area of exceptionality. A multidisciplinary team including professionals, the parents, and the student when appropriate should participate in the decision concerning the educational placement and program for the student. The parents are to be given a copy of their due process rights and to have their rights explained to them in their native language. All student information collected and stored during the referral, assessment, and placement procedures should be treated as confidential. The local education agency should have written documentation that all requirements have been adhered to during this process. All of these requirements are mandated in federal and state law.

The state education agency is to conduct on-site monitoring visits in order to determine the areas of compliance as well as those areas in which methods of improvement may be needed in order to comply with specific regulations. Magliocca (1982) reported that it is not the laws which are impeding and impacting upon implementation of appropriate services for exceptional children, it is "detailed regulations" (p.15). The results of a study conducted by the Department of Education (1981) revealed that state education agencies are expending a high proportion of resources, time and effort into expansion of state regulations. The development and implementation of the process to be followed in monitoring local education agencies is only one example of such an expenditure.

Authorities in the field of special education have suggested that monitoring of procedural compliance has interfered with substantive

compliance. Deno and Mirkin (1980) report that procedural compliance meets the letter of the law without meeting the intent of the law. The excessive concern over compliance with procedural requirements of Public Law 94-142 and its regulations results in some loss in concern for substantive compliance (p.92). A significant aspect to note is that procedural compliance ensures continuity of funds to state and local educational agencies.

The procedure for monitoring developed by the state education agency is an attempt to insure accountability to the courts, legislature, congress, parents, and students with special needs that the requirements of federal and state law have been followed as required. In addition, it is the public school system's method for demonstrating the fulfillment of its duty of appropriately referring, evaluating, and placing of handicapped and gifted and talented students in special programs.

Statement of the Problem

This study was designed to investigate the relationship of knowledge, attitude, and demographic characteristics of selected local educational agencies to percentage of compliance with exceptional children's state and federal legislative procedural requirements.

Significance of Study

It is significant to note that this study is unlike previous studies designed to investigate the educational needs and rights of students with special needs. Review of the literature indicated that most studies dealing with this population have concentrated on knowledge of and attitudes toward handicapped individuals, mainstreaming handicapped students, litigation, sex and the handicapped, work adjustment of the handicapped, normalization, and deinstitutionalization.

This study is significant since it was designed to investigate principals' and special education administrators' level of knowledge of exceptional children legislative procedural requirements and their attitude toward these requirements; principals' and special education administrators' classroom teaching and administrative experience, educational degree and special education certification and continuing education units in special education; and selected demographic characteristics of local school systems. It was further designed to determine the relationship of these variables to local education agencies' percentage of compliance with state and federal legislative procedural requirements.

Recent special education literature indicates that there are a number of variables that determine the administrative operation of a school system. According to Marsh and Price (1980), size of system, resources, philosophy of a school district, and intervening laws and regulations are variables influencing the type of organizational arrangement adopted in a school system. An assistant superintendent or another central office staff member may have the designated responsibility for exceptional children programs. However, at the individual school level, this responsibility is assigned to the principal as educational leader in his/her respective school.

Generally, principals have had little or no academic background and training in the area of special education. Melcher (1972) stated that "the climate of the school is determined by the principal and the acceptance of students with special needs stems from his/her attitude toward these students" (p.547).

Traditionally, superintendents and local school boards have employed special education teachers as special education administrators. Many of these professionals had little or no training at the time of their employment which would qualify them as administrators. They were considered to be master teachers in their area of certification and it was presumed that they would be the most appropriate individuals for an administrative position in special education. Recent research indicates that attention must be given to formal training for special education administrators. According to Behrens and Grosenick (1978), administrators must receive specialized training in addition to teachers, if all exceptional children are to receive an appropriate education in regular and special classrooms. Specialized training should include planning programs, assisting with program design, knowledge of exemplary programs for exceptional children, keeping data-based records, assessing training needs, and using evaluation data for improving programs (Gearheart, 1977).

Stile and Pettibone (1980) surveyed all 50 states and the District of Columbia in order "to determine the current status of training/certification of educational administrators in the field of special education" (p.530). Their findings reveal major differences among the states regarding coursework, certification, authorization, and training program requirements for special education administration. The results show that 26 of the 51 respondents offer separate certification as a special education administrator and 20 include special education authorization as part of the general administrator's certificate. Of these 20 states, 12 require special education coursework for general administration certification. Even though 26 of the states reported that they had special education

administrator training programs, seven of these states reported that they had no separate special education administrator credential. Six of the states reported that they offered special education administrative certification, but had no separate training program. One state reported it had no training program at present but claimed to have one in the developmental stage.

The need for specialized training for education administrators is currently being recognized. The direction this training takes is yet to be determined. For some, it would seem appropriate that all administrators become competent in special education administration while others view only those persons classified as special education administrators should be required to seek certification in this area. This philosophical difference will need to be addressed by the state education agencies and institutions of higher learning (Stile & Pettibone, 1980).

A review of the results of on-site monitoring conducted by the state education agency during the past four years revealed that the majority of the local education agencies in North Carolina were out of compliance with one or more of the requirements within the 12 procedural areas monitored. A further investigation of these results indicated that the items cited most often as non-compliant were within the areas of confidentiality, referral, screening and evaluation, placement, individualized education program, and procedural safeguards and due process.

Another significant aspect to note is that the design of this study involved the development of an instrument that would measure both knowledge of and attitude toward legislative procedural requirements, as well as demographic characteristics of the respondents and the local school

systems. This instrument (Appendix A) should prove helpful to other educational personnel investigating compliance with legislative requirements.

This study is also significant because it contributes to past research in the field of special education. In addition, it further expands this research to include evaluation and monitoring of procedural compliance, areas seldom investigated by anyone other than federal and state personnel who have been assigned this responsibility.

Hypotheses

The following hypotheses were formulated for this study:

1. There is no significant difference between principals' level of knowledge of federal and state legislative procedural requirements and special education administrators' level of knowledge of federal and state legislative procedural requirements.

2. There is no significant difference between principals' attitudes toward federal and state legislative procedural requirements and special education administrators' attitudes toward federal and state legislative procedural requirements.

3. There is no significant relationship between principals' level of knowledge of procedural requirements and percentage of procedural compliance with federal and state legislative requirements.

4. There is no significant relationship between special education administrators' level of knowledge of procedural requirements and percentage of procedural compliance with federal and state legislative requirements.

5. There is no significant relationship between principals' attitudes toward procedural requirements and percentage of procedural compliance with federal and state legislative requirements.

6. There is no significant relationship between special education administrators' attitudes toward procedural requirements and percentage of procedural compliance with federal and state legislative requirements.

7. There is no significant relationship between number of years of experience of principals and percentage of procedural compliance with federal and state legislative requirements.

8. There is no significant relationship between number of years of experience of special education administrators and percentage of procedural compliance with federal and state legislative requirements.

9. There is no significant relationship between principals' training and percentage of procedural compliance with federal and state legislative requirements.

10. There is no significant relationship between special education administrators' training and percentage of procedural compliance with federal and state legislative requirements.

11. There is no significant relationship between degree held by principals and percentage of procedural compliance with federal and state legislative requirements.

12. There is no significant relationship between degree held by special education administrators and percentage of procedural compliance with federal and state legislative requirements.

13. There is no significant relationship between enrollment of school system and percentage of procedural compliance with federal and state legislative requirements.

14. There is no significant relationship between type of administrative school unit (city or county) and percentage of procedural compliance with federal and state legislative requirements.

Limitations of the Study

The respondent sample of principals and special education administrators for this study will be from the local school systems in the North Central Educational Region of the North Carolina Department of Public Instruction. The North Central Educational Region is the largest, in population, of the eight educational regions in North Carolina. It includes 21 school systems with a total of 367 individual schools in an 11-county geographical area. These local school systems vary in number of students served from approximately 2,860 to 42,000. There are both small county and city systems in the region. There are also large county and city systems. In addition, one system is a consolidated county and city system which makes it the largest in the region and the third largest in North Carolina.

The monitoring results, citing the areas of non-compliance, will be the official state findings from the Program and Standards Reviews for the school years 1978/79 - 1981/82 and the Headcount Audits for 1981/82 for only the 21 school systems in the North Central Educational Region.

The study and its related findings apply only to the subjects and the local educational agencies participating in this investigation. Since this investigation was limited to a single educational region, the

results of this study cannot be generalized to the remaining seven educational regions within the North Carolina Department of Public Instruction.

Definition of Terms

For the purpose of this study, several of the more important concepts will assume specific meanings.

Children (students) with Special Needs. Children with special needs (used synonymously with exceptional children) include, without limitation, all children who because of permanent or temporary mental, physical, or emotional handicaps need special education; are unable to have all their educational needs met in a regular class without special education or related services; or are unable to be adequately educated in the public schools. It includes those who are autistic, gifted and talented, hearing impaired, mentally handicapped, multihandicapped, orthopedically impaired, other health impaired, pregnant, seriously emotionally handicapped, specific learning disabled, speech and/or language impaired, and visually impaired (North Carolina Rules, 1981).

Evaluation. Procedure used to investigate "quantitative measures of performance" (Robson, 1964, p.17).

Headcount Audit. The procedure approved by the North Carolina State Board of Education to be used annually to monitor the degree of compliance in the four major areas of exceptionality with federal and state legislation in all local educational agencies in the State. These areas are gifted and talented; learning disabilities; mentally handicapped; and speech/language impaired.

Program and Standards Review. Program and Standards Review is a comprehensive plan approved by the North Carolina State Board of Education to be used to monitor the degree of compliance, in all areas of exceptionality, in all local educational agencies in the state on a three-year rotating basis, with federal and state legislative requirements.

Special Education. Those aspects of education which are applied to handicapped and gifted students which are in addition to the organization and instructional procedures used with the majority of students (Kirk, 1972, p.34).

Organization of the Study

This chapter has presented an introduction to the study and the purpose for this investigation. Statements to be investigated have been presented. The subjects for the study were described, the procedures for the investigation were summarized, and the limitations were stated.

Chapter II will present a review of the related literature. The development of special education in the United States will be explored. The influence of litigation and legislation to its development will be described. Organization and administration on special education programs will be examined. The administrative responsibilities of principals and special education administrators will be addressed. Finally, the concepts of accountability, evaluation, and monitoring will be examined within the context of special education.

Chapter III will present the procedures to be used to determine principals' and special education administrators' knowledge of and attitudes toward procedural requirements for referral, assessment, and placement of students with special needs. The procedures used to determine a

local education agency's level of procedural compliance with legislative requirements will be described. These will include the data-gathering instruments, the collection of the data, and an analysis of the data.

Chapter IV will present an analysis and interpretation of the data collected in this study.

The final chapter will address the major findings and offer conclusions and recommendations. Implications for further research in the area will be included.

TABLE 1
 Forces Influencing the Realization of Free,
 Appropriate, Public Education for the Handicapped

Driving Forces to Change	→	←	Restraining Forces to Change
General Social Climate			Ideological Factors
Human rights			Specialized services
Civil rights			Security of segregation
Maximum feasible participation			Professionalism
Activism			Conservatism
Consumerism			Classism
Tolerance for variance (sex, race, religion, etc.)			
The Courts			Bureaucratic Factors
Insurance of minority rights			Organizational maintenance
Equal protection clause			Technical mystique
Right to education			Job protection
Right to treatment			Unionization
Due process			
Nondiscriminatory classification			
Legislation			Pragmatic Factors
State and Federal			Political influence
Zero reject			Power of identity
Mandatory services			Visibility
State wide planning			Categorical finance
Advocacy			
Financial reform			
Manpower preparation			
Individual educational plans			
Procedural safeguards			
Least restrictive alternative			
New service models			

L. C. Burrello, & D. D. Sage, Leadership and change in special education
 (Englewood Cliffs, NJ: Prentice-Hall, Inc., 1979), p.67.

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CHAPTER II

REVIEW OF LITERATURE

This chapter presents background information relevant to this study. An overview of the evolution of special education in the United States and the influence of litigation and legislation to its growth is described. The concepts of knowledge and attitude as they relate to special education are explored. A discussion of the organization and administration of special education, including administrative preparation and responsibilities of principals and special education administrators, is included. Accountability as it relates to the placement of students in special education programs is addressed. Finally, evaluation and monitoring procedures and responsibilities are defined. Topics in the literature were reviewed as they relate to local education agency compliance with state and federal legislative procedural requirements and concretely to this investigation.

The Development of Special Education in the United States

Traditionally, Americans have considered themselves to be a child-loving people. Public education has been a prized possession of the citizenry. Youth have been idolized and yet, societal priorities have not always supported this thinking. America has not always provided all children with enough food, clothing, health care, education, a chance to a decent life, and other services that would enable them to develop and function fully in society. Seldom has the child who is either culturally, mentally, or physically different been looked upon as an individual with

rights and responsibilities; and only rarely has he been thought of as a person who is deserving of help and capable of assuming a productive role in the community (Begab, 1963, p.1).

Historically, education for exceptional children can be described as "a simple story of massive neglect, denial, and rejection" (Reynolds & Birch, 1977, p.14). They further stated:

For every Helen Keller and the other notable few who received intensive special help, tens of thousands of other exceptional children, both gifted and handicapped, were doomed to restricted lives; it was believed that they could not be taught, were not worthy of teaching, or could proceed on their own. In a sense, the development of special education can be recounted as an assault on this discriminatory attitude (Reynolds & Birch, 1977, p.14).

As a result of this discriminatory attitude, special education in the United States was slow in developing until the last decade. As observed by Weintraub and Ballard (1982), special education has a long history which evolved as a result of federal, state, and local policy. Special schools for exceptional children began to serve deaf and blind children in the early 1800s. In 1859 the first residential school for persons with mental retardation was established. By the late 1800s public school day classes for deaf, mentally retarded, and crippled children were in operation. The first public school day classes for blind pupils were begun in 1900. Students with defective speech patterns were first served in public school classes in 1908. By 1911, gifted students were being served in special public school classes in several cities. In 1913 classes were begun for partially seeing students. As a result of Public Law 94-142 and subsequent state legislation, by 1978 students within each category of exceptionality were being served in public school classes in most local school systems in the United States.

The major dates and events in the evolution of special education in the United States, as viewed by Hewett and Forness (1972), Reynolds and Birch (1977), and Weintraub and Ballard (1982) are depicted in Table 2.

TABLE 2

Major Dates and Events in the Evolution of
Special Education in the United States

<u>Date</u>	<u>Event</u>
1817	American Asylum for the Education and Instruction of the Deaf (now American School for the Deaf) was established in Hartford, Connecticut. This was the first educational program for exceptional children and youth in the United States.
1823	First state school for the deaf was established in Kentucky.
1829	New England Asylum for the Blind (now Perkins School for the Blind) was incorporated in Watertown, Massachusetts. This was the first residential program for blind pupils in the United States.
1848	Edward Seguin came from France to discuss his educational procedures with mentally retarded pupils and to encourage the establishment of schools for mentally retarded children and youth in the United States. Dorothea Dix spoke before Congress denouncing the inhumane treatment of persons served in programs for the mentally ill.
1852	Pennsylvania appropriated funds to educate mentally retarded children in a private school.
1859	Massachusetts School for Idiotic and Feeble-Minded, the nation's first residential school for persons with mental retardation, was started in Boston.

Table 2 (continued)

<u>Date</u>	<u>Event</u>
1864	President Abraham Lincoln signed into law a bill creating Gallaudet College, an institution of higher education for the deaf.
1869	Day classes for deaf pupils were begun in Boston, Massachusetts. These were the first day classes for any exceptional children in the United States.
1878	August Schenek of Detroit presented a proposal for day classes for mentally retarded pupils in a speech before the American Teachers Association.
1891	Gallaudet College initiated teacher training in the area of deaf education.
1896	First public school day classes for mentally retarded pupils were established in Providence, Rhode Island.
1899	First public school day classes for crippled children and youth were initiated in Chicago, Illinois.
1900	First public school day classes for blind pupils were established in Chicago, Illinois.
	Two states, Wisconsin and Michigan, authorized subsidies to expand classes for deaf pupils in local public schools. This was the first financial support of this nature for excess educational costs for any exceptional children and youth.
1904	Vineland Training School included summer training sessions for teachers of the mentally retarded.
1908	Speech correction was begun in the New York public school system.
1909	National Education Association cited the Goddard translation and revision of the Binet-Simon Scale of Intelligence as an appropriate test to be administered to exceptional children, specifically with mentally retarded children.
1911	New Jersey adopted the first special education mandates in state law.

Table 2 (continued)

<u>Date</u>	<u>Event</u>
	In a countrywide survey conducted by the United States Bureau of Education, it was found that 6% of the cities reported special education classes for gifted pupils.
1913	First public school classes for partially seeing pupils were begun in Roxbury, Massachusetts.
1915	<u>Laggards in Our School</u> by Leonard P. Ayers was published and became one of the first special education texts to be used in the schools.
	Minnesota established special education certification requirements.
1919	Pennsylvania provided for the development of agreements between school districts for the delivery of special education services.
1922	The Council for Exceptional Children was founded.
1923	Oregon passed legislation to provide classes for educating exceptional children which included both handicapped and gifted.
1930	President Herbert Hoover initiated a national conference on child health and protection and assigned a committee to study the needs of exceptional children.
1931	A division on exceptional children was added within the United States Office of Education and a professional educator was appointed as Senior Specialist to head this division.
1941	A yearbook was devoted to the education of exceptional children by the National Society for the Study of Education.
1950	The National Association for Retarded Citizens was founded and advocated for special education and other necessary services for the mentally retarded.
	Thirty-four states reported having laws subsidizing the cost for public school classes for recognized exceptionalities.

Table 2 (continued)

<u>Date</u>	<u>Event</u>
1957	The United States Office of Education launched the Cooperative Educational Research Program with problems of the mentally retarded as a major priority.
1958	Congress passed Public Law 85-926, a bill providing for grants to colleges and universities to train personnel to teach deaf children. This law expanded to all exceptionalities and laid the foundation for Public Law 94-142.
	National Defense Education Act was passed by Congress representing the first major federal investment in public education. This act focused on the improvement of instruction in the sciences, mathematics, and languages. One of the primary goals of the National Defense Act was to promote the advancement of education for gifted and talented students.
1961	Congress appropriated additional funds to support preparation of teachers to serve deaf children and youth.
1962	President's Committee on Mental Retardation was established by President John F. Kennedy.
1963	Funds were legislated by Congress to support training of educators in all recognized areas of handicapped children and youth; and to subsidize research in the area of education of the handicapped.
1965	Congress passed the Elementary and Secondary School Act which provided federal support for the improvement of the instructional program for disadvantaged children, including the handicapped in the public schools and those in state-supported schools and institutions.
1966	The Education of the Handicapped Act (Public Law 87-790) was enacted and mandated the establishment of the Bureau of Education in the United States Office of Education. This Act also provided for grants to states, state plans, research and personnel preparation.

