



Contents

Preface	iv
The Educational Experience of Disciplinary Controversy	vi
Correlation Guide	xix
Topic Guide	xxi
Introduction	xxii

UNIT 1 SPECIAL EDUCATION AND SOCIETY 1

Issue 1. Are Labels Good for Kids? 2

YES: Gwyn W. Senokossoff and Kim Stoddard, from “Swimming in Deep Water: Childhood Bipolar Disorder,” *Preventing School Failure* (vol. 53, no. 4, 2009) 6

NO: Scott M. Shannon, from *Please Don’t Label My Child: Break the Doctor-Diagnosis-Drug Cycle and Discover Safe, Effective Choices for Your Child’s Emotional Health* (Chapter 1: The High Cost of Labeling) (Rodale, 2007) 14

Gwyn W. Senokossoff, an instructor in childhood education and literacy, and Kim Stoddard, an associate professor in special education (both at the University of South Florida, St. Petersburg) describe the first author’s struggles to find a diagnosis, appropriate intervention, and support for her son with childhood bipolar disorder. Scott M. Shannon, psychiatrist and former president of the American Holistic Medical Association, explains why he believes it is advantageous to look for ways to relieve stressors in a child’s environment rather than seek a label, which might do more harm than good.

Issue 2. Did IDEA 2004 Contain Substantial Changes? 24

YES: H. Rutherford Turnbull, III, from “Individuals with Disabilities Education Act Reauthorization: Accountability and Personal Responsibility,” *Remedial and Special Education* (vol. 26, no. 6, pp. 320–326, 2005) 29

NO: Tom E. C. Smith, from “IDEA 2004: Another Round in the Reauthorization Process,” *Remedial and Special Education* (vol. 26, no. 6, pp. 314–319, 2005) 39

H. Rutherford Turnbull III, co-founder and co-director of the Beach Center on Disability at the University of Kansas, sees major changes in IDEA 2004. In line with the Bush administration’s priorities, Turnbull identifies a shift toward requiring parents and students to take more responsibility for their own behavior and for relationships with schools. Tom E. C. Smith, professor at the University of Arkansas, focuses his research on disability law and inclusion. Reflecting on IDEA 2004, Smith believes that although some changes seem significant, they will make little difference in the daily practice of special education teachers.

Issue 3. Is Disproportionally High Minority Representation in Special Education a School Problem? 49

YES: Edward Fergus, from “Distinguishing Difference from Disability: The Common Causes of Racial/Ethnic Disproportionality in Special Education,” *www.niusi/leadscape.org*, March 23, 2012 54

NO: Richard Rothstein, from “Whose Problem Is Poverty?” *Educational Leadership* (vol. 65, no. 7, pp. 8–13, 2008) 61

Edward Fergus is deputy director of the Metropolitan Center for Urban Education at New York University. Previously a high school teacher, Dr. Fergus consults on issues of disproportionality. His study of over 30 districts identified common root causes of disproportionality and remedies for each one. Richard Rothstein, a research associate of the Economic Policy Institute, writes and speaks on issues of education, economics, and policy, with a focus on the achievement gap. Mr. Rothstein posits that schools alone cannot overcome the effects of poverty on a child’s life and education.

Issue 4. Can RTI and IDEA Child Find Coexist? 69

YES: Lynn S. Fuchs, from “NRCLD Update on Responsiveness to Intervention: Research to Practice” (National Research Center on Learning Disabilities, 2007), *www.nrclid.org*, February 25, 2008 73

NO: Jose L. Martin, from “Legal Implications of Response to Intervention and Special Education Identification” (n.d.), *www.rtinetwork.org*, April 25, 2012 81

Lynn S. Fuchs, a prolific scholar in the area of learning disabilities, and one of several researchers in the National Research Center for Learning Disabilities, explains how Research to Intervention (RTI) strategies can separate a struggling learner from one with specific learning disabilities (SLDs). Research results demonstrate her thinking. Jose L. Martin, partner in the law firm Richards Lindsay & Martin in Austin, Texas, represents schools in disability issues and litigation, sees promise in RTI, and also discord with IDEA that could cause tension and conflict between schools and parents. Perhaps revision of the 35-year-old IDEA is in order to recognize changes in general education.

