

Conclusions and Principles for Reform

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Our purpose in organizing and publishing this volume has been to identify problems that have crept into special education over the years, analyze their causes, and suggest a range of possible solutions. Above all, our goal is to stimulate thinking about how best to educate disabled youngsters in today's America, open some sealed assumptions to the fresh breeze of ideas, invite rigorous thinking in lieu of defensive posturing, and begin to point the way toward a different future. The fourteen essays that precede this one are our main contribution to that important conversation. Our intention in these concluding pages is not to summarize them or to propose solutions for every problem, but to underscore the challenges that strike the editors as most vexing and to outline some principles that might guide their solution. With this in mind, the next stage of our joint special education efforts is likely to include a detailed blueprint for IDEA reform, to be released when the start of the 2002 reauthorization process is closer at hand.

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Before reviewing problems that have crept into the special education program, we want to hail its

accomplishments. Millions of children with handicaps, disabilities and special needs have received—and are receiving—a better education thanks to the IDEA. Millions of parents have found in it a source of hope and possibility for their daughters and sons, as well as an avenue for their own direct involvement in key education decisions affecting their disabled children. Tens of thousands of teachers have devoted themselves, heart and soul, to the schooling of these youngsters. Thanks to the IDEA, Section 504, and the state and local special education programs that complement and reinforce them, today many disabled children in America have the opportunity to obtain a high-quality educational experience tailored to their needs and circumstances, the priorities of their parents, and the judgments of their teachers. No other country tries harder to do right by its disabled citizens and its girls and boys with special educational needs.

And yet this record of accomplishment is at best half the story of the IDEA in particular and special education in general. For this program that has done so much is also sorely troubled. America's program for youngsters with disabilities has itself developed infirmities, handicaps and special needs of its own. Twenty-five years after President Ford signed the Education for All

Handicapped Children Act, we are not educating many disabled children to a satisfactory level of skills and knowledge. Too often we are frustrating their parents, distracting their teachers, hobbling their schools, and making it harder to keep order in their classrooms, all this despite the best of intentions and the most earnest of efforts by families, educators, and policymakers. We are sawing down forests to create paperwork that sometimes seems to have become the program's *raison d'être*; filling courtrooms with angry litigants and costly litigators; snarling state and local education reform efforts; legitimizing double standards and new forms of segregation; and hitting taxpayers with ever-larger bills for a lengthening list of services provided to a burgeoning population of children, many of whom might not have even become candidates for special education had they been given a first-class regular education.

Putting it bluntly, special education is broken for too many children. Think of it as "a program at risk." As the new administration and Congress prepare for the IDEA's reauthorization, it is vital to recognize this. Our conclusion has nothing to do with political party or ideology. It arises from an intense concern for the well-being of children and families, the quality of education, and the effectiveness of these government programs.

Perhaps it goes without saying that special education is but one domain of American K-12 education in need of fundamental reform. Indeed, the shortcomings and rigidities of regular education—the subject of many earnest reform efforts in recent decades, especially since 1983's *A Nation At Risk*¹ report—exacerbate the troubles of special education. If, for example, we did a better job of individualizing the educational experience of every child within a standards-and-results-based framework, the special education program would also work better. If we did a better job of preventing and forestalling education problems rather than relying on compensatory and remedial activities, disabled children would benefit enormously. If we routinely gave parents more education choices. If we had a fair and efficient system for apportioning education resources. And so forth. The fact that such problems remain largely unsolved complicates the job of reforming special education. But it does not justify our failure to undertake that job.

We have been in Washington long enough to know that any long-established program becomes encrusted with strongly held assumptions, interlocking interests, acquired habits, ingrained procedures, and plenty of suspicion toward anyone who suggests that change is needed. Nowhere in our experience is this truer than in special education.