Table 2 (continued)

<u>Date</u>	<u>Event</u>
1971	United States Commissioner of Education initiated a special study of the educational needs of gifted and talented pupils.
1972	Judicial decisions from legal actions on behalf of handicapped children in Pennsylvania and in the District of Columbia resulted in a national movement for free public supported education for all handicapped children to the fullest extent possible and with a guarantee of due process.
1973	Rehabilitation Act amendments were enacted which guaranteed the rights of the handicapped in educational institutions receiving federal funds and in employment.
1974	Education Amendments (Public Law 93-380) approved by Congress increased basic state grants, guaranteed the educational rights of exceptional children and their parents and provided grant support to the states to be used toward meeting the special educational needs of gifted and talented students.
1975	Education for All Handicapped Children Act (Public Law 94-142) was enacted by Congress and signed by President Ford committing the federal government to significant financial support for education of handicapped children and strengthening the requirements of Public Law 93-380.
1976	All 50 states have enacted laws subsidizing public school programs for exceptional children. The American Federation of Teachers and the National Teachers Association adopted resolutions supporting the teaching of special students in the regular classroom with support personnel. Four states have laws mandating that all regular classroom teachers have preparation in exceptional children's education.
1978	The effective date for the implementation of Public Law 94-142.

Table 2 (continued)

<u>Date</u>	<u>Event</u>
1980	The goal set by the United States Commissioner of Education for full educational opportunities for all exceptional children.

Litigation on Behalf of Exceptional Children

During the last two decades litigation campaigns began in the United States regarding the educational rights of exceptional children. Prior to the 1960s five states provided unrestricted educational programs for students with special needs. The growth of these programs was only marginal until the middle 1970s. According to the Comptroller General of the United States (1974) only 16 states had provisions for the needs of special children during the 1971/72 school year and mandatory education for exceptional children was nonexistent in the majority of states. Many handicapped children were excluded from school and those who were enrolled were often inappropriately evaluated, labelled, and placed in isolated self-contained classrooms or specialized day schools.

As a result of this exclusion and inappropriate placement, parents and advocates for the handicapped began to organize and demand for their children the rights guaranteed to them in the equal protection clause of the Fourteenth Amendment of the United States Constitution. These demands were "debated and decided in the courts at all levels; state trial courts, appeals courts, federal courts, and the United States Supreme Court" (Burrello & Sage, 1979, p.36). The significant involvement of the courts during the last two decades is a reflection of the social climate.

Educators and school boards responded to the pressures of special interest groups, the legislature, the courts, and to their perceptions of societal values. As reported by Marsh and Price (1980), "the mission of the school is determined by society" (p.1).

As viewed by Gilhool (1973), resorting to the courts on behalf of exceptional children is not an act of hostility. The art of accommodation characterizes divisions in the legislation and in the executive; the courts are characterized by the art of necessity. Litigation may be used by citizens in order to secure certain substantive rights, to enforce their rights or to create new ones, to bring to the attention of the public certain facts that have not been visible before, and as a means to petition the government for redress of grievances to bring about change. For those who had been discriminated against in the public schools, litigation was used in each of these forms to seek justice.

The breakthroughs in litigation which began in the 1970s concerning education for students with special needs were in sharp contrast to earlier court rulings. In the case of Watson v. City of Cambridge (1893), a state court supported the school committee's action in expelling students who persisted in disorderly conduct by reason of imbecility or voluntarily. A similar ruling was rendered by the Wisconsin Superior Court in the case of Beattie v. Board of Education (1919). The decision of the court implied that a physically handicapped student was of no threat and was academically capable, but his presence in school produced a "depressing and nauseating effect on teachers and school children" and took up an undue portion of the teachers' time. As reported by Burrello and Sage (1979), the court decision further stated that "the rights of a

child of school age to attend the public schools of the state cannot be insisted upon when its presence therein is harmful to the interest of the school" (p.37).

The first court ruling that had major implications for exceptional children was the Supreme Court decision rendered in the case of Oliver Brown, et al. v. Board of Education of Topeka, Kansas (1954). The Supreme Court ruling ordered an end to public school segregation based on the equal protection clause in the Fourteenth Amendment of the Constitution of the United States. As reported by Riley, Nash, and Hunt (1978), the Brown decision affirmed education to be a legal right to all children:

...Today, education is perhaps the most important function of state and local governments...it is the principle instrument in awakening the child to cultural values, in preparing him for later professional training, and in helping him to adjust normally to his environment. In these days, it is doubtful that any child may reasonably be expected to succeed in life if he is denied the opportunity of an education. Such an opportunity, where the state has undertaken to provide it, is a right which must be made available to all on equal terms (p.7).

Even though the decision in Brown v. Board of Education was rendered in 1954 and had major impact upon litigation on behalf of exceptional children, it was not until the late 1960s that this impact began to materialize. Four distinct categories of cases concerned with the rights of students with special needs are reported in the literature. Gilhool (1973) categorized the cases into the right to education (including the right to education for institutionalized mentally retarded persons), and standards for practices used in classifying children. Smith and Barresi (1982) viewed the cases in terms of the right to education (including

procedural safeguards), nondiscriminatory evaluation procedures, extended school year, and educational surrogate parents.

In the majority of right to education litigation, the courts have ruled in favor of students with special needs. These rulings have affirmed educational rights of exceptional children who had been denied public schooling and those inappropriately placed; school-age children institutionalized in mental retardation centers, mental health hospitals, and youth correctional facilities; students suspended or expelled; and those who had been denied their due process right of law as proclaimed in the Fifth and Fourteenth Amendments to the Constitution of the United States.

In rendering decisions concerning public school rights of exceptional children, the courts used the language of the Brown decision affirming "no children may reasonably be expected to succeed in life if denied the right and opportunity of an education." The state court decision in the case of Wolfe v. Utah (1969) stated,

segregation of the plaintiff children from the public school system has a detrimental effect upon the children as well as the parents and is usually interpreted as denoting their inferiority, unusualness, uselessness, and incompetency.

As viewed by Burrello and Sage (1979), "the Wolfe decision was the first of many cases that forced much special education reform" (p.38).

As litigation efforts increased, the direction taken was for more special education classes and services for exceptional children in regular public schools, and for established procedures for due process of law (equal protection and right to appeal) as affirmed in the Fifth and Fourteenth Constitutional Amendments. The consent agreement signed in

October, 1971 and mandated by court order in May, 1972 in the case of Pennsylvania Association for Retarded Children (now Citizens) v. the Commonwealth of Pennsylvania (PARC) was a landmark case in this new direction. This case involved 13 retarded children who were suing on behalf of every child excluded from the public schools in Pennsylvania. The United States Court of Appeal mandated that the Commonwealth of Pennsylvania find and educate all retarded children who were currently not in school. The order further stated that the state could not apply any law which would postpone or terminate retarded children's access to a publicly supported education. In addition, the order provided for procedural safeguards and the right of parents to appeal placement decisions made concerning their children. Furthermore, parents were to be notified before a child's educational placement was changed and the appropriateness of the placement was to be explained. The order also mandated that the plaintiffs' children were to be reevaluated immediately and placed in programs appropriate to their individual needs and capacity, and that placement in regular classes was preferable to placement in special classes, and placement in special classes was preferable to placement in a more restrictive environment such as a specialized school or institution (Commonwealth of Pennsylvania Department of Welfare News, 1974).

The mandates of the Pennsylvania Association for Retarded Children (PARC) were quite comprehensive and set a precedent for future litigation. For example, the cases addressing the right to education include Mills v. Board of Education of the District of Columbia (1972), Wyatt v. Stickney (1972), North Carolina Association for Retarded Citizens, et al. v. The

State of North Carolina, et al. (filed 1972, consent agreement signed 1979), Mattie T. v. Holladay (1979), Maryland Association for Retarded Children, et al. v. State of Maryland (1975). The rulings in each of these cases reaffirmed the right to education for all students who had previously been excluded from public schools because of alleged mental, behavioral, physical or emotional handicaps or deficiencies.

Significant in the Mills case (1972) was Judge Woody's ruling that economic excuses could not be used for failure to provide special education programs:

If insufficient funds are not available to finance all of the services and programs that are needed in the system then the available funds must be expended equitably in such a manner that no child is entirely excluded from a publicly supported education consistent with his needs and ability to benefit therefrom (Mills, 1972).

The Wyatt case addressed the right to treatment which included habilitation, care, education in the least restrictive environment, and due regard to privacy and other basic attributes of human living. According to Burrello and Sage (1979), the court ruling, in favor of the plaintiff, went beyond that of public school administration and set detailed standards for state schools and hospitals in Alabama, and "stands as a stark example of judicial intervention into executive branches of government" (p.38).

The decision in North Carolina Association for Retarded Citizens suit was rendered seven years after the class action was filed. The three-district judge panel affirmed the right to appropriate services for students protected by North Carolina public school statutory law. In addition, the state was required to submit a written plan each year

describing compensatory educational services to be provided for those mentally retarded persons beyond 17 years of age who had previously been excluded from public school or who had been denied an appropriate education during their enrollment in school. The plan was to include activities for locating and identifying this population, training facilities and personnel needs, approximate cost for educating this population, and planned public awareness activities. Compensatory services were to be provided for adult mentally retarded individuals at state expense in well organized training facilities such as community colleges, technical institutes, sheltered workshops, and Adult Day Activities Programs (ADAP).

The Mattie T. v. Holladay ruling addressed compensatory education for misclassified and inappropriately placed nonhandicapped students in addition to excluded handicapped students. The court ruling stated that the state had failed to meet its obligation and ordered that procedural safeguards be established to challenge educational placement decisions, that a plan be enacted to locate all handicapped students, that nondiscriminatory evaluation procedures be utilized, and that programs be established for nonhandicapped students beyond 21 years of age who had been misclassified and inappropriately placed during their school years.

According to Newsline (1974), the significance of the ruling in the Maryland Association for Retarded Children, et al. v. State of Maryland case was the court mandate for the local school boards to provide transportation for retarded students, at no cost to the parents, to and from educational programs daily.

The majority of litigation on behalf of special students has been in the interest of the handicapped. In recent years, some attention has been given to the right to an appropriate education of gifted students. In the case of Central York School District v. Commonwealth of Pennsylvania (1977), the local school recognized the student was gifted but contended its obligation to provide gifted programs was contingent upon the state's reimbursement to the district for the costs involved. The Court of Appeal upheld the Secretary's order and stated that reimbursement is not

a condition precedent to the duty of school districts to provide special education for exceptional students required by state code. To the contrary, we believe that the School District's duty set forth in state code to establish an educational program for the gifted is mandatory and a condition to its right to receive reimbursement from the commonwealth (p.167).

In the case of Thomas Irwin v. School District of McHenry Community Consolidated School District (1980), the court ruled that there was no cause for action after the school system reinstated a Spanish program. The father had filed suit on behalf of his gifted son after the district retracted Spanish instruction from the boy. The plaintiff had asked for a curriculum designed to meet the special needs of Irwin and one million dollars for "irreparable and continuing harm." The plaintiff did not appeal the court action.

During the upsurge of litigation, suits were filed on behalf of physically handicapped students and culturally and/or diverse handicapped students. In the case of United Cerebral Palsy v. Board of Education (1979), the court reaffirmed the right to a free appropriate education

for children having disabilities resulting from brain injury or other impairments to the central nervous system.

Following United Cerebral Palsy, a class action concerned with Hispanic and Puerto Rican special students in the case of Dyrica S., et al. v. Board of Education of the City of New York (1980) was filed. The plaintiffs asserted that culturally and/or diverse handicapped students had been denied an access to an appropriate education. The court ruling required that bilingual, bicultural special education be provided for this population and that timely evaluation be conducted and the students be promptly and properly placed in special programs.

The most pronounced of the class actions in New York was the case of Jose' P. v. Ambach (1970). This was a suit on behalf of all handicapped children between the ages of 5 and 21 who had been deprived of an appropriate free public education as a result of the Board's failure to provide timely evaluation and placement of special students in adequate programs. As viewed by Smith and Barresi (1982), Judge Nickerson's order had impact upon every aspect of special education in New York. The order required:

1. An annual census, an outreach office with adequate bilingual resources.
2. Establishments of school-based support teams in all schools to evaluate students in their own school environments and to seek school-based remedies where appropriate; and to provide for nondiscriminatory evaluations.
3. Provisions of a continuum of appropriate bilingual programs at each level of the continuum for children with limited English proficiency.
4. Commitment to issue of parents' rights booklet, with a Spanish version, explaining all due process and confidentiality protections available to parents and students (Smith & Barresi, 1982, p.22).

A consolidated judgment was issued in 1980 in the United Cerebral Palsy and Dyrica S. cases incorporating the provisions of the Jose' P. order. The decisions in these cases judicially established the provisions for bilingual special education.

Until the late 1970s little attention had been given to the educational needs of special students incarcerated in youth correctional facilities. As a result of this neglect, the first of several class action suits, on behalf of this population, was filed in Tennessee in the case of Doe v. Bradley (1979). The plaintiffs asserted that mentally retarded children and youth placed in youth correctional facilities had a constitutional right to treatment, including a right to an appropriate education as defined in Public Law 94-142 and state statute. The court decision affirmed these rights.

Similar to Doe was a class action suit in North Carolina in the case of Willie M., et al. v. James B. Hunt, et al. (1979). This case addressed the educational needs of children in state youth correctional facilities under the age of 18 who suffer from serious emotional, mental, or neurological handicaps which are accompanied by violent or assaultive behaviors. Within the court order, Judge McMillan ordered the parties to develop a plan for the development and implementation of services for this population, as well as plans for locating and identifying all children and youth who are members of this class. An appointed panel of experts would monitor the implementation of the plan and report to the court periodically.

During the growth of litigation in the late 1970s and early 1980s, suits continued to be filed on behalf of specific exceptional populations.

In the case of Lora v. The Board of Education of the City of New York (1978), the plaintiffs accused the defendants of assigning a disproportionate number of black and Hispanic students to special day schools for emotionally disturbed children. They further contended that the Board had failed to provide adequate facilities for this population in the public school which resulted in socially and ethnically segregated schools. The court affirmed the rights of these students based on the equal protection clause of the Fourteenth Amendment and the Civil Rights Act of 1964. The decision further addressed the inadequacy of treatment of these students in the referral, evaluation, and due process procedures.

As advocates for special needs children were dealing with the task of obtaining access to public education for these children, other litigation appeared. These suits were brought on behalf of socially and culturally diverse minority students who had been placed in classes for the handicapped based on the results of inappropriate evaluations. According to Gearheart and Weishahn (1980), the plaintiffs contended "that intelligence tests used for placement were culturally biased and that class placement based upon these inappropriate tests led to an inadequate education" (p.14).

A landmark case dealing with assessment was the case of Diane v. State Board of Education (1970) filed on behalf of Chicano students placed in classes for the educable mentally handicapped. At the time this suit was filed, classes for the educable mentally retarded in California contained a disproportionate number of Chicano pupils in relationship to the general school population. The plaintiffs argued that these students were placed based upon results of tests designed for

the average white child and were inappropriate for use with children whose language background and culture were different from the white population. In an agreement signed out of court, California agreed to test children in their primary language and in English, to develop tests that would be appropriate for Mexican-American culture, to retest all Mexican-American and Chicano children enrolled in special education classes and develop interim programs for these children, and to submit, by district, justification for any significant discrepancy between the percentage of Mexican-American pupils in regular classes and special classes for educable mentally retarded students.

A similar class action was the case of Larry P. v. Riles (1972), filed on behalf of black children in the San Francisco Unified School District who had been placed in classes for the educable mentally retarded. The suit alleged that these students were not mentally retarded but were the victims of testing procedures that failed to account for their cultural background. Further allegations referred to the stigma placed upon these children and to a life sentence of illiteracy as a result of improper labelling.

The court ruling, which was not rendered until 1979, ordered a moratorium on the use of individual intelligence tests for placement of black students in classes for the educable mentally retarded and further ordered a ceiling on placement of black children in these classes based upon the percentage of white children in the total school population. In addition, the court ruled that only evaluation instruments that take into account cultural background and experience of black children may be used in the assessment process. The plaintiff children were to be

returned to regular education classes and were to be given supplemental help. All information identifying these students as mentally retarded was to be removed from the records. Under the court ruling, school districts were ordered to recruit black and other minority group personnel as consultants and psychologists in order that the cultural background of children would be given consideration in assessment and placement committee decisions. Yearly reevaluations were ordered and were to be administered by means that would not deprive the students of equal protection under the law.

In another case, Ruiz v. State Board of Education (1972), the use of group tests for classifying gifted students was challenged. The plaintiff charged that group tests used for determining eligibility for gifted programs in California appeared to be biased against children other than white children. The court ruled in favor of the plaintiff and abolished state mandatory group intelligence testing for the purpose of identifying gifted students. However, local school districts were allowed to use group intelligence tests as an option when determining eligibility for gifted programs.

During the late 1970s and early 1980s, litigation focused on the rights of handicapped students who had been expelled or suspended from schools. One of the first such cases was Goss v. Lopez (1975). The court ruling was based on the equal protection clause of the Fourteenth Amendment to the United States Constitution. The court decree affirmed the right of students to a hearing with a school administrator before any suspension was to take place. Students were to be given written notice of charges against them and an opportunity to repudiate those

charges. If the school wished to suspend a student for more than ten days, a formal hearing, with the right to be represented by counsel, was mandated.

In the cases of Kenneth J., et al. v. Caryl Kline (1977), Stuart v. Nappi (1978), and Doe v. Koger (1979), the courts ruled that expulsion of a handicapped student from school was a change in placement within the definition of Public Law 94-142 and necessitated adherence to procedural safeguards. These rulings were significant for handicapped students whose behaviors might be related to their handicaps. Therefore, the courts ordered that decisions concerning the link between behavior and handicap must be made by persons who were familiar with the students and who were qualified to make such decisions.

A similar case, Lopaz v. Salida (1978), involved a student who had been expelled from school for fighting. The school administration believed the student was dangerous and presented a threat to other students and to the faculty. The court ordered the Colorado school district to provide compensatory education for this handicapped student beyond the age of 21 in order to compensate for the improper exclusion. The district was to develop an appropriate program, designed specifically for the student at a cost of approximately \$5,000 a year for a two-year period. Services were to be provided at a community college and were to include individualized instruction and counseling with a state goal of the student passing the Graduate Equivalency Diploma Test (GEDT).