Issue 5. Can Whole-School Reform Reduce Discipline Problems? 91

YES: Howard S. Adelman & Linda Taylor, from “Rethinking How Schools Address Student Misbehavior and Disengagement,” *Addressing Barriers to Learning* (vol. 13, no. 2, 2008), <http://smhp.psych.ucla.edu> 95

NO: William C. Frick & Susan C. Faircloth, from “Acting in the Collective and Individual ‘Best Interest of Students’: When Ethical Imperatives Clash with Administrative Demands,” *Journal of Special Education Leadership* (vol. 20, no. 1, pp. 21–32, 2007) 103

Howard S. Adelman and Linda Taylor, co-directors of the UCLA School Mental Health Project, based in the Center for Mental Health in Schools,

believe that many discipline problems could be eliminated by whole-school initiatives that create and sustain an environment that addresses positive social and emotional development as well as academics. William C. Frick and Susan C. Faircloth, assistant professors at the University of Oklahoma and the Pennsylvania State University, respectively, present dilemmas faced by principals torn between balancing the needs of one particular student who exhibits disruptive behavior with those of the rest of the student body, whose learning is affected by the single student's actions.

Issue 6. Are Charter Schools a Good Choice for Students with Disabilities? 113

YES: **Mitt Romney**, from *A Chance for Every Child: Mitt Romney's Plan for Restoring the Promise of American Education* (2012), www.mittromney.com, May 24, 2012 117

NO: **Thomas Hehir**, from "Hearing on the All Students Achieving through Reform Act of 2009, H.R. 4330," Hearing Before the Committee on Education and Labor, House of Representatives, 111th Cong. (2010) (Statement of Mr. Thomas Hehir), <http://edlabor.house.gov/documents/111/pdf/statements/20100224GMHearingStatement.pdf> 124

Mitt Romney, Republican contender for the presidency and former governor of Massachusetts, proposes to improve options for all children, especially those from low-income families and those with special needs, by using U.S. federal grant funds to increase access to more desirable, innovative charter schools. Thomas Hehir, prominent educational policymaker, agrees that charter schools can offer desirable options. Testifying in front of Congress, Hehir expresses his strong concern that the doors of charter schools are often closed to students with disabilities. He cautions that these closed doors might constitute a denial of civil rights.

Issue 7. Should Insurance Cover Treatments/Services for Autism? 132

YES: **Autism Speaks**, from *Arguments in Support of Private Insurance Coverage for Autism-Related Services* (February 2009), www.autismspeaks.org 136

NO: **Victoria C. Bunce & J.P. Wieske**, from *Health Insurance Mandates in the States 2009* (The Council for Affordable Health Insurance, 2009), www.cahi.org, February 10, 2009 144

Autism Speaks, an advocacy organization founded by Suzanne and Bob Wright (former executives in General Electric and NBC, respectively), together with the National Alliance for Autism Research and Cure Autism Now, presents eight arguments in support of legislation mandating health insurance coverage of autism services. Writing for the Council for Affordable Health Insurance, an organization that promotes the affordable health care access for all Americans, Victoria C. Bunce and J.P. Wieske discuss national trends in state-mandated health care benefits for children with autism, arguing that responsibility for these costs belongs elsewhere.