We therefore invite readers to remind themselves that what matters is what is good for children. The fact that something has been done in a certain way for a quarter-century does not mean that it works well for the girls and boys in whose name it is done. Few would argue that the way America treated its disabled youngsters for the 25 years *before* 1975 should have continued. So a huge and necessary change was made. We submit that it's time for another one. Fortunately,

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25 Years Later: What We've Learned

The original problems to be solved by special education were that many handicapped children were denied access to public education, were segregated in warehouse-style schools, or had access only to classrooms that took no account of their distinctive needs.

This was wrong. It was un-American. It was bad education. And it was bad for children. Because it appeared that states and communities could not be trusted to do right by their disabled youngsters, the federal government stepped in, much as it had done earlier for black children. The education of disabled girls and boys thereupon became a civil right, enshrined both in the new federal special education programs that took shape after 1975 and in a series of court rulings and anti-discrimination statutes, especially Section 504 of the Rehabilitation Act.

Special education still operates strictly according to the procedures manual, while being vague about its standards and surprisingly relaxed about results. It's ironic that a law intended to put special-needs students into the least restrictive environment often ends up putting their schools into the most restrictive environment.

A quarter-century later, we are pleased to report, the original problem is largely solved. Disabled youngsters have access to public education, indeed to a more individualized and generously funded form of public education than their non-disabled age mates, and to a system that gives their parents greater say over their education than the families of other children.

We laud this success. It is a huge, albeit overdue, accomplishment for human decency and fairness. Nothing in this volume is intended to detract from it or to take credit away from those who made it possible.

But how well is it really working? What exactly have these youngsters been given access to? Is the edifice of programs, services, procedures, and rights erected in the 1970s succeeding for disabled children today? And has it kept pace with important changes in the larger world of American education?

We think not. Over the past 25 years, K-12 education in the United States has undergone a profound paradigm shift, from access-and-services to results-and-accountability. During the most recent decade, this change has been especially dramatic. Special education simply hasn't kept up. It's still an access-and-services program enveloped by a civil rights orientation. It still has more to do with combating discrimination than teaching children what they need to learn. It's not really a quality-and-performance-enhancing education program. Despite the efforts of many people of goodwill, and notwithstanding numerous fine-tunings of the law, it still has little to do with the standards-based reforms that are today's engines of education change.

Surprisingly, special education hasn't even kept up with changes elsewhere in the civil rights movement. When it comes to race and education, for example, the country has been moving, if slowly and painfully, from a preoccupation with barriers, access, and nominal integration to an obsession with strengthening academic results and narrowing the learning gap. Most parents of African-American and Hispanic children today are less interested in the skin color of the youngster in the next seat than in the school's success at imparting important skills and knowledge to their own sons and daughters. Government programs for poor and minority youngsters are gradually catching up to that important shift in priorities. But no such shift has occurred in special education. Some assert that the 1997 IDEA amendments brought about such a refocusing, but they are mostly wrong. The intent was there, but in the end Congress simply added a layer of standards-related rules without fundamentally changing the existing regulation-and-compliance structure.

We recognize that money must be part of any thoroughgoing reform of special education; the federal government has a legitimate obligation here. But adding dollars to the current program will not reform it.

Special education is also out of sync with profound organizational changes taking place elsewhere in K-12 education and in the larger world outside. Most successful modern organizations operate by being clear about their goals and demanding about results, but loose—and decentralized—about the means to those ends. Special education, however, still operates strictly according to the procedures manual, while being vague about its standards and surprisingly relaxed about results. So long as the forms are properly filled in and all the boxes checked, nobody seems too concerned about how much and how well disabled children learn or how effectively their schools operate. It's ironic that a law intended to put special-needs students into the least restrictive environment often ends up putting their schools into the most restrictive environment.

Hence, it's not really surprising that many children in special education aren't learning enough. Academic progress is scant. Too few disabled youngsters graduate from high school—and, for many that do, the diploma is more a mark of persistence than a certificate of attainment. Special education, moreover, has become a one-way street. It's relatively easy to send children down this street, but they rarely return.