A significant case concerning expulsion was Southeast Warren Community School District v. Department of Public Instruction (1979). The Iowa Supreme Court decree stated that handicapped students could be

expelled from school if the district had followed special procedures which assured that the students' needs and alternative placements had been considered and properly evaluated before the expulsion decision was made.

A classic example of litigation on behalf of special students was filed in Florida. During 1977 and 1978, Hendry County School Board expelled seven educable mentally retarded pupils. In this case, S-1 v. Turlington (1981), the court clearly affirmed that expulsion of handicapped students from the public school was in violation of the procedural safeguards stated in Public Law 94-142 and in Section 504 of the Vocational Rehabilitation Act. The court mandated that it must be determined whether the misconduct was related to the handicap and if so, disciplinary expulsion would result in a change in placement. Therefore, change in placement procedures required in Public Law 94-142 had to be followed. The lower court decision was appealed. However, the Court of Appeals upheld the earlier decision and reprimanded the State of Florida for failing in its duty to oversee the implementation of Public Law 94-142. The decision further stated that the state had abdicated its responsibility for the education of students with special needs, a responsibility it had been empowered to provide for these students. On appeal, the Supreme Court refused to review the case allowing the decision of the lower court to stand.

According to Smith and Barresi (1982), the court decisions clearly indicate that certain procedures must be followed when disciplinary circumstances involve handicapped students. In order to insure procedural

safeguards, they view the following provisions as a necessity:

1. A written notice to the parents which meets the requirements of the Education for the Handicapped Act (Public Law 94-142).
2. An individualized education program reviewed and revised where appropriate by a school-parent team.
3. The right of parents or school to initiate a due process hearing if there is disagreement about the proposed expulsion.
4. Continued placement in the students' current educational program pending the outcome of such a hearing, unless both the school and the parents agree otherwise (p.70).

Other issues taken to the courts by advocates for special students included extended school year and the appointment of education surrogate parents for students without parents or guardians to protect their rights when decisions were being made concerning special education placement of these students.

A landmark case dealing with extended school year is the case of *Battle, Bernard, and Armstrong v. Kline, et al.* (1980). The plaintiffs asserted that the Pennsylvania law restricting all education programs to the regular school term of 180 school days violated federal law. The Third Circuit Court of Appeals ruled in favor of the plaintiffs even though the three-judge panel rendered three separate opinions. These opinions addressed the need to develop standards for determining the size of the class of students needing schooling beyond the 180-day school year. According to Smith and Barresi (1982), the court suggested

standards for eligibility decisions which included factors such as individual needs, nature of handicapping condition, severity of handicapping condition, areas of learning affected, capacity of parent or guardian to monitor programming and prevent regression, and extent of regression or recoupment (p.79).

The Supreme Court refused to review the case, permitting the lower court's decision to stand.

In the case of Georgia Association for Retarded Citizens v. Dr. Charles McDaniel (1979), the court ruled that restricting a handicapped student's schooling to a set time period without consideration to individual needs was in violation of Public Law 94-142 and Section 504. As a result of litigation concerned with extended school year, many state and local education agencies are reviewing and revising their school year time policies.

The issue of educational surrogate parents is relatively new to litigation. A class action has been filed in the case of Tina A. v. Shedd (1980). The plaintiff requests the state education agency to adhere to the requirement in federal law that educational surrogate parents be assigned to protect the rights of those students in Connecticut between the ages of 3-21 who are wards of the state and whose parents or guardians are unavailable or unknown, and who need special education service.

The response to the lawsuits and the issues being litigated has been the passage of both federal and state legislation mandating free appropriate public education, due process rights, use of nondiscriminatory tests, placement in the least restrictive environment, confidentiality guarantees, and parent involvement in educational decisions.

Special Education Legislation

Federal and state legislation supporting special education in the United States dates back to the 1800s. According to Weintraub and

Ballard (1982),

Public policy promoting the education of exceptional children may be observed through a long and distinguished history of federal, state, and local activity. Over 150 years ago, in 1823, the state of Kentucky established the first state school for the deaf. Similar state schools for the deaf and blind were subsequently established in many other states. Although debate still rages today, as early as 1852 the state of Pennsylvania appropriated funds to educate mentally retarded children in a private school. In 1864, President Lincoln brought the federal government into special education when he signed a bill creating Gallaudet College, an institution of higher education for the deaf (p.1).

During the late 1800s and up until the 1950s, there were a number of legislative proposals promoting education for exceptional children but few were passed. As viewed by Hewett and Forness (1972), Reynolds and Birch (1977), and Weintraub and Ballard (1982), significant public policy support for special education during the first half of the twentieth century included state subsidies to expand classes for the deaf in Michigan and Wisconsin, New Jersey's adoption of the first special education mandates in state law, Minnesota's establishment of special education certification requirements, and Oregon's legislation providing for the education of both handicapped and gifted. In 1950, 34 states reported having laws subsidizing the costs for educating recognized exceptionalities. By 1976, all 50 states had enacted laws subsidizing public school programs for students with special needs.

According to Riley, Nash, and Hunt (1978), "a federal milestone in legislation and funding of schools was the National Defense Education Act of 1958" (p.3). This act provided funds for grants and loans to institutions of higher learning, funds to be used to improve guidance and counseling programs, and funds for the improvement of instruction in the

sciences, mathematics, and languages. As viewed by LaVor (1976), the National Defense Education Act did not specify but implied "that some extra services should be provided for exceptional and gifted students" (p.100). Weintraub and Ballard (1982) stated that this law was significant for three reasons:

it represented the first major investment in elementary and secondary education; it was categorical in that it focused on specific needs and populations; and it had as one of its primary missions the advancement of education of gifted and talented children (p.2).

An additional law, Public Law 85-926, was passed by Congress and signed by President Eisenhower in 1958. This law provided grants to institutions of higher learning to train personnel to teach deaf students. It further authorized funds to be used for producing captioned films for the deaf. According to LaVor (1976) and Weintraub and Ballard (1982), this law expanded to other exceptionalities through additional legislation in 1963 which appropriated funds for training special teachers in other handicapping categories. In addition, it lay the foundation for what later became The Education of the Handicapped Act.

Even though Congress legislated funds to support training of educators in all recognized areas of handicapped children and youth, including vocational education programs, it was not until "1965 that federal aid to education became firmly established when the Elementary and Secondary Education Act (ESEA) became law" (LaVor, 1976, p.100). Title I of this act (Public Law 89-10) provided funds to local school systems to be used for programs to serve educationally deprived children.

In 1965, Title I was amended with Public Law 89-313 to include handicapped children, specifically those in state supported or operated

institutions and schools, and who were ineligible for benefits under Title I originally.

The 1966 amendments (Public Law 89-750) to the Elementary and Secondary School Act provided assistance for the education of handicapped children. Specifically,

Title VI of the act provided funds to the states to expand, either directly or through local educational agencies, programs and projects to meet the special educational and related needs of handicapped children (LaVor, 1976, p.100).

The National Advisory Committee on Handicapped Children to advise the Commission of Education was also established in Title VI. In addition, the Bureau of Education for the Handicapped in the Office of Education was included to administer and monitor all programs for the handicapped.

Significant amendments to the Elementary and Secondary School Act were enacted in 1967. These amendments (Public Law 90-247) earmarked funds for the development of regional resource centers, expansion of media programs to include all handicapped children, increased Public Law 89-313 funding for children in state operated institutions, and increased funding of Title VI grants.

According to Riley, Nash, and Hunt (1978), preschool handicapped children, gifted students, and handicapped students in vocational education programs benefited from 1968 and 1970 legislation. The Handicapped Children's Early Education Assistance Act of 1968 (Public Law 90-538) established preschool and early education programs for the handicapped that would serve as model programs for state and local education agencies. The Vocational Education Act amendments (Public Law 90-576) of 1968 established the policy that 10% of each state's allotment of funds must be used for vocational education programs for handicapped students. In

the Gifted and Talented Education Assistance Act (Public Law 91-230) of 1970 state departments of education were authorized to provide technical assistance for programs serving the gifted and talented and to provide fellowships for teachers of these children even though no funds were specifically earmarked for this purpose. Public Law 91-230 also provided for funding of educational and research services for those children with specific learning disabilities.

As reported by Zettel and Ballard (1982), the federal education amendments of 1972 (Public Law 92-318) established an important precedent in education. Title IX of these amendments guaranteed the civil rights of women in the educational system through routine statutory legislation. As a result of this precedent in federal legislation, the first proposed legislative version of what would eventually become Public Law 94-142 was introduced that same year.

In 1973 the first federal civil rights law to protect the rights of handicapped persons was passed by Congress. The Vocational Rehabilitation Act Amendments (Public Law 93-112) of 1973 states

no otherwise qualified handicapped individual...shall, solely by reason of his/her handicap, be excluded from the participation in, be denied the benefits of, or be subject to discrimination under any program or activity receiving federal financial assistance (Section 504).

Public Law 93-112 not only addressed nondiscrimination in educational institutions, it also ensured the initiation and expansion of services to handicapped individuals who had been unserved in the past, the promotion and expansion of employment opportunities for handicapped individuals both in public and private sectors, and the removal of architectural and transportation barriers for the handicapped.

Even though Public Law 93-112 was passed by both houses of Congress and signed by President Nixon a month later, it was not until April 29, 1977 that the regulations were issued. According to the National Association of State Directors of Special Education, Joseph Califano, Secretary of Health, Education, and Welfare (1977), issued the following statement:

The 504 regulation (of Public Law 93-112) attacks the discrimination, the demeaning practices and the injustice that have afflicted the nation's handicapped citizens. It reflects the recognition of the Congress that most handicapped persons can lead proud and productive lives, despite their disabilities. It will usher in a new era of equality for the handicapped individuals in which unfair barriers to self-sufficiency and decent treatment will begin to fall before the force of the law (p.vi).

Closely following Public Law 93-112 were the Education Amendments of 1974 (Public Law 93-380). These amendments authorized a tremendous increase in the Title VI funding level to the states for education of the handicapped. According to Riley, Nash, and Hunt (1978), the 1974 amendments:

legislated the right to education for handicapped children, incorporating recognition of guarantees being awarded in another arena, the courts; charged each state with establishing a goal for providing full educational opportunities for all handicapped children; required states to develop comprehensive plans with objectives for carrying out the goal; established procedures for statewide child find programs to identify, locate, and evaluate all children in need of special education services; established due process safeguards for handicapped children and their parents in matters relating to identification, referral, and placement; established procedures for assurances of confidentiality (p.6).

Title IV of Public Law 93-380 provided

for grants to state and local educational agencies for the development, operation, and improvement of programs and projects designed to meet the special educational needs of gifted and talented children at the preschool, elementary, and secondary level (Ballard, 1976, p.141).

According to Abeson (1976), Title V (The Family Educational Rights and Privacy Act) of Public Law 93-380 was Congress' response to reported problems with record keeping and confidentiality of student records. Prior to Title V, school system personnel had collected and shared information about students and their families without informed consent. In addition, parents were being denied the opportunity to inspect and review information collected concerning their children. Schools were without appropriate policies and procedures for addressing confidentiality and parent and student rights.

With the passage of Public Law 93-380, parents of public school students under the age of 18 gained the right to inspect, make corrections, add information, request removal of information, and control access to student records. The school system had to make available to parents, within 45 days of their request, all information directly relating to the student. Students over 18 years of age could request to review their own records. Teachers' personal notes and specified psychiatric information were exempt from the Title V requirements.

In 1975 the Elementary and Secondary School Act was amended with the enactment of Public Law 94-142 (The Education for All Handicapped Children Act). The right of every handicapped child to have a free appropriate education became reality with the passage of Public Law 94-142. The National Association of State Directors of Special Education viewed the Education for All Handicapped Children Act as an extension to existing special education legislation. Zettel and Ballard (1982) reported:

most of the policies, procedures, and services that are set forth by this act represent standards that have been laid down since 1971 by courts, legislatures, and other policy bodies throughout the country (p.11).

During the four years of development of Public Law 94-142, committee reports revealed that there were over 8 million handicapped children in the United States and that the special educational needs of these children were not being appropriately met. It was further reported that one million of these handicapped children were excluded entirely from the public school system. In addition, many handicapped children were participating in regular education programs because their handicaps were undetected.

The purpose of Public Law 94-142 is to assure that all handicapped children be identified and have available to them a free appropriate public education which provides special education and related services designed to meet their unique needs, to assure that children and parents' rights are protected, to financially assist state and local education agencies, and to assure effectiveness of efforts.

Public Law 94-142 regulations outlined in the Federal Register of August 23, 1977 are detailed and specific. These regulations specify that the term "special education" includes classroom instruction in hospitals and institutions. The term "related services" includes transportation, and such developmental, corrective, and other supportive services that are required for a handicapped child to benefit from special education, including early identification of the handicap. In addition, each identified handicapped student must have an individualized education program developed jointly by the local education agency representative, the student's teacher, the parents, and the child when appropriate. The "individualized education program" must include the student's present level of education performance, annual goals and short-term objectives;

specific special education and related services to be provided, extent of time the student will participate in the regular classroom; projected dates for the initiation and duration of special services to be provided, objective criteria and evaluation procedures, and the schedule for determining whether the instructional objectives have been achieved. The individualized education program should be reviewed as often as necessary, but it must be reviewed at least annually.

The law emphasizes that all handicapped children are entitled to a free public education and excess costs for their education which are above that of the average student are to be provided. Federal funding to the states and local educational agencies for each handicapped child in the public school system will increase yearly through 1982.

Public Law 94-142 stipulates that states must have a policy in effect which assures all handicapped children a free appropriate public education in order to receive assistance. This policy must include an established goal for a full educational opportunity to all handicapped children. These children may not be segregated from nonhandicapped students in the school unless the nature and severity of their handicap prevents them from achieving educationally with supplementary aids. Tests and evaluation instruments used in the diagnostic process must be racially and culturally unbiased and administered in the child's native language. In order to receive funding, the state plan must be consistent with the requirements of this law and approved by the Secretary of the Department of Health, Education, and Welfare (now Secretary of the Department of Education).

Local educational agencies are to develop plans and submit their applications for funding to the state educational agency. The same criteria mandated for the states also apply to the localities. Local plans must be approved by the state agency before funds can be released.

Public Law 94-142 funds are allocated to the states for distribution to the localities based on the number of handicapped children served. In fiscal year 1978, 50% of the funds were for state use and 50% passed through to the local units. In fiscal year 1979 and beyond, 25% could be retained by the state and 75% distributed to the local units. North Carolina has traditionally distributed over 90% of Public Law 94-142 funds to the local units. Funds may be withheld if a state or local educational agency is found to be in noncompliance with the regulations of this law.

Zettel and Ballard (1982) described Public Law 94-142 as

progressive in the sense that the federal government has now established a set of minimum standards that must be followed by states and local educational agencies regarding the education of handicapped children (p.11).

Following the enactment of Public Law 94-142, several laws were amended by Congress to strengthen and expand services for exceptional children. The Vocational Education Amendments of 1976 (Public Law 94-482) strengthened provisions for handicapped students in vocational education programs. The Education Amendments of 1978 (Public Law 95-561) provided for discretionary funds for gifted and talented programs, as well as extending the provisions of Public Law 94-142 to Department of Defense Overseas Schools. However, the Education Consolidation and Improvement Act of 1981 (Public Law 97-35) includes gifted as one of 30 programs

consolidated into a single block grant under Title II of this Act. This Act gave the states and localities more flexibility in selecting the program areas to fund with Public Law 97-35 monies. The funds were to be used to fund one or more of the 30 consolidated programs.

The upsurge of legislation on behalf of students with special needs was not limited to the federal government. Riley, Nash, and Hunt (1978) reported:

State legislation relating to education of handicapped children has increased widely in the past decade. In 1971 alone, 899 bills addressing this need were introduced in state legislatures and 237 were enacted into law. At least 46 states had some form of mandatory special education by 1975. Many states had initiated comprehensive mandatory legislation earlier, before court decisions; for example, Connecticut in 1966 and Georgia and Florida in 1968 had moved steadily toward full and comprehensive services as a result of their state legislative mandates. States such as Tennessee, Arkansas, Vermont, Indiana, Wisconsin, Maine, Massachusetts, and Alabama enacted major legislation concerning the education of handicapped children more recently. Many of these laws totally revamped the educational structure as it pertained to serving the handicapped (p.10).

According to Reynolds and Birch (1977), all 50 states had enacted laws by 1977 subsidizing public school programs for exceptional children. The emergence of these state laws are a direct result of the passage of Public Law 94-142 and recent court decisions.

According to Turnbull and McAllaster (1976), the first reaction of the North Carolina General Assembly to legislative and litigation responses in other states

was the passage of the Equal Educational Opportunities Act, enacted as Chapter 1292, 1973 Session Laws (Second Session, 1974), and amended by Chapter 151 (H363) and Chapter 563 (S67), 1975 Session Laws (p.2-2).

They further stated that the "General Assembly also responded by creating the Commission on Children with Special Needs (Chapter 1422, 1973 Session Laws, Second Session, 1974)."

Chapter 1293 outlined North Carolina's policy of providing equal educational opportunities to children with special needs, including both handicapped and gifted. In addition, it required the Department of Public Instruction and the Department of Human Resources to conduct a statewide census of such children and to submit a joint plan for providing equal educational opportunities to those children. Chapter 1293 further included provisions for a procedural due process hearing before an exceptional child's educational placement was changed.

Chapter 1422 required the Commission on Children with Special Needs to evaluate existing state law and governmental organization with respect to both education and human services for children with special needs and to recommend needed changes to the General Assembly at its 1975 session.

The Commission findings included the following: a large number of children with special needs were not being served by the educational and human resource agencies at the state and local level; accurate data were not kept on a number of children with special needs being served by the human resource agencies; and in the education area, existing programs were serving mainly the younger children, rather than adolescent age children, and that a full statewide program for special students was non-existent. The Commission further reported that the majority of the teachers teaching special education were not certified in this area and that neither the consolidated University of North Carolina nor the Department of Public Instruction were providing adequate training to present

or future teachers in the field of special education. In addition,

the Commission reported that the state's system for providing educational services is 'fragmented' and that 'local autonomy' of school agencies is the principle reason for this fragmentation (Turnbull & McAllaster, 1976, p.2-3).