UNIT 2 ACCESS AND ACCOUNTABILITY 155**Issue 8. Has the Americans with Disabilities Act (ADA) Accomplished Its Goals? 156**

YES: John Hockenberry, from “Yes, You Can,” *Parade Magazine* (pp. 4–5, 2005, July 24), http://archive.parade.com/2005/0724/0724_disabilities.html, July 24, 2005 161

NO: Lynda A. Price, Paul J. Gerber, & Robert Mulligan, from “Adults with Learning Disabilities and the Underutilization of the Americans with Disabilities Act,” *Remedial and Special Education* (vol. 28, no. 6, pp. 340–344, 2007) 165

John Hockenberry, an award-winning television commentator, radio host, and foreign correspondent, who happens to use a wheelchair, celebrates the increased access brought about by implementation of the Americans with Disabilities Act (ADA). Lynda A. Price, Paul J. Gerber (university faculty members and researchers), and Robert Mulligan (a district special education administrator) contend that the opportunities for ADA-mandated access are underused by individuals with learning disabilities.

Issue 9. Should RTI Interventions Be Delivered by Special Educators? 172

YES: Douglas Fuchs, Lynn S. Fuchs, & Donald L. Compton, from “Smart RTI: A Next-Generation Approach to Multilevel Prevention,” *Exceptional Children* (vol. 78, no. 3, pp. 263–279, 2012) 176

NO: Linda P. Blanton, Marleen C. Pugach, & Lani Florian, from *Preparing General Education Teachers to Improve Outcomes for Students with Disabilities* (American Association of Colleges for Teacher Education and National Center for Learning Disabilities, April 2011), www.aacte.org 186

Douglas Fuchs, Lynn S. Fuchs, and Donald L. Compton, professors at Vanderbilt University, and prolific scholars whose extensive research is in the area of student instruction and assessment, propose that the Smart RTI of the future taps the unique pedagogical training of special educators to implement Tier 3 interventions. Linda P. Blanton, Marleen C. Pugach, and Lani Florian, professors at Florida International University, the University of Wisconsin-Madison, and the University of Aberdeen, Scotland, respectively, blend the perspectives of two well-respected professional organizations to envision the future of RTI in the hands of general education teachers trained to teach all children who enter their classroom.

Issue 10. Should Special Education and General Education Merge? 199

YES: Mary T. Brownell, Paul T. Sindelar, Mary Theresa Kiely, & Louis C. Danielson, from “Special Education Teacher Quality and Preparation: Exposing Foundations, Constructing a New Model,” *Exceptional Children* (vol. 76, no. 3, pp. 357–377, 2010) 203

NO: Margaret J. McLaughlin, from “Evolving Interpretations of Educational Equity and Students with Disabilities,” *Exceptional Children* (vol. 76, no. 3, pp. 265–278, 2010) 214

Mary T. Brownell, Paul T. Sindelar, and Mary Theresa Kiely, policy scholars from the University of Florida, Gainesville, and Louis C. Danielson at the American Institutes for Research link political changes with special education teacher preparation. They conclude that the future of special education rests within content-rich RTI practices. Margaret J. McLaughlin, policy architect and analyst from the University of Maryland sees a disconnect between the singular academic outcomes of NCLB/ESEA and the individualized needs of students with disabilities. Merging is not wise when some students with disabilities are treated unjustly if held to unitary academic outcomes.

Issue 11. Does NCLB Leave Some Students Behind? 228

YES: Jennifer Booher-Jennings, from "Rationing Education in an Era of Accountability," *Phi Delta Kappan* (vol. 87, no. 10, pp. 756–761, 2006) 233

NO: U.S. Department of Education, from "Working Together for Students with Disabilities: Individuals with Disabilities Education Act (IDEA) and No Child Left Behind Act (NCLB)" (2005), <http://ed.gov>, January 31, 2006 240

Jennifer Booher-Jennings, a doctoral candidate at Columbia University when she wrote this issue, finds the accountability pressures of No Child Left Behind lead some administrators to advise teachers to focus only on those children who will improve their school's scores; other students don't count much. The U.S. Department of Education FAQ Sheet on IDEA and No Child Left Behind (NCLB) advises readers that the link between these two statutes is sound, emphasizing how they work together to ensure that every student's performance and needs receive appropriate attention.