The most striking thing about special education is that, even as many people endorse the program's intentions and salute its accomplishments, few are happy with how it actually works. Most of its constituents acknowledge substantial problems (though not necessarily the same ones). Overall, we repeat, America's special education program has urgent special needs of its own. It is, in many ways, broken.

Some people insist otherwise. They contend that special education is soundly conceived and properly structured but inadequately funded. Their solution is for Washington to spend more money on existing programs. We recognize that money must be part of any thoroughgoing reform of special education; the federal government has a legitimate obligation here. But merely adding dollars to the current program will not reform it. Even bringing the federal appropriation up to the long-promised 40 percent of additional costs would not address the underlying

problems. Indeed, an infusion of dollars might even make people more complacent about this troubled program, notwithstanding the less-than-satisfactory effects that it has on many children. In any case, a larger appropriation is at best a temporary palliative. It will not long quell the complaints (from states, districts, and schools) that result from the “unfunded mandate” nature of today’s program, its ever-escalating costs, and its ever-growing student rolls.

Eight Policy Failures in Need of Attention

Preventable and remediable conditions grow into intractable problems. Particularly in the burgeoning category of “learning disabilities” (LDs), which now accounts for half of all special education cases, we are persuaded by the evidence reported in Chapter 12 and elsewhere that millions of youngsters probably would not need to be in special education at all if they were properly taught to read at an early age. Yet, despite vigorous efforts by some in the special education and disability communities, prevention and early intervention remain low priorities in a program that continues to focus on the identification and remediation of learning problems after they have grown severe.

Today, special education attempts to serve an ever-growing population of youngsters with an ever-lengthening list of problems and difficulties. Special education now has far too many categories and is too vague about which children need this assistance.

Special education suffers from what the Pentagon calls “mission creep.” That phrase describes a carefully targeted undertaking that keeps on expanding until its goals become unattainable, its operation impossibly complex and costly, and its purpose clouded. Special education began as a program for children with clearly identified physical and mental handicaps. Today, however, it attempts to serve an ever-growing population of youngsters with an ever-lengthening list of problems and difficulties, some of them ambiguous in origin, subjective in identification, and uncertain as to solution. Special education now has far too many categories—particularly in the “LD” area—and is too vague about which children need this assistance. (For evidence on this point, see especially Chapters 2, 4, and 9.)

Our one-size-fits-all approach has created a legal and policy straitjacket. One of the lessons of the last century, finally recognized in most realms of American education outside special education, is that there is no such thing as “one best system” for all students. Children are too different in their needs and interests; communities in their priorities and values; families in their enthusiasms and attitudes; and educators in their passions and talents. We celebrate diversity throughout our education system—except in special education. Here we insist on following the same rules and procedures whether a child is multiply handicapped or has a mild reading disability. This creates a system that is full of adversarial procedures, rife with litigation, unresponsive to innovation, discouraging to diversity, and hostile to creativity. (For further discussion, see especially Chapters 7, 10, 11, and 14).

The IDEA creates perverse incentives for educators and schools. Particularly as other programs such as Title I evolve into schoolwide “improvement” efforts, many teachers and principals find that special education is their only source of help for individual children who need extra

attention and the only remedy for classrooms plagued by disruptive youngsters. (See Chapter 7.) We do *not* contend that school districts have fiscal incentives to place more children in special education (see Chapter 9); the cost to the district almost invariably exceeds the added state and federal dollars that accompany those youngsters. We do believe, however, that at the classroom and building levels there are rational incentives to move certain kids into special education even when this may not be the best way to solve the perceived problem.

Parents have perverse incentives, too. Because of the program's legalistic orientation, some parents (often egged on by eager attorneys) opt for the adversarial procedures of due process hearings and litigation rather than conferring with their child's teachers and school administrators. Because of the unique "accommodations" that special education status confers on students, some families now agitate to have their own children diagnosed as disabled in order to gain extra on college entrance tests and the like. How sad, it seems to us, that a parent's ardor to have a child admitted to a competitive university would lead his or her to seek this costly remedy, which can bring with it a permanent label and even a lifetime of double standards. (See Chapters 2, 10, and 11.)