According to Turnbull and McAllaster (1976), the significance of the 1975 amendments to the Equal Educational Opportunities Act were manifold.

They stated:

First the Act grants a present right to children with special needs to have equal opportunity and access to education and human service programs; it makes this right enforceable against state and local education and human resource agencies; it provides for procedural due process before a child with special needs can be affected by a placement or refusal of placement in an appropriate education or human resource program; it requires the placement of children in education's mainstream (the least restrictive alternative role) if that is the most appropriate placement; it requires that any placement in fact be beneficial to the child; and it requires a periodic reevaluation of placement. Second, it sets in motion the planning process for educational and human services agencies. Third, it requires an annual census of children with special needs to be conducted in each year beginning in 1975. Finally, it requires the development of an early childhood development program. Its long-range goal is the establishment of equal educational and human services opportunities for all children with special needs (p.2-5).

In 1977 Chapter 1293 was amended by the General Assembly with the enactment of the Educational Opportunities for All Children Requiring Special Education Act (Chapter 927). Chapter 927 was the General Assembly's attempt to make North Carolina law compatible with Public Law 94-142. The legislature not only succeeded in its efforts, but also extended the provisions of Chapter 927 beyond those of Public Law 94-142. For example, Chapter 927 defines children with special needs as:

The term 'children with special needs' includes, without limitation, all children between the ages of five and 18 who because of permanent or temporary mental, physical or emotional handicaps need special education, are unable to have all their needs met in a regular class without special

education or related services, or are unable to be adequately educated in the public schools. It includes those who are mentally retarded, epileptic, learning disabled, cerebral palsied, seriously emotionally disturbed, orthopedically impaired, autistic, multiply handicapped, pregnant, hearing impaired, speech impaired, blind or visually impaired, genetically impaired, and gifted and talented (Section 115-363).

Public Law 94-142 does not include pregnant nor gifted and talented.

Additional requirements beyond those of Public Law 94-142 of Chapter 927 include referral in writing when a teacher or other involved person recognizes a child's educational needs are not being met; written notice to parents within 30 days of receipt of referral; written summary of evaluation findings, and proposals for service based on the diagnosis and evaluation to parents within 15 days after the diagnosis and evaluation is completed; scheduled interpretive conference with parent within 20 days after the diagnosis and evaluation is completed; disciplinary suspension requirements (local school system must continue to provide services to special need students suspended or expelled for more than 10 days or for consecutive periods that total more than 10 days); and designation of the Department of Human Resources and the Department of Correction as local education agencies.

As Turnbull and McAllaster (1976) suggested, the significance of the law is major. This significance applied also to federal legislation and action of the courts at all levels. As a result of legislative requirements and court orders, all agencies serving students with special needs are involved in the administration of programs serving these students.

Organization and Administration of Special Education

Special education in the United States is organized and administered at three bureaucratic levels of government, each of which has experienced

growth as a result of special education legislation. Hampton, Summer, and Webber (1973) put the matter of organizational growth in perspective by pointing out that:

Organizations have grown in size because they must be able fully to employ the new specialists and the specialized equipment associated with them if the organizations are to meet their competition. As more specialists appear and the organization continues to grow in size, it becomes necessary to group employees into units. Some of the larger of these units in government have been called 'bureaus', and so the kind of organization resulting from this process has been called 'bureaucracy' (p.404).

In the early 1960s Thompson contributed to organizational literature addressing growth and change in organizations. According to Hampton, Summer, and Webber (1973), the ideas of Thompson include the belief that:

Modern bureaucracy is an adaptation of older organizational forms, altered to meet the needs of specialization. Modern specialization is grafted on to it, but old traces of the past remain. ...modern bureaucracy attempts to fit specialization into the older hierarchical framework. The fitting is more and more difficult. There is a growing gap between the right to decide, which is authority, and the power to do, which is ability (p.676).

Some authorities (Kast & Rosenzweig, 1974) imply that formal organizations were intended to accomplish specific purposes and that basic values which underlie decision making and goal setting are a fundamental component of the organizational system. Coble (1978) states that:

Organizations perform some of their functions for society in order to receive resources. They also satisfy certain needs of internal participants in order to maintain continuing support and they have system goals which they strive to attain (p.36).

Sociological research suggests that goals of formal organizations, such as the public school system, are seldom affected by sweeping legislative mandates and that these mandates alone are insufficient to produce improvement in the system that would bring about better educational services

(Corwin, 1970, Bassuk & Gerson, 1979). As summarized by Abeson (1974), "improvement of public policy does not necessarily guarantee a consequent improvement in service delivery" (p.114).

Brookover and Erickson (1975) suggested that administrative significance is attached to the ability of people within an organization to reach consensus regarding the organization's goals because the inability to do so can easily lead to passive sabotage of all or part of the goals of the organization. Passive sabotage is a "condition wherein compliance with a law, policy, or regulation is superficial if it occurs at all" (Joiner & Sabatino, 1981, p.25).

Special education is organized and administered at all levels of government; federal, state, and local. Hill (1979) puts the matter in perspective by pointing out:

Federal education programs work almost exclusively through the local education agency (LEA). Federal programs can work only if LEAs meet the aggregate requirements they impose. The burdens imposed are of two kinds, administrative and financial. Administrative burdens are the demands placed on LEA personnel in interpreting federal rules, planning and implementing services required by the rules and accounting for the use of funds. Financial burdens are the demands placed on funds from local and state revenues (p.263).

Kirk (1972) indicates that direct services to students with special needs are organized and administered at the local and state levels, whereas funds for research, training, and exemplary services are provided at the federal level. The function of the federal government has primarily been that of promoting, stimulating, and improving education by

providing funds and resources to aid state education programs in certain areas; establishing limited educational programs for certain groups such as the Indian population and military dependents; providing scholarships and fellowships for certain groups of students; establishing advisory, consultative, and research services in education; and disseminating information on education (Kirk, 1972, p.421).

In 1867 the United States Office of Education was established as the major federal agency to be concerned with education. In 1930, the Office organized the Section for Exceptional Children and Youth whose major responsibilities included promoting and facilitating adequate programs for children with special needs within the state and local educational systems.

According to Kirk (1972), federal involvement in the education of exceptional children and youth remained relatively minor until President John F. Kennedy created a Division of Handicapped Children and Youth within the Office of Education in 1963 with the signing of Public Law 88-164. This law also provided funds for research and training for all handicapped children. The status of this work was elevated when Congress created the Bureau of Education for the Handicapped. The primary function of the Bureau was to administer appropriated funds for research, training, and services to handicapped children.

Marsh and Price (1980) view the enactment of the Elementary and Secondary Act as the beginning of intense federal involvement in the administrative aspect of schooling. This Act "complicated school administration by requiring reports and documentation of program activities, resulting in an inward burden on the state and local educational agencies" (Marsh & Price, 1980, p.82). State and local education agencies were forced to employ additional personnel whose responsibility it was to attend to the detailed requirements in order to attain federal compliance with the Act.

Federal requirements of reports and documentation of efforts increased with the passage of The Family Educational Rights and Privacy Act and The Education for All Handicapped Children Act. Burrello and Sage (1979) viewed the procedures for administration of the laws as increasing the

function of the Bureau of Education for the Handicapped as it monitors the states' compliance to all federal mandates and addresses the "possible sanctions for noncompliance on the part of the state" (p.49).

Burrello and Sage further reported that federal investment in local school programs has been accompanied by regulations that are disproportionate for the dollars received by local school systems. They cited that during the 1970s Congress "required more than two dozen additional reports to which states and local schools must respond" in order to receive federal funds (1979, p.50). As viewed by Burrello and Sage (1979),

The centralization of a vocational education policy provides the special educator with a promise of programming more nearly approximating the long sought ideal. But it clearly indicates a diminishing of the traditional options of local and state government (p.50).

State Administration

All 50 states have specific legislation for the support and improvement of programs for handicapped children. The scope of services and financial support provided by state law may vary from state to state. However, state law in all 50 states include the handicapped areas covered in Public Law 94-142. Some states do not have specific legislation designed for the support of gifted programs.

According to Melcher (1976),

School law has had a state and local school district emphasis from the early days of our nation. The original Federal Constitution did not assume federal responsibility for this governmental function and hence delegated all school matters to the states. Subsequent amendments to the United States Constitution also avoided any direct federal assumption of school authority or responsibility. Hence, this privilege and obligation is left to the states and whatever school entities they choose to provide free public education.

Constitutions in each of the 50 states provide the general mechanism under which free public education can or must be provided (p.127).

As viewed by Kirk (1972), the state's general functions in the administration of programs for exceptional children include:

Legislative Acts: The state legislative designates that a district (local) may (or must) provide programs for exceptional children, and also designates which groups of children are to be served. The services may be mandatory and the districts are required to meet the standards that are specified, or the state laws may be permissive and districts allowed to have programs with all available resources.

Financial support of districts: In order to encourage the development of programs, the state usually offers subsidy or financial assistance to the districts since the cost of educating handicapped children is higher than for normal children. This extra allowance of state funds (over and above what the state provides for normal children) is always considered as a supplement to the local funds which the district spends for the education of normal children. These excess cost funds may be granted on a per-capita basis or a per-teacher-station (classroom) basis. Sometimes a ceiling is fixed on the amount of excess costs which the state grants. It is common, however, for districts not to receive full reimbursement for extra costs due to insufficient state appropriations.

State standards: States by legislative action set standards for their programs since they are responsible for the quality of educational services. These standards include regulations relating to eligibility for admission to services, size of class, length of minimum school day, standards for teacher preparation, and enumeration of expenditures which are permitted to be included in the state subsidy.

Teacher certification: Usually teachers of exceptional children are required to have preparation beyond that of teachers in regular grades. This preparation is often as much as an academic year of course work and student teaching. The preparation includes courses in the nature of exceptional children, including pathology when appropriate, curriculum and methods, and laboratory practice. A certificate or credential is usually offered at the completion of this professional preparation.

Supervision: The state provides supervision or consultants to assist districts in initiating programs and in the improvement of services. In some of the larger states with well developed programs two or three consultants may be available in specific areas of exceptionality (p.427).

Marsh and Price (1980) indicated that the significance of the state's administrative role in programming for exceptional children includes the responsibility for

preparing budgets and seeking funding from the legislature for special education, coordinating procedures for reimbursing school districts for special education programs (salaries, transportation, etc.), preparing and assisting in the preparation of legislation relating to special education, implementing regulations pertaining to the administration of special education (class size, qualifications of teachers, etc.), evaluating local school programs, coordinating federal programs, monitoring the districts for compliance with federal legislation and regulations (p.82).

The state's administrative role is in a transitional state with increased responsibility as a result of federal and state exceptional child legislation and litigation. Burrello and Sage (1979) viewed the state education agency as being

designated as the responsible party for ensuring that all provisions of the law are carried out. This tends to place state personnel in a much more 'policing' role than has been traditional, monitoring the local's compliance to all federal mandates (p.49).

Local Administration

The local school district is defined by Melcher (1976) as:

local administrative authorities with fixed territorial limits, created by the legislature, and subordinate to its will, as agents of the state for the sole purpose of administering the state system of public education (p.127).

The local education agency is responsible for providing a program for exceptional children which will be in compliance with federal and state laws. Before the local district can receive federal pass-through funds from the state, it is required to provide the state with specific assurances that the requirements of the law are being met. According to Marsh and Price (1980), Schipper, Wilson, and Wolf (1977), and Turnbull

and McAllaster (1976), these assurances include the development of a local plan designed to locate and identify all handicapped children from birth through 21 years of age. Once identified, the school system must provide an appropriate free public education to all those children 5 through 17 years of age; and to those from birth through 4, and 19 through 21 years of age on a permissive basis. In addition, the referral, assessment, and placement process must be designed to include procedural due process safeguards. Assurances must be given that parents have prior written notification before a change in their child's program occurs; parents have access to records; parents are given the opportunity to participate in referral and placement conferences; parents are given the opportunity to secure an independent evaluation; an impartial hearing is conducted if there is disagreement about the student's program; handicapped children are educated in the least restrictive environment and referred students are evaluated with multifactorial, nondiscriminatory instruments. Furthermore, each special needs student is to have an individualized education plan which includes present levels of educational performance, annual goals, short-term objectives, initiation and duration dates of specific services to be provided, extent of time which the student will participate in the regular education program and a description of the program, and objective evaluative criteria for determining whether the objectives are being met. The individualized education plan must be reviewed at least annually. Parents must be invited to participate in the development and review of their child's plan.

The local school system must also ensure that federal and state funds for exceptional children's programs will be used to supplement, not

supplant, existing local and state funds. The new funds appropriated in Public Law 94-142 and special state (North Carolina) allocations resulting from Chapter 927 are to be used for excess costs which exceed the regular per pupil expenditure.

In the event a local school system refuses to submit a plan to the state agency which includes the assurances mandated by federal and state law, the state education agency must assume the responsibility for ensuring the rights of exceptional children within the local district. However, according to Ballard and Zettel (1978), the local school district remains subject to compliance with the Vocational Rehabilitation Act Amendments of 1973 (Public Law 93-112), which requires that no handicapped individual be excluded from a program or activity receiving any federal funds.

The administrative implications of existing legislation for local school systems are manifold. Principals and special education administrators are confronted with new and expanding roles. Lloyd (1980) suggests that professionals who are involved with the education of exceptional children have, traditionally, had additional responsibilities and these responsibilities have increased with the passage of Public Law 94-142.

Concepts of Knowledge and Attitude in Relation to Special Education

Knowledge as defined by Webster is "the fact or condition of knowing something with familiarity gained through experience or association" (Webster, 1966, p.469). According to Hunt (1967), "all human knowledge is knowledge of man himself, including his culture and his products and knowledge of his natural environment" (p.20).

Kant (1965) viewed the acquisition of knowledge as resulting from experience and that man had no knowledge prior to experience since all knowledge begins with experience (p.612).

Basic to Kant's concept of knowledge was the view of Plato. Plato's theory of knowledge was an attempt to distinguish "knowledge from opinion in all major intellectual controversies of his time" (Ackermann, 1965, p.13). He viewed knowledge as being acquired through experience or through the senses. Plato was interested in what

constituted human knowledge in any area, on the grounds that this would enable careful investigation to decide which problems connected with some particular political, aesthetic or ethical debate which were definitely solvable and those which were merely confusions based on conflicting opinion (Ackermann, 1965, p.14).

Slovic (1973) discussed the state of knowledge in relation to decision making and human judgment. He suggested that decision makers or judges tend to misuse or ignore relevant information since they often resort to the more simplified decision-making strategies. Slovic further implied that the manner and order in which information was received, as well as the way it was displayed, influenced decisions. In addition, he stated that stress factors, amount and redundancy of information were variables which contributed to the quality of decisions reached. In Slovic's (1973) opinion, "using the same data, decision makers do not consistently reach the same conclusions" and "increased available information does not increase validity of decision" (p.553).

Review of the literature regarding knowledge indicated that the degree of knowledge a person has attained about himself, his environment, and his culture may influence his attitude toward or against certain

things. According to Jordon (1971), "knowledge is an important determinant of attitude" (p.219).

Dichter (1971) suggested that childhood experiences and memories influence adult attitudes and that it is important to remember this when communicating with adults. He supported Freud's view that

personalities are formed much earlier than we think, and the effects of our early childhood stay with us literally to the end of our days, and they don't weaken. If anything, they become stronger as we grow older (1971, p.198).

Attitudes as defined by Crandall (1969) are "a special class of concepts in which affective components predominate" (p.72). These concepts included "mental structures in which affective, cognitive, and behavioral components are present in varying amounts" (p.72). He placed heavy emphasis on the affective element since it was reflexive and more complicated to deal with than either the cognitive or behavioral elements. Cognitive and behavioral components could be changed as a result of varying the level of knowledge, but the affective component required pleasant experiences in order to change negative affect to positive.

Another writer has defined attitude as

a mental and neural state of readiness, organized through experience, exerting a directive or dynamic influence upon the individuals' response to all objects and situations with which it is related (Allport, 1935, p.810)

Murphy, Murphy, and Newcomb (1937) viewed attitude as "primarily a way of being 'set' toward or against certain things" (p.889). Rosenburg (1956) described attitude as a "relatively stable affective response to an object" (p.367). Katz and Stotland (1959) stated that an attitude was a "tendency or disposition to evaluate an object or symbol of that object in a certain way" (p.428).

Lewin (1948) associated attitude with restraining and driving forces and postulated that attitudes could be modified by either reducing a restraining force or increasing a driving force. He suggested that nonhandicapped people often avoided handicapped people because of a feeling of discomfort when they were in the presence of handicapped people. Lewin recommended that nonhandicapped people verbalize their feelings about the handicapped person's disability in order to reduce the restraining force and to create a driving force. Lewin believed that negative attitudes could be modified through positive interaction and communication between nonhandicapped and handicapped people.

Research in the area of attitude formation was conducted by Higgs (1975). The results of the investigation indicated that nonhandicapped people who had more contact with handicapped people tended to have more knowledge about handicaps and more positive attitudes toward handicapped persons than people with limited contact with the handicapped. Female subjects and subjects beyond high school generally had more knowledge, more contact, and more positive attitudes than males and high school students. Higgs concluded that advancing age, related experiences, and an individual's level of knowledge contributed to the formation of more favorable attitudes.

Anderson (1982) investigated the attitudes of teachers in Headstart toward mainstreaming of handicapped children. The results of her research suggest that as Headstart teachers' level of knowledge of handicapping conditions increased, their attitudes became more positive toward mainstreaming handicapped students.

Another view of the affect of knowledge to attitude was that of Stainback and Stainback (1982), who hypothesized that the method used to

present information would determine a person's attitude toward severely and profoundly handicapped students. Their research suggested that prospective teachers who had an opportunity to observe and interact, in addition to the traditional lecture, with severely and profoundly handicapped students had more favorable attitudes toward this population and were less fearful of working with them than prospective teachers who were presented information in a lecture and discussion format.

Reynolds, Martin-Reynolds, and Mark (1982) investigated elementary teachers' attitudes toward mainstreaming educable mentally retarded students. Their research indicated that age, college preparation, teaching experience, and recency of academic training have no significant relationship to teachers' attitudes. They concluded that teachers were accepting of educable mentally retarded students and have positive attitudes toward this population because of the educational benefits the students derived from mainstreaming. In addition, the teacher respondents felt they needed more training and experience with educable mentally retarded students and that improved coordination efforts between special teachers, regular teachers, and principals were necessary if these students were to be successful in the mainstream of education.