Different rules for disabled children foster a "separate but unequal" education system. It strikes us as ironic or worse that laws meant to break down barriers and open doors now serve to promote separatism and inequality.

As the largest unfunded federal mandate in K-12 education, special education distorts the priorities and fractures the programmatic coherence of schools and school systems. At both local and state levels, it also causes budgetary havoc. Making a school function as an effective organization is difficult enough, yet both research and experience make clear that this is vital for successful teaching and learning to occur. It becomes doubly difficult, however, when different rules and procedures exist for some of the children within that school. As for budget, it's well-known that federal (and sometime state) law requires a school system to set aside sufficient funds for special education before it can pay for any of its other programs, services, or activities. As special education costs reach 25-30 percent of total budgets of many districts—and as much as 40 percent in some—this can drastically distort the school system's education priorities and interfere with its capacity to accomplish other important objectives. Moreover, in small and rural communities, the stress that high-need students can place on schools and district budgets creates painful tensions within the community. (See Chapters 7 and 9.)

Different rules for disabled children foster a "separate but unequal" education system. It strikes us as ironic or worse that laws meant to break down barriers and open doors now serve to promote separatism and inequality. As examples, consider the controversial double standard that has emerged for student discipline, and the dual approach that has arisen in the area of achievement testing. (See Chapter 8.)

Special education collides with standards-based reform, exempting many students (and the educators and schools that serve them) from meeting state or district academic standards, even as such standards are being strengthened for the "regular" education system. Special education has at best a troubled relationship with assessment arrangements that states and districts are

putting into place for their “regular” schools and pupils. And the incentives and sanctions that apply in special education differ greatly from those that represent “accountability” in regular education. Perhaps this was inevitable, considering the IDEA’s focus on compliance rather than achievement, on inputs instead of results, and process in lieu of cognitive skills and knowledge.

To keep pace with promising education changes at the local, state, and national level, it is essential to redefine the IDEA from a compliance-oriented program to one focused on results and performance.

Obviously, the standards that states have developed over the last ten years are not appropriate for every disabled youngster. But the inevitable effects thus far have been to frustrate important education reforms that would benefit all children, and to deepen the distinctions between disabled children and their classmates. (See Chapter 3.)

Principles for Reform

To reform the IDEA in ways that address the issues raised in the preceding paragraphs and the earlier essays in this volume, we urge policymakers to consider six principles. Together, we believe, they build on special education’s successes of the past quarter-century and would make the program work better for more children. These principles should guide federal policymakers during the next IDEA reauthorization cycle, and should also inform state and local

discussions of program implementation.

1. *Make the IDEA standards- and performance-based wherever possible, using Section 504 as the civil rights underpinning of special education but viewing the IDEA as a bona-fide education program that is judged by its results.*
2. *Streamline the number of special education categories into a very few broad groupings, distinguished by whether the basic conditions they address are primarily in need of prevention or intervention, remediation or accommodation, or some combination thereof.*
3. *Focus on prevention and early intervention wherever possible, using research-based practices.*
4. *Encourage flexibility, innovation, and choices, allowing schools to work with students and parents to customize services and placements to meet varying needs, and foster the integration of special education into the school’s larger mission and program, while giving parents sound options for their children’s education.*
5. *Provide adequate funding to ensure the program’s success, assigning to Washington full responsibility for funding the education of the country’s growing population of severely disabled students.*
6. *End double standards wherever possible.*

We now amplify these principles.

Make the IDEA Standards- and Performance-based

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Section 504 of the Rehabilitation Act of 1973 should be viewed as the guarantor of disabled youngsters' civil rights. It states that, "No otherwise qualified individual with a disability in the United States, as defined in section 706(8) of this title, shall, solely by reason of her or his handicap, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program or activity receiving Federal financial assistance."²

In fact, it is Section 504, not the IDEA, which lays out the states' primary obligation in this area. The procedural requirements of the IDEA apply only if a state accepts funding under the statute. The Section 504 requirements apply regardless. These requirements, however, are fairly vague and do not themselves provide states with a suitable framework for special education results.

Fortunately, the progress that many states and localities have made in standards-based reform also provides some direction for special education. Although it is neither fair nor pedagogically sound to hold all disabled students to the same standards that are expected of general education students, for many special education students these standards can offer suitable goals and expectations.

We believe that standards-based reform, coupled with the civil rights protections of Section 504, offer policymakers an avenue to rethink the IDEA as a service- and performance-based program for students with exceptional needs rather than a compliance-based program. Using standards as the education polestar and Section 504 as the "safety net" to guard against discrimination, states and localities could be given greater flexibility so long as they and their students attain concrete goals. In this volume, Chapter 14 examines alternatives to the compliance approach and offers insights into the potential benefits (and challenges) of such an approach.

Streamline the Number of Special Education Categories

Rather than today's "one-size-fits-all" IDEA mandates and procedures, policymakers should consider creating two or possibly three categories of students within the special-needs population. Chapter 2 suggests one approach to this that we think has considerable merit. Like the ESEA reauthorization proposals recently advanced by President Bush and the New Democrats in Congress, present categories within the IDEA should be blended around their core purposes rather than ever more numerous sub-groups. Essentially, students eligible for the IDEA should be clustered by broad areas of need rather than specific disabilities. Obviously, this doesn't mean that individual children with special needs do not require individualized attention

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and customized education strategies; that remains absolutely essential. However, attempting through the IDEA to prescribe these strategies, or to identify the full range of student circumstances that exist in the real world, is a Sisyphean task that substitutes the judgments of bureaucrats and rule-makers for those of educators and parents.

Broad areas of need, however, can readily be outlined. Some youngsters require accommodations while others need mainly corrective assistance. For example, with regard to vision—and hearing-impaired students, the goal of the IDEA (and the obligation under Section 504) should be to ensure that accommodations are in place so these youngsters can take full advantage of the education program. However, for many children with learning disabilities, particularly reading problems, the goals of special education should be preventive and corrective. For those with serious mental retardation, goals should include maximum attainment in the domains of cognition, self-reliance and socialization.

Focus on Prevention and Early Intervention

Chapter 12 presents a compelling case for early identification, prevention, and intervention in what will otherwise emerge as learning disabilities. (This should, of course, be rooted in effective and research-based reading instruction.) Similarly,

Chapter 4 raises important questions about the civil rights paradigm as it applies to students with reading problems. We believe that a focus on reading for young children is one of the most cost-effective and important reforms that policymakers can undertake, one that would have singular benefit for youngsters otherwise apt to be headed toward special education classrooms.

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Encourage Flexibility, Innovation, and Choices

During the November 2000 conference at which the various chapters in this volume were first presented, both the presentations and ensuing dialogue underscored the reality that, at the school and classroom levels, students are often assigned to special education in order to secure additional needed services for them. This, rather than district-level activity, is probably the primary reason for

higher costs resulting from over identification. The motivation is unimpeachable: to help students in need. Yet the result is that special education programs end up playing catch-up for poor or indifferent instruction.

Wherever possible, therefore, policymakers should grant to schools flexibility to design education programs that meet the needs of children they serve within a results-based framework. Essential to this end is a healthy market of education choices for parents. To encourage this, funding should be allocated to ensure that public charter schools receive their full “share” of special education resources for children they serve. (At the same time, public charter schools must stay true to their birthright as public schools and not shun more costly or difficult-to-educate students.)