Research conducted by Stephens and Brown (1980) indicated that teachers were more willing to integrate handicapped students in their classrooms as the number of special education classes increased. Their findings further suggested that teachers' confidence in their ability to teach exceptional children was related to their willingness to integrate such children in their classroom, and elementary teachers were more accepting of integration than secondary teachers. The researchers implied

that the difference in attitude of elementary and secondary teachers toward integration of handicapped students was related to the difficulty of subject matter at the secondary level.

Researchers investigating students' attitudes toward their handicapped peers have concluded that nonhandicapped students' acceptance of and positive attitudes toward their handicapped peers were related to more awareness and more knowledge of handicaps, and sensitivity to disabled persons (Handlers & Austin, 1980). Other studies have indicated that student attitudes toward their handicapped peers can be favorable influenced by active learning experiences (Orlansky, 1979). Gottlieb (1980) concluded that nonhandicapped students developed more positive attitudes when discussion followed the viewing of video tapes about handicapped people than when there was no discussion. Gottlieb and Siperstein (1976) concluded that attitude toward mentally retarded people would vary positively when accurate information replaced existing misconceptions.

In order to investigate the relationship between demographic characteristics and attitudes, research was conducted by Tunick, Platt, and Bowen (1980). They researched the attitudes of rural nonfarm populations and rural farm groups and concluded from their findings that rural nonfarm populations have more favorable attitudes toward the disabled than did the rural farm group. Other research suggested that there was a relationship between education and income. Gottwald (1970) concluded that persons with higher education and higher income levels reflected a more favorable attitude toward handicapped people than persons with less education and income.

Attitude change through media exposure was investigated by Donaldson (1980). She concluded that positive change in attitude resulted

from media exposure to handicapped people and that the change was enhanced if handicapped persons themselves did not act in a stereotypic manner.

Warger and Trippe (1982) investigated preservice teacher attitudes toward mainstreamed students with emotional problems. They concluded that attitudes encompassed feelings, beliefs, and behavioral intentions that related to overall attitude toward mainstreaming of students with emotional impairments and that the set of beliefs held by teachers was the most significant factor influencing attitude toward mainstreamed students.

An additional view concerning attitude was that expressed by McKay (1981). He indicated that Public Law 94-142 was educationally and psychologically destructive to handicapped students and financially devastating to local school systems since it mandated that cost could not be considered a factor in the developing of educational programs for handicapped children. He further implied that money spent on programs for handicapped children was least likely to make a return investment.

Principals' Knowledge, Attitude and Responsibilities

The principal has traditionally been referred to as the instructional or educational leader within the school. The climate of the school is determined by the principal and the effectiveness of his/her leadership.

Doll (1972) defined leadership as

a function requiring human behaviors which help a school achieve its constantly changing purposes, some of which are oriented toward productivity or task-performance, others of which are oriented toward interpersonal relationships within the schools' own social climate and conditions (p.3).

He further implied that educational administration involves the tasks and processes in leading the school organization whose chief dimensions are executive management and leadership.

Alphonzo, Firth, and Neville (1975) defined leadership as "behavior that causes individuals to move toward goals they find to be important and that creates in the follower a feeling of well being" (p.45). A frequently used definition of leadership was developed by Fiedler (1968):

Leadership is a process of influencing others for the purpose of performing a shared task. This process requires to a greater or lesser extent that one person direct, coordinate, or motivate others as a group in order to get the assigned task accomplished (p.362).

With the advent of Public Law 94-142 and Chapter 927, principals were faced with the reality of serving student populations previously unserved or receiving services in separate educational facilities. Legislative mandates to serve students with special needs in the least restrictive environment have forced new role demands on principals, demands which at times they are unable to respond to effectively. Today, principals may be viewed as victims of organizational change. According to Brubaker and Nelson (1974),

...organizations, subsystems within them, and individuals who are members of organizations are constantly involved in interaction and change (p.vii).

Robson (1981) expanded upon the role expectation of the principal

The principal is expected to take major responsibility in direct service to pupils and in all supervisory and evaluation aspects of personnel administration. All that takes place within the building is generally conceded to be the major responsibility of the principal. Internal operational functions are perceived by all members of the role set except regular classroom teachers to be almost the exclusive province of the principal. Organizational maintenance of special education functions and extra building activities are seen universally as minor functions of the principal (p.378).

Gearheart and Weishahn (1976), Meyen (1978), and Weidholt, Hammill, and Brown (1978) supported the need of principals to be involved in the implementation and management of special programs. Their views were also expressed by Smith, Fleter, and Sigelmon (1979):

The principal must be supportive of the special education program in order for it to be effective. This support needs to be evident in the actions of the principal.

The attitudes and actions of the principal toward programs for the handicapped may be adopted by teachers with either negative or positive results.

Principals are key figures in the implementation and success of educational programs, including programs for the handicapped. Support for these programs must begin at the principal's level (p.248).

Principals responsible for the implementation of special programs within their respective schools perform one of the most neglected roles in special education. In a study conducted by Raske (1979), the results revealed that principals identified 14.6% of their time as being allocated to performing special education administrative duties.

The principal as the "school gatekeeper" is responsible for ensuring that the legislative mandates applicable to the local educational agency are adhered to in his/her respective school (Cline, 1981, p.174). Many principals have a limited understanding of special education and knowledge of legislative requirements concerning programs for students with special needs. Marsh and Price (1980) felt that principals may resent "the time that is demanded by special education concerns, a part of the program that involves little more than 10% of the student body" (p.171).

Raske (1979) expressed the desirability for principals to "require a basic understanding of the various programs for handicapped pupils"

(p.646). He further advocated legislative action requiring general school administrators to take at least one course in special education. In addition, he stressed the importance of universities providing educational administration programs, including a special education administration component within the program.

According to Joiner and Sabatino (1981), principals' level of knowledge of Public Law 94-142 requirements was lower than either general or special education teachers. Weatherly and Lipsky (1977) suggested that building-level school administrators have an inhibited level of knowledge of Public Law 94-142 regulations.

Orr (1980) attempted to determine whether there was a need for change in administrator preparation for Public Law 94-142 to be implemented adequately. The principal respondents felt that even though they had sufficient knowledge of the law, had some training and experience in teaching exceptional children, special education courses should be included in the university curricula for administrators to facilitate compliance with Public Law 94-142.

Davis (1980) investigated principals' attitudes toward mainstreaming retarded students. His findings indicated that principals viewed mentally retarded pupils as having the poorest prognosis for successful mainstreaming of all handicapped students. Even the mildly mentally retarded students were seen as having poor chances for success in the mainstream of regular education. Davis concluded that principals' perceptions of mentally retarded pupils may have serious implications for successfully mainstreaming this population. He stated that principals have a "tendency to assign arbitrarily a 'failure' label to pupils who differ

from the norm, regardless of the degree of perceived deviance" and that "mentally retarded pupils hold a particular stigma for principals" (p.177). He indicated that personal and professional biases held by principals affect their attitudes toward the mentally retarded, as well as their lack of exposure to and training with the mentally handicapped. He stated that "principals' self-fulfilling prophecy may be regarded as mainstreaming failure" (p.178).

Another investigation of principals' attitudes and knowledge about handicapped children found that principals' attitudes toward handicapped children were not as negative as previously measured (Cline, 1981). In fact, principals would place severely and profoundly mentally handicapped students nearer the mainstream in education than would the special education experts. In addition, as hypothesized, principals' level of knowledge regarding placement procedures was less than that of experts. The results further revealed that principals with less than 10 years of experience were more knowledgeable regarding placement procedures than were those principals with more than 10 years' experience.

Payne and Murray's (1974) research exploring principals' attitudes toward integration of handicapped students suggested that urban principals were more reluctant to integrate handicapped children into the mainstream of education than were suburban principals. They concluded that "integrative type programs would appear to have more administrative support and a better chance of acceptance in the suburban school setting" (p.125).

With the advent of federal and state legislative mandates and court orders, principals have to manage the effective delivery of educational services to students with special needs and to monitor their schools'

compliance with the various due process safeguard mandates. Therefore, the principal is challenged with finding "a way to assist his/her staff in meeting the requirements of the law, while at the same time helping them to survive" (Dixon, et al., 1980, p.31). Their data revealed that principals' elementary teaching experience was a significant predictor of classroom teachers' attitudes toward mainstreaming of handicapped students. However, teachers' attitudes were less favorable toward integration of handicapped students in schools with principals who had longer elementary teaching experience. In addition, there was a significant relationship between number of years of administrative experience of principals with teachers' attitudes toward mainstreaming. The greater the length of principals' administrative experience, the less positive were teachers' attitudes. Vlasak's (1974) findings also suggested that teachers' attitudes become negative as the number of handicapped students increase, and the greater the number of Negro handicapped students, the more negative are teachers' attitudes.

Miller (1982) has suggested that confusion exists among principals, parents of exceptional children, special education administrators, and special education teachers as to what the role expectations for principals should be when attempting to comply with legislative requirements for the education of students with special needs. Miller concluded that these groups, collectively, expected principals to communicate the goals and objectives for the planning and implementation of programs for students with special needs to the community, parents, teachers, and students; to evaluate inservice education related to special education, and to evaluate the facility used for the education of special students.

These stated responsibilities were over and above the principals' commitment and responsibility to regular education.

Joiner and Sabatino (1981) have suggested that principals were overwhelmed by the "sheer number of new policies that affect the schools and teaching that must be conveyed to the staff" (p.31).

Frith (1981) suggested that principals were often placed in different positions because of the advocacy dilemmas involving special education. Other writers have also addressed the pressure that has been placed on principals who have defended the rights of exceptional children (Priddy, 1974; Mann, 1976; Buscaglia & Williams, 1979). Frith (1981) stated that principals were particularly vulnerable to the pressures resulting from advocacy dilemmas because they:

- (a) are frequently expected to be financial managers;
- (b) are often close allies of the school superintendent;
- (c) feel acute pressure to respond to the needs of children and parents;
- (d) usually serve as buffers or conduits between the superintendent and teachers (p.488).

In surveying the literature on principals' roles and responsibilities it became evident that a number of principals were leaving or planned to leave education. DeLeonibus and Thomson (1980) found that principals leave education because of job-related conditions rather than for personal reasons. The following reasons were listed:

1. emotional health
2. heavy work load
3. desire for change
4. fatigue
5. lack of support from superiors
6. constraints caused by courts/legislation
7. lack of teacher professionalism
8. student discipline
9. student apathy (p.2).

DeLeonibus and Thomson concluded that principals' power and authority have diminished in the last 20 years because of "new federal and state laws and court decisions, particularly those concerning student rights and special groups" (p.2). They further implied that legal constraints were more troublesome for principals in larger schools than for those in smaller schools.

Herda (1980), in her study to determine if implementation of Public Law 94-142 had been achieved at the building level, surveyed principals and general and special educators. Her data revealed that if compliance with the law was to be achieved, the team approach should be used in decision making concerning referral, assessment, and placement of special students and that appropriate governance structure and willingness to cooperate were also necessary for implementation of Public Law 94-142 at the building level. She concluded that principals needed increased knowledge and both technical and nontechnical information if compliance with the law was to be fully achieved.

Welsh (1980) researched the impact of Public Law 94-142 on building-level school administrators. The principals, responding to the questionnaire, reported they were in compliance with the major requirements of the law and that they had an active role in achieving compliance in their schools.

Dixon, Shaw, and Bensky (1980) investigated the administrators' role in fostering mental health of special service personnel. Their findings suggested that resistance to federal, state, and local bureaucratic regulations and procedures related to the education of exceptional children were stress factors that led to staff burnout. They concluded that the

only way for administrators to address these requirements and ensure compliance was to attend to these areas themselves directly and systematically.

Nevin (1979), in her study to determine competencies required of general education administrators, surveyed superintendents, assistant superintendents, principals, and university faculty members. The competencies that surfaced as essential included

assuring due process, interpreting federal and state laws, using appropriate leadership styles, showing that records comply with due process and confidentiality requirements, resolving conflicts among program personnel, using evaluation data to make program revisions for exceptional learners, and determining staff functions and qualifications for educational programs for handicapped learners (p.364).

She concluded that general education administrators recognized "the need to acquire and maintain current knowledge of research, trends and programs for the effective education of handicapped learners" (p.364).

As suggested by Crossland, Fox, and Baker (1982) and Robson (1981), special education administration has become so complex through its evolution that it has resulted in an overlap of role expectations and perceptions of principals and special education administrators.

Special Education Administrators' Knowledge, Attitude and Responsibilities

Special education administrators are viewed by Marro and Kohl (1972) as being "recognized publicly as the head of the special education program with considerable authority to plan, organize, budget, and otherwise control the program" (p.10). These administrators have witnessed a dramatic change in their roles in recent years.

As reported by Dixon, Shaw, and Bensky (1980),

The special education administrator may not be totally responsible for the climate and conditions under which the staff must work, but the administrator, as the organization's leader, plays a key role in determining what that climate will be ...with the advent of Public Law 94-142, special service administrators are finding themselves having to both manage the effective delivery of educational services to handicapped students and to monitor the organization's compliance with various due process mandates of the law (p.31).

Services to students with special needs have changed dramatically and rapidly in recent years placing special educators in a state of confusion about referral, assessment, appropriate placement, and programming for these students. Added to the confusion is the fear of due process hearings, litigation, pressures from parents, and other advocates, requests from principals and special teachers, and anticipated monitoring visits from the state agency. Marsh and Price (1980) and Lamb and Burrello (1979) suggested that these variables are of great concern to special education administrators. In addition, paperwork necessary in order to provide written documentation of their efforts increases their concern.

Joiner and Sabatino (1981) suggested that special education administrators "are held responsible for organizing the 'compliance' of their school districts; their authority is legitimized by the political-judicial system" (p.25).

Burrello and Sage (1979) reported that in 1966 the Council for Exceptional Children identified the following 15 major areas of knowledge which are seen as basic for administrators in the field of special education:

1. Understanding of total educational process
2. Knowledge of school organization and administrative practices
3. Knowledge of various administrative provisions
4. Knowledge of fiscal procedures
5. Knowledge of curriculum development and methodology

6. Knowledge of supervisory practices and theory and techniques of staff development
7. Knowledge of psychoeducational and other diagnostic procedures
8. Knowledge of personnel practices
9. Knowledge and utilization of community organizations and resources
10. Ability to identify, define and influence the power structure both within and outside education
11. Knowledge of public relations
12. Knowledge of school law and legislative processes and their implementation
13. Knowledge of school plant planning and utilization
14. Knowledge of research techniques and procedures
15. Knowledge of professional responsibilities to the field (p.21).

Burrello and Sage (1979) described the special education administrators' role in terms of developing new services for exceptional children or planning improvements in existing programs both of which would require an excessive amount of the administrators' time. They stated that the essential responsibilities of special educational management involved

1. developing and evaluating educational programs and services for individuals and groups of children identified and determined eligible;
2. establishing and maintaining facilities and fiscal resources for housing and financing programs for handicapped children;
3. developing and supporting professional and nonprofessional staff in the delivery of quality educational programs and services;
4. maintaining community involvement and participation in the educational process related to individualized educational planning, and monitoring LEA, IEA or SEA annual planning of programs and services to all handicapped children and youth;
5. developing and negotiating comprehensive programs with other human service delivery agencies of government (p.73).

The responsibilities of special education administrators as identified by Marsh and Price (1980) include the following:

1. Establishment and assurance of due process procedures
2. Understanding of and compliance with state and federal legislation and regulations
3. Maintenance of records to assure compliance with due process procedures

4. Assurance of confidentiality of student records; general record keeping
5. Compliance with regulations of unbiased assessment
6. Provisions of transportation and barrier-free buildings
7. Collection and use of evaluation data
8. Preparation for state and federal representatives who are likely to visit local school systems to monitor compliance with regulations (p. 171-172).

Special education administrators are being forced into an adversary position by parents and other advocates for students with special needs with respect to what, when or where, and how services will be provided. Placed in this adversary position, special education administrators are faced with the dilemma "to find a way to assist the staff in meeting the requirements of the law, while at the same time helping them to survive the attempt" (Dixon, et al., 1980, p.31).

Marro and Kohl (1972) stated:

The role of the administrator of special education must be viewed both in the context of the special education program and in the interface between that program and the program of general education. His status, influence and direct participation in policy and budget determination, often reflect the state of the special education program. Of particular importance is his relationship with the central administration and school board (p.9).

At a two-day inservice activity, the Local Directors of Programs for Exceptional Children, North Central Educational Region (Region V), listed 64 areas that they are responsible for in their respective school systems. The list (Appendix B) represents the 21 school systems in Region V. However, the responsibilities for local directors may vary from one system to another which signifies that a director may be responsible for all 64 areas or only a portion of the total number.

Robson (1981) suggested that the special education administrator is to provide consultative services to special teachers and other local

educational agency personnel and only minimal amounts of direct services in pupil functions or personnel administration. He further implied that their role should include boundary spanning outside the school system to parents and parent groups. Robson implied that the special education administrator's responsibilities should include handling referrals of special students to and from other agencies, arranging transportation for handicapped students, and serving on the evaluation and placement committee.

According to Cook and Leffingwell (1982), the special education administrator's role perception and attitude toward his/her role would be influenced by the type of training received, the understanding of the professional literature, and personal expectations and values.

As viewed by Bensky, Shaw, Gouse, Bates, Dixon, and Beane (1980), Public Law 94-142 has forced special education administrators to become more involved with team meetings, due process paperwork and hearings, and the development, administration, and monitoring of individualized education programs (IEPs).

Lamb and Burrello (1979) reported that prior to the late 1960s relationships between special education administrators and parents were more compatible and were characterized by a common purpose and by cooperation and support. This relationship changed as a result of litigation and subsequent legislation. The role of special education administrators "has shifted from developer and programmer to monitor and defender of the appropriateness of their service delivery system" for students with special needs (p.42). Lamb and Burrello suggested that the special education administrator is "in a defensive and reactive role - uncomfortable, unfamiliar and unrewarding" (p.48).

Nadler and Shore (1980) investigated the status of individualized education programs in order to determine whether procedural requirements had been followed. Their findings indicated that the lack of support from special education administrators to teachers and support personnel was an obstacle to the successful development and use of individualized education programs.

Cox and Pyecha (1980) conducted a follow-up study of the individualized education program (IEP) development process in order to determine the informativeness and internal consistency of IEPs. Their data revealed that the attitude of the district director of special education and the ability to communicate this attitude were significantly related to the quality of IEPs. In addition, IEP format, staff training, and supervision by district level personnel appeared to have an impact on the internal consistency and informativeness of IEPs.