We also believe that more choices should be given to parents of severely disabled students without having to go through elaborate, contentious, and costly legal proceedings (that often work better for affluent families than poor ones). For students with severe needs, we believe, policymakers should explore ways to create a federally funded weighted “entitlement” that parents can use at the school of their choice. Essentially, such a system would place accountability for the quality of services in the hands of parents rather than in a procedure-bound system of regulation and litigation.

Public schools have a legal obligation to be a provider of special education services for severely disabled students, too, and in most cases they will be the provider of “first resort” for parents with options. But they must not be the only alternative. We urge policymakers to consider replacing the current “due process” system for severely disabled students with a system that empowers parents to select what they believe is the best provider of the special services their children need, while preserving public responsibility to ensure that all students receive a free appropriate public education.

Exactly what gives students with specific learning problems an entitlement to greater education resources than their peers who simply are slow learners and/or struggling for other reasons? This difficult question needs a full airing.

Provide Adequate Funding

If it is to succeed, the IDEA must be funded so that it *can* succeed. Nationwide, 43 percent of education spending comes from localities. The result is a tremendous disparity in the ability of school districts to accommodate high-need students. In addition to the structural and programmatic reforms considered in this volume, therefore, adequate funding must be provided for special education services and prevention and intervention activities. Policymakers should seek to ensure not only that funding mechanisms are identification-neutral but also that schools and school systems have the resources to meet demands placed on them by Section 504 and the IDEA.

It is worth considering the establishment of a special fund (at a national or regional level) to provide additional financial assistance as needed for the education of “high cost-low incidence” students. (Former Vice President Al Gore proposed such a fund during the 2000 campaign.) In addition, clear lines of responsibility and access with regard to Medicaid must be established. For students with severe medical needs, schools and school districts must be able to access resources to provide the requisite medical services. Furthermore, there must be accountability for this spending to ensure it subsidizes student services, not administration, and there must be clear guidelines so that those running schools are not subject to the whims of distant Medicaid bureaucrats.

End Double Standards

We urge an easing of today’s double standards with regard to special education. The much-discussed discipline issue is the most contentious of these situations but not the only one. Disagreement continues about the extent to which the IDEA’s procedural requirements prevent

school administrators from disciplining disruptive special education students. We believe this issue warrants further study and discussion, as does the issue of student discipline in general. A worthy solution may incorporate aspects of the IDEA into general education while also changing today's separate disciplinary track for disabled youngsters. Such a compromise would not only give school administrators greater latitude to remove disruptive students and place them in alternative settings but also require school districts to continue serving *all* students until they reach the age of majority. Ideally, such an arrangement would encourage administrators to weigh options other than suspension and expulsion for difficult students while strengthening their ability to ensure an orderly learning environment for all youngsters.

Learning disabilities pose issues of their own. Chapter 4 is instructive because it asks a fundamental question that is frequently answered with more shrillness than empirical evidence:

As the education landscape changes with regard to choice, policymakers must keep abreast of new ways to ensure that disabled children also benefit to the maximum degree from this important strand of reform.

Exactly what gives students with specific learning problems an entitlement to greater education resources than their peers who simply are slow learners and/or struggling for other reasons? As policymakers struggle to correct the chronic dysfunction plaguing many of the nation's largest school districts serving high concentrations of poor and minority students, this difficult question needs a full airing.

With regard to teacher training, it is clear that many general-education teachers do not feel themselves well-equipped to deal with special education issues, no doubt in part because they learned little about

these matters during their training. Nor are there enough interactions between special education teachers and their colleagues in general education. This "silo" effect results from the long-standing disconnect between special education and general education. This is an issue that must be addressed if special education students are to be genuinely incorporated into the education programs of their schools. It must be addressed in schools of education and in the schools themselves. So, too, must the preparation of special education teachers. Deficiencies in this area were noted at the November conference and are frequently cited in the special education literature.

Future Challenges

The principles enumerated above point toward significant changes that policymakers can consider and act on during the upcoming reauthorization of the IDEA, in deliberations about state special education laws, and in state and local decisions about program implementation. Over the longer term, however, there are additional important policy issues that need to be pondered.