Litterer (1978) has stated that "organizations operate as 'social tools' to produce goods and/or services needed by society (p.17). Therefore, schools as a social system are accountable for their actions and efforts.

Accountability

Accountability as defined by Alphonzo, Firth, and Neville (1975) is providing evidence for the outcome of an assignment or decision.

Turnbull (1975) viewed accountability as follows:

To make a person accountable is to challenge or contest him, or to hold him answerable; that which is accountable is capable of being explained; he who is accountable is held answerable (p.427).

He suggested that professionals are accountable to client-consumers for the manner in which they deal with clients in accordance with professional

standards and the law as outlined in the Constitution in the 5th (due process), 8th (cruel and unusual punishment), and 14th (equal protection) amendments.

Passos (1972) defined accountable as a "kind of accounting made of the productivity of an individual, group or institution" (p.315). She implied that the productivity the administrator of an institution, organization, or school system generates determines accountability. Administrators have to set priorities in the area of their administrative responsibility and then become accountable for those priorities.

In Lessinger's (1970) opinion, accountability suggested that school systems would be held accountable for their stated goals and objectives and how well they reached the goals and accomplished the objectives.

Enell (1981) investigated the view of educators in California in relation to paperwork. The findings of her investigation revealed that even though the educators disliked completing all the required paperwork, they found it was useful in that it provided adequate documentation and proof of their efforts in the event a lawsuit was filed against them. Enell concluded that the paperwork, even though burdensome, was the educators' method of ensuring accountability as professionals.

Simeoneson and Wiegerink (1975) addressed accountability in early intervention programs. They observed that "attention to accountability in early intervention has increased by demands of funding realities, parent investment, and professional responsibility" (p.474). They suggested that professionals should assume responsibility for documenting their effectiveness to their clients and the families of the clients.

Even though demands for accountability have plagued regular education for years, it has only been in recent years that special education has been affected by these demands. Vergason (1973) has attributed the increased support for accountability in special education to legal action and parental pressures. The Gallup Poll (1970) indicated that 76 percent of the public wanted principals and teachers to be more accountable for the learning of children.

Vergason (1973) described special education as "a part of regular education and as such must be concerned with the same efficiency and effectiveness issues" (p.369). In addition, he suggested that professionals in the field of special education should focus attention on the actions and attitudes of the public. Special education can no longer "rely on the sympathy of legislators and others but must produce hard data on its successes and failures" (p.369).

It was the opinion of Jones (1973) that:

accountability in special education must be preceded by considerable conceptualizing at administrative, school board and public levels, the burden of activity is not solely on teachers (p.641).

Crossland, Fox, and Baker (1982), in addressing the concept of accountability, reported:

As the public education in this country begins to shoulder the responsibility for accountability placed upon it by new social legislation and associated regulations, it is increasingly important that educators at all levels within the system understand their own job functions and those of other personnel involved in the delivery of services to exceptional learners (p.538).

It is important that special educators know what they are accountable for and to whom they are accountable. As a social system, with stated goals and objectives, the public school system is accountable to

students, parents, legislators, and the public. In order to determine whether the goals and objectives have been attained, it is necessary to continually evaluate and monitor the system.

Evaluation and Monitoring

Legislative requirements mandate that programs for students with special needs be evaluated and monitored in order to determine the degree of compliance with procedures stated in special education laws. With the passage of Public Law 94-142, Congress required that an annual report on the progress of the implementation of the Act be submitted to the Commission of Education "no later than April 1 of each year" (Section 121a.750). The data included in the report are the data submitted from the states to the United States Department of Education. Information from the states must include the number of handicapped students being served within each disability category. These students must be reported by ages, "three through five; six through seventeen; and eighteen through twenty-one" (Section 121a.751).

The state agency is required to develop procedures for use by local education agencies in counting the handicapped children receiving special education and related services. In addition, the state must designate a date by which these agencies must submit these data to the state agency. The local educational agencies must provide certification that the count is an unduplicated count. The state must "insure that documentation is maintained which enables the State and the Commissioner to audit the accuracy of the count" (Section 121a.754).

The state educational agency, having the responsibility for all educational programs, must develop standards for all programs for the

handicapped, including standards and procedures for evaluating and monitoring the programs.

It was the belief of Marsh and Price (1980), that "evaluation can be a useful tool in managing special services" (p.218). They further stated:

Evaluation is usually regarded as a process initiated externally and conducted by an outside specialist. Evaluation should be viewed as a management tool useful in daily programming as well as for measurement of yearly outcome (p.218).

Dunst (1979) defined evaluation as "the process of delineating, obtaining, and providing information for ascertaining the efficacy of plans, program activities, and interventions" (p.24). He described program evaluation as "a multifacet process which occurs at different levels of program development and operation" (p.25).

According to Stufflebeam (1971), program evaluation consists of four levels: context, input, process, and product, and each level provides decision makers with information that is relevant to assessing the efficacy of different aspects of program development and implementation.

Stufflebeam viewed context evaluations as the gathering of information for the purpose of identifying current needs, obstacles, and constraints that interfere with the meeting of these needs. He described input evaluation as the process used to define appropriate strategies, including goals and objectives, that are necessary to eliminate unmet needs identified in context evaluation. Process evaluation as addressed by Stufflebeam focuses on monitoring the implementation of program activities and maintaining records on the various aspects of the program operation. He concluded that product evaluation is devoted to assessing

the extent to which goals and objectives are achieved, and identifying the cause for the results obtained.

Fottler and Raelin (1975) suggested that evaluation and monitoring essentially involve the determination of whether or not a program or project is actually accomplishing what it stated it would do.

The National Association of State Directors of Special Education (1977) has defined monitoring as:

a continuous review procedure designed to compare present functioning against specific standards, and to yield a profile showing areas of conformance as well as those in which new procedures, training, or other methods of improvement may be needed in order to comply with specific standards (p.1).

The Association listed the following assumptions concerning the monitoring mandate:

1. The necessity for monitoring systems at the local, state, and federal levels is not open to questions.
2. Monitoring procedures must apply to educational programs for all handicapped children, regardless of the setting in which they are delivered.
3. Those being monitored should know the standards against which their organizations and practices are being compared.
4. The purpose of monitoring is not to uncover programs that are out of compliance, but to identify areas in need of improvement.
5. Monitored programs have a right to technical assistance in meeting compliance standards when deficiencies are found.
6. Administrators of educational programs at all levels want to comply with specified standards and will adopt the necessary means to do so.
7. Monitoring procedures and information are useful not only to the agent doing the monitoring but to the agent being monitored.
8. One of the most valuable outcomes of monitoring is that it may guide the monitored agency through a self-improvement process.
9. The most useful monitoring systems will be those that are integrated across levels (local, state, federal), both in the standards used and in the processes for monitoring.
10. Most programs will wish to establish standards beyond those set by the next higher level as minimal (1977, p.viii).

Litterer (1978) described monitoring as a basic role of the administrator. He suggested that administrators should continually monitor their programs by gathering and maintaining information from reports, inspections, and informal sources about the performances of their programs. Litterer implied that the information should include "how things are going, how they have gone, and whether there are important changes on the horizon" (p.88).

In a study of seven states' monitoring and review procedures, Jansma's (1982) data revealed that there were vast differences between the states as to the variables they monitor and the procedures and materials used.

Frith (1981) suggested that state consultants may experience advocacy dilemmas or role conflicts when monitoring local educational agencies' exceptional children's programs. Such conflicts may arise when the consultants review student records and find that individualized education plans for a particular group of students are identical or when they find that a specific group of students such as the emotionally handicapped are isolated in a separate facility and have no opportunities for interaction with their peers. Frith stated, "the state monitoring team might conclude from this evidence that children are being placed to fit the program, which is a clear violation of the intent of federal law" (p.489). He further implied that such a violation may not be reported due to pressures placed upon the state educational agency by local school superintendents or by professional organizations which may view programming services for special students differently from those legislatively required. This advocacy dilemma has produced dual pressures for state consultants,

principals, and special education administrators who wish to remain loyal to their administrative unit while simultaneously advocating on behalf of students with special needs.

Higgins, Ross, and Hockenberry (1979) investigated policy development at the federal, state, and local levels. They concluded that

their efforts to monitor policy development have determined that while a base of policy mandates exists, multiple policy mandates at the local, state, and federal levels lead to duplication, overlap and requirements for policy makers (p.36).

In describing special education legislation, Smith (1981) implied that legislation can only make the rights of the handicapped available; it cannot guarantee that these rights will always be given.

The purposes of monitoring are to evaluate the degree of procedural compliance with legislative requirements and to assure that all students with special needs are receiving appropriate services.

Compliance with Legislative Mandates

More students with special needs in North Carolina are receiving a free appropriate public education now than before the passage of Public Law 94-142 and Chapter 927. This increase in numbers may be attributable to state and local educational agency commitment, to increased funding, to action taken by local school systems to correct non-compliance issues, and to inservice training for principals, special education administrators, regular and special teachers, and parents.

The results of a study conducted by Weber and Rockoff (1980) suggested that the number of years' experience of special educators, the educational level of special education faculty, and the total number of enrolled school-age children were significantly related to a local school

systems' level of compliance. Local school systems with larger enrollments, more experienced special educators, and special educators with advanced training were more in compliance than smaller systems with fewer students and less experienced and less qualified staff. In addition, level of income of the system's constituency influenced level of compliance. More affluent systems were more in compliance than systems with a low income constituency. As a result of this study, Weber and Rockoff (1980) recommended that attention be given to funding for smaller local units "when it is estimated that nearly 76% of the LEAs in the United States have total pupil enrollments under 2,500" (p.250).

Polifka's (1981) research investigating compliance and consumer satisfaction revealed that parents felt that professionals were in compliance with procedural safeguards and required parent involvement. The majority of the parents reported they were "satisfied or very satisfied" with their child's program (p.221). However, the parents expressed a preference for formal meetings rather than informal parent conferences.

The research revealed that school systems vary in their level of compliance with legislative requirements. Dixon, Shaw, and Bensky (1980) implied that school systems differ widely in their degree of compliance with Public Law 94-142 even though they are all experiencing the same growing pains in the areas of management, due process safeguards, and service delivery. They suggested that demographic characteristics did not affect a system's degree of compliance since the impact of the law is the same for everyone.

Beuks (1981) investigated state and local compliance with legislative requirements. His data indicated that disregard for the needs of

limited-English-speaking students, lack of involvement of vocational educators in the development of individualized education programs, and limited progress with mainstreaming of special students have prevented state and local educational agencies from attaining 100 percent compliance.

Silvage (1979) researched the status of compliance and concluded that variables affecting a school system's level of compliance included clarity of mainstreaming goals, staff knowledge of legislative requirements, communication between principals and special educators, principals' advocacy and leadership style, and school size.

The Comptroller General of the United States (1981) reported to Congress that factors affecting the implementation of programs for the handicapped included unclear definitions in the law and legislative history, insufficient guidance in program regulations, non-compliance with IEP requirements such as content problems, parent participation, and deadlines, inadequate personnel and funds, and time demands of staff to complete required paperwork.

Hanley (1979) investigated the implementation of Public Law 94-142 in order to identify problems which hinder compliance. Her data suggested that problems that hinder compliance were inadequacy of child identification and placement procedures, limited progress with mainstreaming efforts, insufficient individualized education programs, lack of in-service opportunities, and less than favorable attitudes of teachers and administrators.

Brown (1982) researched the placement of students in the least restrictive environment as required by law. Her research revealed that

personnel in school systems in big cities and industrial suburbs were more likely to place handicapped students in a mainstream setting than were school personnel in smaller cities and rural communities. In addition, the results of her study indicated that there was no significant relationship between the placement of students and property wealth per capita, per pupil expenditure, or amount of Title I funds received.

In North Carolina, much attention has been focused on procedural compliance during the past four years. During a four-year period, local units were randomly selected for a monitoring visit. During this current school year, each local unit is responsible for self-monitoring. Reports are to be submitted to the state agency by April 1, 1983. Non-compliance areas are to be reported along with corrective action plans.

The monitoring team during the four years was composed of state level consultants, special education administrators, principals, and psychologists. Approximately 10% of student folders in each exceptionality were reviewed. A team report was then submitted to the state agency. Areas of non-compliance cited in one or more local units related to referral, screening and evaluation, placement, individualized education program, procedural safeguards and due process, and confidentiality and access to records. Each local unit was required to submit a corrective action plan to the state which outlined the steps to be taken to bring the system into compliance.

In addition to the monitoring team visits, headcount audits were added in the 1980/81 school year and are required each year in order to determine level of compliance in the four major areas of exceptionality. These areas are gifted and talented, learning disabilities, mentally

handicapped, and speech and language impaired. State Board policy requires that 10% of student records, randomly selected, in each of these four categories, be audited. These headcount audits are conducted by the eight Regional Coordinators for Exceptional Children. Reports are submitted to the state office for review and then sent to the local superintendent. Local school systems are expected to take action to correct non-compliance issues. Technical assistance with correction action plans is provided to the local units by regionally based exceptional children consultants.

This chapter has described the development of special education in the United States and the effect of litigation and legislation on its development. The concepts of knowledge, attitude, and accountability were addressed as they relate to special education. Evaluation procedures employed to monitor local educational agencies for procedural compliance were defined.

CHAPTER III

PROCEDURES

The procedures discussed in this chapter include the identification of local education agency variables influencing degree of compliance with legislative requirements, development of an instrument to collect information, selection of subjects, review of the state education agency's official findings from its monitoring of local education agencies, and treatment of data.

Identification of Variables Influencing Compliance

In order to identify the variables in local education agencies influencing compliance with legislative mandates, the eight Regional Coordinators for Exceptional Children, State Department of Public Instruction, who are charged with the task of monitoring, were asked to list those factors which they perceived as preventing 100% compliance. Thirty factors were listed. The list was reviewed by two research consultants with Master's degrees in educational research and evaluation, in order to identify those variables which could be statistically measured. Eighteen variables were identified.

In order to determine whether each of the 18 variables was of equal importance and should be included in this investigation, four state special education administrators, six special education administrators, and two local school psychologists were asked to rate each of the items on a scale from one to five. The raters were informed that all items receiving a composite score of 40 or above would be included in this study.

Of the 18, the 12 following items were selected: (1) principals' level of knowledge of legislative requirements; (2) special education administrators' level of knowledge of legislative requirements; (3) principals' attitude toward legislative requirements; (4) special education administrators' attitude toward legislative requirements; (5) principals' educational level; (6) special education administrators' educational level; (7) principals' training in special education; (8) special education administrators' training in special education; (9) total number of years' experience of principal; (10) total number of years' experience of special education administrator; (11) location of administrative school unit (city or county); and (12) total student enrollment of school system.

Development of Opinionnaire

After the local education agency variables influencing degree of compliance were identified, and after the general purpose and hypotheses were stated, an opinionnaire was developed to determine principals' and special education administrators' level of knowledge of legislative requirements and their attitude toward these requirements. Development of the opinionnaire necessitated the selection of research advisors to provide guidance and expertise in format and response choices. Item selection applicable to this study and appropriate for the opinionnaire were identified through a review of the literature and the state education agency's monitoring reports. Additionally, field testing and editing and revising the opinionnaire prior to the actual administration were completed during the development process.

Advice on the development of the opinionnaire was provided by five university professors at the University of North Carolina in Greensboro, two research consultants with Master's degrees in educational research and evaluation, six local special education administrators, and two state special education consultants. These individuals were involved in recommending directions for the respondents to be included on the opinionnaire, selection of items to be included, wording of items designed to measure level of knowledge and attitude, and in recommending the format of the opinionnaire. Three of the local special education administrators and the two state special education consultants were also involved in reacting to and editing the instrument at various stages of its development.

It was the consensus of the advisors that the opinionnaire should be designed to include respondents' experience, educational degree, special education training, and demographic data, as well as level of knowledge of legislative requirements and their attitude toward these requirements. Such an arrangement allowed the respondents to check the majority of the items in the applicable space. Only two items required their filling in the blank. These items addressed number of years as a principal and number of years' total classroom teaching experience. The total student enrollment for each of the local education agencies and type of administrative school unit (city or county) were filled in before distribution.

The issues selected to measure level of knowledge of legislative requirements and attitude toward these requirements addressed those areas cited most often as non-compliant by state education agency officials when they monitored local school systems. These areas included items

within six major categories: confidentiality, referral procedures of students for possible placement in special education programs, screening and evaluation of these students, placement procedures, individualized education program, and procedural safeguards and due process. A total of 34 items were included in the opinionnaire inclusive of the above six categories. These items were compatible with legislative requirements as outlined in the North Carolina Rules Governing Programs and Services for Children with Special Needs. Of the 34 items, 27 were true and 7 were false.

In order to test the validity of the opinionnaire, 30 respondents, including 26 principals and 4 special education administrators, were asked to field test it before distribution. The responses to the field test were recorded. The 30 respondents were included in the final administration of the opinionnaire.

Selection of Subjects

In keeping with the objectives of this investigation, 231 persons were selected to participate in the study. The two groups selected included 191 principals and 40 special education administrators. Principals were randomly selected from the 21 school systems, with a total of 367 schools, in the North Central Educational Region. The special education administrators were randomly selected from the 45 central office personnel in the 21 systems having direct special education administrative responsibilities. The sample size for the two groups was based upon Krejcie and Morgan's (1970) recommended sample size from total group size (p.608) (Appendix C). Each of the participants in the two groups was involved with administrative decisions concerning referral,

assessment, and placement of and programming for students with special needs. In addition, they were responsible for ensuring that confidentiality, and procedural safeguards and due process requirements were implemented.

The North Central Educational Region was selected because it is the largest in population of the eight educational regions. In addition, it includes systems ranging in total student enrollment from 2,860 to 42,000. Also, it includes both small and large city and county units.

Review of State Agency Monitoring Findings

In order to determine the presence of non-compliance areas within the local education agencies, an investigation of official state agency documents was conducted. The state agency documents studied included the school years 1978/79 through 1981/82 and consisted of the following:

Evaluation documents used in monitoring and auditing the local education agencies in North Carolina. Composite evaluation report inclusive of all local education agencies' non-compliance areas cited.

Evaluation data collected during the state education agency's monitoring and auditing of all the local education agencies in North Carolina. Composite evaluation report inclusive of all non-compliance areas cited in local school systems.

State agency's report of findings to the Council on Educational Services for Children with Special Needs. Results of the study conducted by the Council on Educational Services for Children with Special Needs.

These documents were reviewed with written permission from the Director of the Division for Exceptional Children, State Department of Public Instruction.

Treatment of Data

The data from the opinionnaire and monitoring reports are analyzed and discussed in the succeeding chapter. The items addressed on the

cover sheet of the opinionnaire represent the demographic characteristics of the respondents, with the following independent variables:

1. Number of years of experience
2. Education degree
3. Special education training
4. Type of administrative school unit (city or county)

The independent variables of degree, special education training, and type of administrative school unit represented discrete categories. However, data represented for the independent variables, number of years of experience, and total school enrollment were continuous in nature. In addition, the dependent variable data for knowledge and attitude were continuous and were statistically analyzed accordingly.

Since the dependent variables, level of knowledge, attitude, and percentage of compliance were continuous and were expected to meet the conditions of interval data, random samples, normally distributed populations and homogeneity of variance, the t test was judged to be appropriate. Hypotheses 1, 2, and 14 were analyzed accordingly.

For all hypotheses involving continuous, interval, predictor, and criterion variable data, the Pearson product-moment correlation coefficient was used. These hypotheses involved the relationship of principals' and special education administrators' level of knowledge of legislative procedural requirements, and their attitude toward these requirements to percentage of procedural compliance; also, the relationship of principals' and special education administrators' experience to percentage of compliance, and total student enrollment to percentage of compliance. Hypotheses 3 through 8 and 13 were analyzed using the Pearson.

The independent variables, principals' and special education administrators' training and degree, involved more than two levels of discrete classification. Since multiple t tests are inappropriate in this case, the analysis of variance (ANOVA) was used to determine the F value needed to test the relationship of training and degree of the two groups with the dependent variable compliance. Hypotheses 9 through 12 were analyzed accordingly.

The analysis of data is presented in Chapter IV.

Summary

This chapter described the procedures employed in this investigation to test the stated hypotheses. The description included identification of variables influencing compliance, development of an opinionnaire, selection of subjects, review of state agency monitoring findings, and treatment of data.

This investigation was designed to offer insight into those local education agency variables which affect degree of compliance with legislative procedural requirements, an area of inquiry in which data were quite limited.

CHAPTER IV
RESULTS OF DATA ANALYSIS

This chapter will describe and analyze the results of the statistical tests applied to the collected data. These data were collected to test the 14 hypotheses that follow:

1. There is no significant difference between principals' level of knowledge of federal and state legislative procedural requirements and special education administrators' level of knowledge of federal and state legislative procedural requirements.

2. There is no significant difference between principals' attitude toward federal and state legislative procedural requirements and special education administrators' attitude toward federal and state legislative procedural requirements.

3. There is no significant relationship between principals' level of knowledge of procedural requirements and percentage of procedural compliance with federal and state legislative requirements.

4. There is no significant relationship between special education administrators' level of knowledge of procedural requirements and percentage of procedural compliance with federal and state legislative requirements.

5. There is no significant relationship between principals' attitude toward procedural requirements and percentage of procedural compliance with federal and state legislative requirements.

6. There is no significant relationship between special education administrators' attitude toward procedural requirements and percentage of procedural compliance with federal and state legislative requirements.

7. There is no significant relationship between number of years of experience of principals and percentage of procedural compliance with federal and state legislative requirements.

8. There is no significant relationship between number of years of experience of special education administrators and percentage of procedural compliance with federal and state legislative requirements.

9. There is no significant relationship between principals' training and percentage of procedural compliance with federal and state legislative requirements.

10. There is no significant relationship between special education administrators' training and percentage of procedural compliance with federal and state legislative requirements.

11. There is no significant relationship between principals' degree and percentage of procedural compliance with federal and state legislative requirements.

12. There is no significant relationship between special education administrators' degree and percentage of procedural compliance with federal and state legislative requirements.

13. There is no significant relationship between enrollment of school system and percentage of procedural compliance with federal and state legislative requirements.

14. There is no significant relationship between type of administrative school unit (city or county) and percentage of procedural compliance with federal and state legislative requirements.

This chapter will include a discussion of (a) the characteristics of the response, (b) demographic traits of the returns, (c) determination of level of knowledge and attitude, (d) determination of percentage of compliance, (e) analysis of level of knowledge and attitude with compliance, (f) analyses of demographic data with compliance, and (g) summary.

Characteristics of the Response

A total of 231 opinionnaires were mailed to principals and special education administrators in the North Central Educational Region of the North Carolina Department of Public Instruction. This number included 191 principals and 40 special education administrators.

The subjects were asked to return the opinionnaire in an enclosed, self-addressed envelope to the investigator. The initial return within a two-week period included 160 principals' and 35 special education administrators' completed opinionnaires. A record was kept of those local school systems who either had or did not have a 100% return. One week after the deadline for returns of the initial mailing, nonrespondents received a follow-up letter requesting return of the opinionnaire. The return to the second appeal included an additional 16 principals' and 4 special education administrators' responses. The second petition for return to nonrespondents was the final appeal made since the total response was 175 for principals and 39 for special education administrators which gave a grand total response of 214 (92.6% of the distributed opinionnaires.)

As the cover letter of the initial mailing indicated to the subjects, all responses would remain confidential. No space for entry of name or other identification of the respondent appeared on the opinionnaire. Responses were identifiable in groups only by local educational agency number, enrollment, and type of administrative school unit (city or county).

Demographic Traits of the Returns

The opinionnaire requested demographic information from the respondents. This information included items pertaining to number of years of experience as a principal or special education administrator, and number of years of classroom teaching experience, special education certification and training (continuing education units), educational degree, and type of administrative school unit (city or county).

Number of Years of Experience

The data for number of years as a principal or special education administrator and classroom teaching experience were itemized and clustered into groups covering a five-year span of experience.

The 214 respondents reported both administrative (principal or special education administrator) experience and classroom teaching experience ranging from 1 to more than 25 years. Table 3 is a distribution of principal subjects clustered by five years of experience in each category.

Table 3
Distribution of Principals by Experience

Years of Experience	<u>Respondents</u>			
	Principalship		Classroom Teaching	
	Number	Percentage	Number	Percentage
1 - 5	46	26.286	39	22.286
6 - 10	46	26.286	68	38.857
11 - 15	42	24.000	46	26.286
16 - 20	23	13.143	14	8.000
21 - 25	14	8.000	6	3.429
More than 25	4	2.286	2	1.143
Total	175	100.000	175	100.000

Table 4 is a comparable distribution table for special education administrators.

Table 4
Distribution of Special Education
Administrators by Experience

Years of Experience	<u>Respondents</u>			
	Special Education Administrative		Classroom Teaching	
	Number	Percentage	Number	Percentage
1 - 5	20	51.282	9	23.077
6 - 10	13	33.333	14	35.897
11 - 15	4	10.256	6	15.385
16 - 20	0	.000	4	10.256
21 - 25	1	2.564	5	12.821
More than 25	1	2.564	1	2.564
Total	39	100.000	39	100.000

Special Education Certification and Training

The data for special education certification and training were itemized and categorized into groups which included certification in special education and number of continuing education units in special education. Number of hours of continuing education units in special education were clustered into groups ranging from none to groups accommodating

three-hour intervals. Responses ranged from certified in special education to no special education training. One subject in each of the respondent groups failed to respond to the item addressing certification.

Table 5 illustrated the distribution of subjects' responses to special education certification.

Table 5
Distribution of Subjects by Special
Education Certification

Certification	<u>Respondents</u>			
	Principals		Special Education Administrators	
	Number	Percentage	Number	Percentage
No Response	1	0.571	1	2.564
Certified	6	3.429	30	76.923
Noncertified	168	96.000	8	20.513
Total	175	100.000	39	100.000

Table 6 illustrates the distribution of subjects' responses to the items addressing continuing education units in special education. The instructions to the subjects on the opinionnaire were to complete this section only if they were not certified in special education.

Table 6
Distribution of Subjects by Continuing
Education Units

Continuing Education Units	<u>Respondents</u>			
	Principals		Special Education Administrators	
	Number	Percentage	Number	Percentage
No Response	8	4.571	30	76.923
None	73	41.714	2	5.128
1 - 3	52	29.714	1	2.564
4 - 6	24	13.714	0	.000
7 - 9	9	5.143	1	2.564
More than 9	9	5.143	5	12.821
Total	175	100.000	39	100.000

Educational Degree

Of the 175 principal respondents, one (1) reported having a bachelor's degree, 130 a master's degree, 28 a sixth-year certificate, and 16 a doctoral degree. Three (3) special education administrators reported

having a bachelor's degree, 25 a master's degree, 6 a sixth-year certificate, and 5 a doctoral degree. Table 7 indicates these data frequencies and percentages.

Table 7
Distribution of Subjects by Educational Degree

Degree	<u>Respondents</u>			
	Principals		Special Education Administrators	
	Number	Percentage	Number	Percentage
Bachelor's	1	0.571	3	7.692
Master's	130	74.286	25	64.103
Sixth-Year	28	16.000	6	15.385
Doctoral	16	9.143	5	12.821
Total	175	100.000	39	100.000

Enrollment

The data for enrollment were itemized and clustered into related groupings designated as small, moderate, and large units. The small units have less than 5,000 students, the moderate units have a student enrollment ranging from 5,000 to 15,000, and the large units have a student enrollment in excess of 15,000. Clusters resulted after itemizing the responses and determining the mean for the total student enrollment (212,509) for the 21 local school units in the North Central Educational Region of the North Carolina Department of Public Instruction. The

smaller units reflect 25% of the total enrollment for the Region. The moderate units with a student population ranging from 5,000 to 15,000 enroll 50% of the total enrollment, and the larger units with a student enrollment in excess of 15,000 serve 25% of the students. A secondary reason for clustering by enrollment was to ensure confidentiality of the respective local school units. Table 8 illustrates the distribution of the subjects' responses by enrollment.

Table 8
Distribution of Subjects by Enrollment

Enrollment	<u>Respondents</u>			
	Principals		Special Education Administrators	
	Number	Percentage	Number	Percentage
Less than 5,000	28	16.000	9	23.077
5,000 to 15,000	66	37.714	14	35.897
More than 15,000	81	46.286	16	41.026
Total	175	100.000	39	100.000

Type of Administrative School Unit

The data for type of administrative school unit were collected on the opinionnaire by city or county unit. Of the 175 principal subjects responding, 114 reported they were employed in a county unit and 61 stated they were employed in a city unit. The responses from the special

education administrators revealed that 24 were employed in a county unit and 15 in a city unit. Table 9 is a distribution of subjects by employment in their respective school systems.

Table 9
Distribution of Subjects by Type of
Administrative School Unit

Type of Unit	<u>Respondents</u>			
	Principals		Special Education Administrators	
	Number	Percentage	Number	Percentage
City	61	34.857	15	38.462
County	114	65.143	24	61.538
Total	175	100.000	39	100.000

Determination of Level of Knowledge and Attitude

In order to determine level of knowledge of the respondents, the number of correct responses to the 34 items on the opinionnaire was computed for each subject. The number of items correct ranged from 19 (3 subjects) to 34 (2 subjects). Since the hypotheses were stated separately for principals and special education administrators, the minimum and maximum scores and mean were computed for each of the two groups. Table 10 illustrates these data.

Table 10
Distribution of Subjects by Level of Knowledge

Respondents	Minimum Score	Maximum Score	Mean Score
Principals	19	33	26.82
Special Education Administrators	23	34	29.15

Attitude of the respondents was computed to reflect only the respondents' positive attitude toward existing legislative procedural requirements. Of the 34 items, only 27 were true and 7 were false. The false items were considered as being inappropriate for determining attitude toward legislative procedural requirements since they are not mandated in either federal or state law. The responses ranged from 0 (1 subject) to 27 (17 subjects). When the data were computed by groups, the responses for principals ranged from a minimum of 0 (1 subject) to a maximum of 27 (32 subjects). In the special education administrators' group, the responses ranged from 17 (3 subjects) to 27 (3 subjects). The minimum and maximum scores and mean for each of these two groups are depicted in Table 11.

Table 11
Distribution of Subjects by Attitude

Respondents	Minimum Score	Maximum Score	Mean Score
Principals	0	27	22.69
Special Education Administrators	17	27	22.85

Determination of Percentage of Compliance

The data for the percentage of compliance were collected separately from the data collected on the opinionnaire. Percentage of compliance was computed from the December 1, 1981 headcount and the Headcount Audit reports for the 1981/82 school year for each of the 21 local school systems in the North Central Educational Region. These documents yielded the following information: number of students, by exceptionality, served in each school system; total number of exceptional children in each school system; number of student records audited in each of the four major areas of exceptionality (gifted and talented, learning disabilities, mentally handicapped, and speech and language impaired); and number of student records not in compliance with federal and state legislative procedural requirements. The data were itemized by local school system for each of the above items. In order to protect the confidentiality of school records, this information by local school system is not included in this dissertation.

The data revealed that percentage of compliance varied from 8.7% to 100%. Three of the school systems were in less than 50% compliance, 12 were within a range from 68.5% to 99.3%, and 6 were in 100% compliance. Table 12 illustrates the range of compliance, number of local school systems in each of these three groups, number of student records reviewed, and percentage of compliance.

Table 12
Distribution of Exceptional Children by Compliance

Range of Compliance	School Systems Number	Student Records Reviewed Number	Student Records In Compliance Number	Compliance Percentage
Less than 50%	3	300	31	10.3
68.5% - 99.3%	12	2,033	1,882	92.6
100%	6	679	679	100.0
Total	21	3,012	2,592	86.1

Analyses of Level of Knowledge

Data were collected to determine the difference between level of knowledge of legislative procedural requirements of principals and special education administrators. These data for the two respondent groups were analyzed by the t test with a .05 level of significance. A significant statistical difference was found between the level of knowledge for the two groups as indicated by a t value of -5.1735 (p - .0001). This difference is illustrated in Table 13.

Table 13
Analyses of Level of Knowledge

Principals \bar{X}	22.82
Special Education Administrators \bar{X}	29.15
Difference	6.33
t	-5.1735*

$df = 212$

* $p = .0001$

Analyses of Attitude

The t test with a .05 level of significance was also employed to determine the difference between principals' and special education administrators' attitude toward legislative procedural requirements. There was no significant difference between the attitude of the two respondent groups as indicated by a t value of -0.2176 ($p = .8280$). Table 14 depicts this finding.

Table 14
Analyses of Attitude

Principals \bar{X}	22.69
Special Education Administrators \bar{X}	22.85
Difference	.16
t	-0.2176*
$df = 212$	$*p = .8280$

Analyses of Level of Knowledge with Compliance

Data collected to determine the relationship between principals' and special education administrators' level of knowledge with compliance were analyzed by the Pearson product-moment correlation coefficient with a .05 level of significance. Regardless of type of respondent, no significant statistical relationship was found between level of knowledge and percentage of compliance. The correlation between principals' knowledge with compliance produced an r value of -0.12536 ($p = .0983$). The correlation between special education administrators' level of knowledge with compliance yielded an r value of 0.05654 ($p = .7324$).

Analyses of Attitude with Compliance

The Pearson product-moment correlation coefficient was also selected to determine the relationship between principals' and special education administrators' attitudes toward legislative procedural requirements with compliance. There was no significant statistical relationship found

between special education administrators' attitude with compliance as indicated by an r value of 0.11415 ($p = .4890$). However, the correlation between principals' attitude with compliance was significant as observed with an r value of -0.5499 ($p = .0406$). The negative Pearson r suggests the possibility of a causal relationship between attitude with compliance based on this observation. It does not mean that principals can control compliance or that compliance can control principals' attitude.

Analyses of Experience with Compliance

The data collected to determine the relationship of principals' and special education administrators' experience with compliance were also analyzed using the Pearson product-moment correlation coefficient at the .05 level of significance. The data were analyzed by both administrative and classroom teaching experience. No significant statistical relationship was observed with either principals or special education administrators. The correlation between principals' experience with compliance in the administration category produced an r value of 0.14452 ($p = .0564$) and in the teaching category an r value of -0.00939 ($p = .9019$) was observed. The correlation between special education administrators' experience with compliance in the category of administration yielded an r value of 0.07086 ($p = .6691$) and in the teaching category an r value of -0.11582 ($p = .4826$) was realized.

The negative Pearson r values only pertain to this investigation and do not provide a rationale for inferring causation. They only suggest the possibility of a causal relationship between experience with compliance.

Analyses of Training with Compliance

Data were collected to determine the relationship between principals' and special education administrators' training with compliance. These data for the two respondent groups were analyzed by the F test for ANOVA at .05 level of significance in order to determine the F value since the data represented unbalanced groups. The relationship of training to compliance for the two groups was analyzed in separate categories consisting of special education certification and continuing education units in special education. Regardless of type of respondent and category, no significant statistical relationship was found between training and compliance. Tables 15 through 18 illustrate these nonsignificant findings.

Table 15
Analyses of Continuing Education Units
with Compliance

Source	DF	<u>Principals</u>		F Value	P F
		SS	MS		
Between Groups	4	3767.86	841.96	1.18	.3213
Within Groups	162	129247.83	797.83		
Total	166	133015.69			

Table 16
Analyses of Special Education Certification
with Compliance

<u>Principals</u>					
Source	DF	SS	MS	F Value	P F
Between Groups	1	67.37	67.37	.08	.7736
Within Groups	172	139551.06	811.34		
Total	173	139618.43			

Table 17
Analyses of Continuing Education Units
with Compliance

<u>Special Education Administrators</u>					
Source	DF	SS	MS	F Value	P F
Between Groups	3	666.22	222.07	.20	.8930
Within Groups	5	5585.84	1117.17		
Total	8	6252.06			

Table 18
Analyses of Special Education Certification
with Compliance

<u>Special Education Administrators</u>					
Source	DF	SS	MS	F Value	P F
Between Groups	3	1364.28	454.76	.62	.6078
Within Groups	35	25742.16	735.49		
Total	38	27106.44			

Analyses of Enrollment with Compliance

Data collected to determine relationship between total enrollment of school system with compliance were analyzed by the Pearson product-moment correlation coefficient with a .05 level of significance. A significant statistical relationship was found between enrollment of a school system with compliance as noted by an r value of 0.25117 ($p = .0002$). School systems with less than 5,000 students and more than 15,000 were less in compliance than school systems with a moderate enrollment ranging from 5,000 to 15,000.

Analyses of Type of Administrative School

Unit with Compliance

The t test with a .05 level of significance was utilized to determine the relationship between type of administrative school unit (city or

county) with compliance. Regardless of type of administrative school unit, there was no significant statistical relationship with compliance as observed by a t value of -1.9324 ($p = .0546$). Table 19 illustrates this finding.