A number of federal education programs are linked to some of the problems that the IDEA addresses. Title I and Head Start are the most notable examples because they focus on reading and are targeted toward disadvantaged populations. It is likely that the current Elementary and Secondary Education Act (ESEA) reauthorization cycle will result in greater flexibility for states

and districts to use federal funds to address diverse educational needs and circumstances. Policymakers should study these changes carefully to find ways in which more flexibility and integration can be achieved between the IDEA and these programs. As the IDEA moves toward a results-based orientation, this added flexibility is a natural corollary.

Such integration would also help address the “isolation” of special education. In several of the preceding chapters, and at the November conference, analysts and stakeholders expressed concern that the IDEA is often seen as an entity unto itself rather than in the context of overall school reform. Further integrating it with other federal reform efforts for needy children is one way to address this issue.

Effective education requires a degree of customization and individual attention too often lacking in general education and, ironically, frequently in special education as well. Several conference participants expressed concern that individualized education plans are frequently not truly individualized and instead are more focused on legal protection and regulatory procedure. Policymakers must endeavor to ensure that *all* students receive individualized attention suited to their specific learning needs.

Edison Schools founder Chris Whittle notes that, although Federal Express can locate one of its packages anywhere in the world at any specific moment, many schools can’t identify the progress a particular student is making over the course of a year. He’s right, of course, and the result is that too many students, particularly poor and minority youngsters, fall through the education cracks.

In the 1920s, Helen Parkhurst developed what became known as the Dalton Plan, individualized contracts that teachers negotiated with students to determine the goals that they would meet. The intention was that such contracts would replace the traditional approach to schooling in favor of a more flexible one. The hazard here is obvious and shared with other “progressive” reforms of the time: without some sort of external standards or benchmarks, it becomes difficult to ensure rigor in individual contracts. In addition, such individualization is time-consuming for teachers. In fact, by 1949 researchers could find only one school still using the Dalton model. Yet when coupled with today’s movement toward clear common standards, tests, and accountability systems, Parkhurst’s plan might well provide a model for customization within that broader common framework. Policymakers should seek to ensure individualized attention for all students, particularly poor, disabled, and immigrant youngsters, so that differences in learning styles and needs are accommodated within the context of rigorous and common academic standards.³

It is also clear that the movement for greater parental choice is changing education policy and practice around the country. At this writing, 36 states and the District of Columbia have laws supporting public charter schools, and there are now more than 2,000 such schools in operation enrolling more than half a million youngsters. In addition, two cities (Milwaukee and Cleveland) and one state (Florida) have publicly funded school voucher programs. Although

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there is disagreement about these and other choice strategies, just about everyone recognizes that choice is increasing today and will increase further tomorrow. The principles for reform set forth above incorporate a great deal of parental empowerment. Coupled with public accountability for results, increasing parental authority and responsibility is a key strategy to drive better results for children and schools. As the education landscape changes with regard to choice, policymakers must keep abreast of new ways to ensure that disabled children also benefit to the maximum degree from this important strand of reform.

Special education has accomplished a great deal for American children in the past and can accomplish more in the future. But this will require an openness to criticism and fresh ideas, a willingness to entertain reforms, and a capacity to change. We urge policymakers to question the status quo, explore ways to improve education for youngsters, and not shy from taking on the tough task of improving efforts to ensure that all our children are afforded the education they deserve. Special education has accomplished a great deal for American children in the past and can accomplish more in the future. But this will require an openness to criticism and fresh ideas, a willingness to entertain reforms, and a capacity to change.

¹ National Commission on Excellence in Education, *A Nation at Risk: The Imperative for Educational Reform* (Washington, D.C.: U.S. Department of Education, 1983).

² 29 U.S.C. § 794(a).

³ See David Tyack and Larry Cuban, *Tinkering Toward Utopia: A Century of Public School Reform* (Cambridge, MA: Harvard University Press, 1995): 94-96.