Table 19
Analyses of Type of Administrative School
Unit with Compliance

City \bar{X}	81.60
County \bar{X}	89.28
Difference	7.68
t	-1.9324^*

$df = 212$

$*p = .0546$

Summary

This chapter described and analyzed the data collected to test the 14 hypotheses of this study. Three of the hypotheses were repudiated and 11 were supported. The tables and discussions in this chapter illustrated these findings.

Further discussion and conclusions from these statistical analyses are included in Chapter V.

CHAPTER V
SUMMARY, CONCLUSIONS, AND RECOMMENDATIONS

As previously stated, this dissertation was designed to investigate the relationship of selected local educational agency variables to compliance with federal and state legislative procedural requirements for exceptional children programs. The variables investigated were principals' and special education administrators' level of knowledge of legislative procedural requirements and their attitude toward these requirements; principals' and special education administrators' experience, training, and degree; enrollment of school system; and type of administrative school unit (city or county).

Data for this study were collected through the administration of an opinionnaire to randomly selected principals and special education administrators in the North Central Educational Region of the North Carolina Department of Public Instruction. The respondents' level of knowledge and attitude were determined by their responses to the 34 items on the opinionnaire. Demographic characteristics of the subjects were collected on the cover sheet of the opinionnaire. The 34 items and demographic characteristics included in the opinionnaire were selected after a thorough review of pertinent literature, after review of state monitoring documents, after consultation with a variety of specialists in exceptional children education and research, and after subjecting the opinionnaire to editing procedures.

The various hypotheses accepted for this investigation were tested by analyzing the data for each with an appropriate statistical procedure. Each of the 14 hypotheses were tested at the .05 level of significance. The analyses that either support or repudiate the hypotheses of this study were presented in Chapter IV.

In this chapter the findings are discussed as they relate to the significance of this study. The first discussion presented addresses level of knowledge, attitude, and compliance. This is followed with a discussion of demographic characteristics and compliance. Finally, recommendations for further study are presented.

Knowledge, Attitude, and Compliance

It is statistically evident from this study that principals and special education administrators, when compared, possess different levels of knowledge of legislative procedural requirements. When comparisons were made within groups, there was considerable variation in the principal group with correct responses to the 34 items ranging from 19 to 33. Such a distribution indicates a lack of knowledge of legislative procedural requirements within the principal group. The variation within the special education administrator group was less pronounced with the range of correct scores varying from 23 of the 34 items to all 34 correct.

Hypothesis 1 stated there was no significant difference between principals' and special education administrators' level of knowledge of legislative procedural requirements. This hypothesis has been statistically repudiated by the t test analysis.

Hypothesis 2 stated there was no significant difference between principals' and special education administrators' attitude toward

legislative procedural requirements. This hypothesis has been statistically affirmed through the use of the t test at the .05 level of significance.

Hypotheses 3 and 4 stated there was no significant relationship between principals' (H_3) and special education administrators' (H_4) level of knowledge of legislative procedural requirements with percentage of procedural compliance with federal and state legislative requirements. Both of these hypotheses were accepted at the .05 level of significance by use of the Pearson product-moment correlation coefficient.

Hypotheses 5 and 6 stated there was no significant relationship between principals' (H_5) and special education administrators' (H_6) attitude toward procedural requirements with percentage of procedural compliance with federal and state legislative requirements. The analyses of the data using the Pearson product-moment correlation coefficient at the .05 level of significance rejected H_5 and accepted H_6 . Based on this observation, there is a relationship between principals' attitude toward legislative procedural requirements with percentage of compliance.

Demographic Characteristics and Compliance

Hypotheses 7 and 8 stated there was no significant relationship between principals' (H_7) and special education administrators' (H_8) experience with percentage of procedural compliance with federal and state legislative requirements. These hypotheses were supported at the .05 level of significance by the Pearson product-moment correlation coefficient analyses for each respondent group for both classroom teaching experience and administrative experience.

Hypotheses 9 and 10 stated there was no significant relationship between principals' (H_9) and special education administrators' (H_{10}) training with percentage of procedural compliance with federal and state legislative requirements. These hypotheses were upheld for each respondent group as determined by the F test for ANOVA at the .05 level of significance in both the area of special education certification and the area of continuing education units in special education.

Hypotheses 11 and 12 stated there was no significant relationship between principals' (H_{11}) and special education administrators' (H_{12}) degree with percentage of procedural compliance with federal and state legislative requirements. The F test for ANOVA at the .05 level of significance supported both of these hypotheses even though respondents' degrees varied from baccalaureate to doctorate with the majority holding a master's degree.

Hypothesis 13 stated there was no significant relationship between enrollment of school system with percentage of procedural compliance with federal and state legislative requirements. This hypothesis was repudiated by the Pearson product-moment correlation coefficient analysis at the .05 level of significance. Based on this observation, there is a significant relationship between total student enrollment with percentage of compliance. Moderate-size school units serving 5,000 to 15,000 students exhibited a higher percentage of compliance than school units with less than 5,000 or more than 15,000 students.

Hypothesis 14 stated there was no significant relationship between type of administrative school unit (city or county) with percentage of procedural compliance with federal and state legislative requirements.

This hypothesis was statistically supported through the use of the t test at the .05 level of significance.

The significant statistical findings affirmed that special education administrators are more knowledgeable of legislative procedural requirements than principals. In addition, there is a significant statistical correlation between principals' attitudes toward legislative procedural requirements and percentage of compliance with these requirements. Less favorable attitudes of principals correlated with lower percentage of compliance and the more positive the attitude, the higher the percentage of compliance. Finally, total student enrollment was significantly statistically related to percentage of compliance. Smaller units with less than 5,000 students and larger units with more than 15,000 students were in less compliance than moderate-size units with an enrollment between 5,000 and 15,000 students. Further study of these findings is recommended.

Recommendations for Further Study

This study explored the relationship of selected local educational agency variables with compliance with federal and state legislative procedural requirements. It was obvious from the analyses of the data that there is a significant statistical relationship between certain variables and compliance with legislative requirements. In addition, there was a significant statistical difference in principals' and special education administrators' level of knowledge of legislative procedural requirements. These relationships and differences suggest the need for additional study.

One productive study might concentrate on the difference between principals' and special education administrators' level of knowledge of

legislative procedural requirements. Since principals have the administrative responsibility for all programs in their respective schools, additional knowledge of the North Carolina Rules Governing Programs and Services for Students with Special Needs could help to ensure that students are appropriately identified and placed in special programs. Such a study should be limited to the individual schools within a local school system rather than regional or state-wide. The results of this type of study could be compared to percentage of compliance within a given school in order to determine the relationship of level of knowledge with compliance by school rather than district. An investigation of this nature could supply the school system with information that would be useful when planning staff development activities for principals.

Another worthwhile study might be directed at attitude since there was a significant statistical relationship between principals' attitude toward legislative procedural requirements with percentage of compliance. Items which could be included in such an investigation might address those areas which influence attitude such as amount of paperwork required for documentation of efforts, amount of time needed to complete paperwork and attend meetings, timelines for completing all placement procedures, required screening and evaluation for placement of students, limited funding, pressure from parents and other advocates, and limited space. Consideration should be given to conducting such a study within a selected school system where the relationship between attitude with compliance can be determined within individual schools.

An additional study might focus on demographic characteristics and the relationship they have with compliance. Such an investigation within

a local school system, especially those with a low percentage of compliance could be beneficial to the system in identifying strengths and weaknesses by individuals, both principals and special education administrators, as well as by individual schools.

Another study to this investigation might focus on the relationship of total student enrollment with compliance. A number of questions could be addressed in such a study including the pros and cons of merging school systems. In addition, attention could be focused on the size of the special education administrative staff, additional responsibilities of special education administrators in smaller school units, local supplements for exceptional children programs, support from superintendent and school board for exceptional children programs, and rural or urban setting.

The opinionnaire developed for this investigation provided an instrument for soliciting the information presented in this study. Further use of this instrument may be of value in continuing to examine local educational agency variables that influence compliance with federal and state legislative procedural requirements. It may also be useful for persons who are only interested in measuring knowledge of legislative requirements and attitude toward these requirements. In addition, it could be used as a pretest and posttest in staff development activities planned for principals, special education personnel, support personnel, teachers, or parents.

In the final analysis, it is important that research continue to investigate variables that hinder compliance with federal and state requirements, both procedural and programming.

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APPENDIX 1
OPINIONNAIRE

Local Education Agency Number: _____
 Enrollment (1982-83): _____
 Type of Administrative _____
 School Unit: County _____
 City _____

OPINIONNAIRE

Please check and/or complete the following items in the column which applies to you.

PRINCIPALS

Number of years as a principal: _____

Number of years total classroom teaching experience: _____

Degree(s): Bachelors _____
 Masters _____
 Six Year _____
 Doctorate _____
 Other _____

Are you certified in Special Education?

Yes _____
 No _____

If no, how many continuing education units have you earned in Special Education?

None _____
 1 to 3 _____
 4 to 6 _____
 7 to 9 _____
 More than 9 _____

SPECIAL EDUCATION ADMINISTRATORS

Number of years as a special education administrator: _____

Number of years total classroom teaching experience: _____

Degree(s): Bachelors _____
 Masters _____
 Six Year _____
 Doctorate _____
 Other _____

Are you certified in Special Education?

Yes _____
 No _____

If no, how many continuing education units have you earned in Special Education?

None _____
 1 to 3 _____
 4 to 6 _____
 7 to 9 _____
 More than 9 _____

The purpose of this opinionnaire is to assess your opinion about federal and state legislative procedural requirements pertaining to exceptional children's programs. Please place a check in the appropriate spaces in both Column A and B for each item listed which best describes your opinion.

	COLUMN A		COLUMN B	
	Required	Not Required	Should Be Required	Should Not Be Required
Example: Written parental permission for placement is obtained before a student receives special education related services.	X		X	
1. Individual education programs (IEPs) are treated as confidential records.				
2. Written parental permission is obtained when screening and/or evaluation require the administration of instruments, interviews or other procedures used selectively with an individual student.				
3. The individualized education program (IEP) must include all of the following: present level of educational functioning; annual goals, short-term objectives; special and related services; extent in regular education and description of program; dates of service initiation and duration; and objective evaluative criteria.				

The purpose of this opinionnaire is to assess your opinion about federal and state legislative procedural requirements pertaining to exceptional children's programs. Please place a check in the appropriate spaces in both Column A and B for each item listed which best describes your opinion.

	COLUMN A		COLUMN B	
	Required	Not Required	Should Be Required	Should Not Be Required
4. Deficits in adaptive behavior are considered and documented in the diagnosis of mentally handicapped students.				
5. Written parental consent is obtained before a student's educational records are released to school officials within the local education agency (LEA) having a legitimate educational interest in the student or to another local education agency (LEA) where the student intends to enroll.				
6. The diagnosis of a potential pupil with specific learning disabilities involves: determining current intellectual functioning; calculating expected grade level functioning; determining discrepancy from the expected academic performance and current academic performance; and utilizing an item analysis.				
7. Within 15 calendar days after the evaluation is completed, the student's parent(s) or guardian(s) is sent a written summary of the evaluation results and findings along with proposals for meeting the student's educational needs.				

The purpose of this opinionnaire is to assess your opinion about federal and state legislative procedural requirements pertaining to exceptional children's programs. Please place a check in the appropriate spaces in both Column A and B for each item listed which best describes your opinion.

	COLUMN A		COLUMN B	
	Required	Not Required	Should Be Required	Should Not Be Required
8. The parent(s) or guardian(s) signs the individualized education program (IEP) to signify agreement with the program.				
9. The individualized education program (IEP) is revised as often as determined necessary, but at least annually.				
10. When the administrative placement committee makes a decision regarding placement, it is then the responsibility of the school-based committee to ensure that an appropriate individualized education program (IEP) is developed.				
11. A sign-off sheet is available for persons to sign before reviewing confidential records of a special needs student.				
12. If the parent(s) or guardian(s) consent, the local education agency (LEA) provides or chooses to be provided an appropriate evaluation within 30 calendar days after sending the notice.				

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	COLUMN A		COLUMN B	
	Required	Not Required	Should Be Required	Should Not Be Required
13. The written notice to the parent(s) or guardian(s) inviting them to the individualized education program (IEP) meeting includes: purpose of the meeting; time of the meeting; location of the meeting; and persons who will be in attendance.				
14. Gifted and talented screening and evaluation includes: IQ percentile; achievement percentile; performance data, and behavioral scale (K-9).				
15. Speech and/or language impaired evaluation includes hearing screening, education evaluation, and speech and language evaluation.				
16. Parents are given a copy of their due process rights at the individualized education program (IEP) meeting.				
17. The administrative placement committee makes all final decisions regarding placement of students in programs for exceptional children.				

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	COLUMN A		COLUMN B	
	Required	Not Required	Should Be Required	Should Not Be Required
18. Referral forms are on file for gifted and talented (GT) students placed after 1978.				
19. The school-based committee discusses appropriate placement alternatives with the parent(s) or guardian(s) and recommends, in writing, to the administrative placement committee the type of placement which would meet the educational needs of the student.				
20. A list of persons having access to confidential records is posted or available.				
21. The official date of a referral is the date the parent(s) gives written permission for testing.				
22. When students suspected of having specific learning disabilities are screened and evaluated, deficits in psychomotor and adaptive behavior are documented.				

The purpose of this opinionnaire is to assess your opinion about federal and state legislative procedural requirements pertaining to exceptional children's programs. Please place a check in the appropriate spaces in both Column A and B for each item listed which best describes your opinion.

	COLUMN A		COLUMN B	
	Required	Not Required	Should Be Required	Should Not Be Required
23. Students who are recommended for gifted and talented (GT) placement receive a composite of 19 (elementary) or 14 (secondary) points on the gifted and talented (GT) profile sheet.				
24. The individualized education program (IEP) is developed and written by: a local education agency (LEA) representative other than the student's teacher; the student's teacher; the parent(s) or guardian(s); the student when appropriate; and other individuals involved in evaluation and treatment at the discretion of the local education agency (LEA) or the parent.				
25. The school-based committee reviews referral information for students suspected of needing special education services.				
26. The learning disability report includes educationally relevant medical findings and the effects of environmental, cultural or economic disadvantages.				

The purpose of this opinionnaire is to assess your opinion about federal and state legislative procedural requirements pertaining to exceptional children's programs. Please place a check in the appropriate spaces in both Column A and B for each item listed which best describes your opinion.

	COLUMN A		COLUMN B	
	Required	Not Required	Should Be Required	Should Not Be Required
27. When the parent disagrees with an evaluation, the local education agency (LEA) either pays for an independent evaluation or ensures that the evaluation is provided at no cost to the parents.				
28. The local education agency (LEA) keeps a list of hearing officers, including the qualification of each person to serve in this capacity.				
29. Written parental consent is obtained before the initial placement of a child with special needs in a program providing special education and related services.				
30. A written notice is sent to parent(s) or guardian(s) before the local education agency (LEA) initiates or changes identification, evaluation, individualized education program, or educational placement.				
31. Reevaluations of exceptional children, which include the type of screening and evaluation required prior to initial placement, are completed at least every three years.				

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	COLUMN A		COLUMN B	
	Required	Not Required	Should Be Required	Should Not Be Required
32. A referral addresses specific problems the student is experiencing in academic performance and/or noted behaviors including strengths and weaknesses.				
33. All screening and evaluation is current or given within the last three years.				
34. A referral is made in writing when a teacher or other person involved with a student recognizes that his/her educational needs are not being met.				

APPENDIX 2
RESPONSIBILITIES OF LOCAL DIRECTORS
OF EXCEPTIONAL CHILDREN PROGRAMS

RESPONSIBILITIES OF LOCAL DIRECTORS
OF EXCEPTIONAL CHILDREN PROGRAMS

(Compiled during Local Directors' Institute, Pinehurst, North Carolina,
February 12 & 13, 1981)

(No Priority Order)

1. Write projects and grants
2. Plan and conduct inservice activities for principals, special and regular classroom teachers
3. Organize and serve on Administrative Placement Committee (APC)
4. Meet with parents to describe and explain types of programs available for each exceptionality and/or respond to parent concerns.
5. Develop forms to be used in the referral, assessment and placement of students with special needs
6. Meet with various civic groups to apprise them of the characteristics of exceptional children and to explain programs and services provided
7. Arrange transportation for the handicapped
8. Interview/hire personnel
9. Observe/evaluate personnel
10. Prepare budgets
11. Implement Federal/State guidelines
12. Direct/serve/attend Special Olympics
13. Assist with curriculum planning
14. Prepare headcount reports
15. Coordinate/locate psychologists
16. Develop system-wide objectives for special education department
17. Prepare report for Board of Education

18. Attend Board of Education meetings
19. Compile information for due process hearings
20. Handle general correspondence
21. Order materials, equipment and supplies
22. Coordinate participation of exceptional students in the annual and competency testing programs
23. Review and evaluate materials
24. Attend due process hearings
25. Maintain files/records
26. Monitor confidentiality requirements
27. Coordinate child find
28. Serve on various committees as needed/required
29. Arrange system-wide activities for exceptional children personnel, including support personnel
30. Attend principal meetings
31. Investigate out-of-district placements for students with special needs
32. Prepare data and/or reports for superintendent
33. Evaluate exceptional children programs
34. Attend/conduct staff meetings
35. Disseminate information to outside parties/groups
36. Disseminate information to staff
37. Monitor certification of teachers
38. Renew own certification
39. Serve on accreditation teams
40. Prepare for accreditation
41. Place student teachers/maintain university conduct
42. Serve on state monitoring team upon request

43. Recommend policy/policy change
44. Publish policy relating to exceptional children's programs
45. Write contractual agreements (e.g., physical/occupational therapists, psychologists, other agencies, private providers)
46. Put out fires (e.g., emergency discipline problems, irrate parents)
47. Answer the telephone
48. Stroke the staff
49. Attend school-based committee staffings
50. Select Governor's School participants
51. Hire/train secretary
52. Prepare for and host monitoring visit
53. Prepare for and host Headcount audit visit
54. Organize/coordinate service delivery
55. Assign duties/responsibilities to personnel
56. Evaluate/check IEPs
57. Attend conferences
58. Keep abreast of new research updates (journals, etc.)
59. Attend Developmental Evaluation Center staffings
60. Coordinate Child Abuse Project
61. Coordinate screening and evaluation of students
62. Monitor 504 plans
63. Coordinate Arts of the Handicapped
64. Prepare for and host Office of Special Education and Office of Civil Rights visits