Issue 12. Should Students with Cognitive Disabilities Be Expected to Demonstrate Academic Proficiency? 250

YES: Kevin S. McGrew & Jeffrey Evans, from *Expectations for Students with Cognitive Disabilities: Is the Cup Half Empty or Half Full? Can the Cup Flow Over?* (Synthesis Report 55) (University of Minnesota, National Center on Educational Outcomes, 2004) 254

NO: James M. Kauffman, from *Education Deform: Bright People Sometimes Say Stupid Things about Education* (Scarecrow Press, 2002) 267

Kevin S. McGrew, director of the Institute for Applied Psychometrics (IAP) and educational researcher, and Jeffrey Evans, consultant and educational researcher for IAP, are wary that stereotypes of individuals with cognitive disabilities are used to form limited (and limiting) expectations and self-fulfilling prophecies. James M. Kauffman, professor Emeritus of Education at the University of Virginia, Charlottesville, and special education philosopher-researcher, believes that educators and parents must acknowledge that some students with cognitive disabilities cannot reach high academic standards and are best served by programs that develop other skills.

Issue 13. Is Full Inclusion the Least Restrictive Environment? 279

YES: Rosalind Vargo & Joe Vargo, from “Voice of Inclusion: From My Friend, Ro Vargo,” in R. A. Villa & J. S. Thousand, eds., *Creating an Inclusive School* (Association for Supervision and Curriculum Development, 2005, 2nd ed., pp. 27–40) 284

NO: Amy D. Marcus, from “Eli’s Choice,” *The Wall Street Journal* (2005, December 31), <http://online.wsj.com/article/SB113598974559935259-search.html?KEYWORDS=marcus&COLLECTION=wsjie/6month>}, December 31, 2005 291

Rosalind Vargo and Joe Vargo, parents of Ro, use their voices to tell a powerful story of their daughter’s success in fully inclusive educational programs, from kindergarten through college. Amy D. Marcus, staff reporter at *The Wall Street Journal*, conveys the voices of Eli’s parents and teachers as they react to his message to leave a fully inclusive program in favor of a separate special education class.

Issue 14. Should Colleges Be More Accommodating to Students with Disabilities? 298

YES: Hazel Denhart, from “Deconstructing Barriers: Perceptions of Students Labeled with Learning Disabilities in Higher Education,” *Journal of Learning Disabilities* (vol. 41, no. 6, pp. 483–497, 2008) 303

NO: Melana Z. Vickers, from *Accommodating College Students with Learning Disabilities: ADD, ADHD, and Dyslexia* (The John W. Pope Center, 2010), www.popecenter.org, March 1, 2010 314

Hazel Denhart, who lectures at Portland State University, uses a disability theory perspective to analyze how students with learning disabilities perceive their experiences in higher education. Her interviewees identify social barriers that make college a less-than-welcome experience and recommend steps to reduce institutional intolerance. Melana Zyla Vickers, an editorial writer for *USA Today*, uses information from interviews with on-campus experts, professors, and students, to raise serious questions about the legitimacy of accommodations and disability services. Many of her interviewees think disabilities leading to accommodations can be purchased, to the detriment of everyone’s experience.

UNIT 3 EXCEPTIONALITIES 329**Issue 15. Do Gifted and Talented Students Need Special Schools? 330**

YES: John Cloud, from “Are We Failing Our Geniuses?” *Time Magazine* (vol. 170, no. 9, pp. 41–47, 2007, August 27) 334

NO: Susan Winebrenner and Dina Brulles, from *The Cluster Grouping Handbook* (Free Spirit Publishing, 2008) 341

John Cloud, a staff writer for *Time Magazine* since 1997, profiles a number of extraordinarily gifted young people challenged for the first time in a specialized school that pushes them to reach their potential in a way that

public schools could not. Susan Winebrenner and Dina Brulles work with educators to design and deliver cluster-based programs that address the needs of the gifted within their neighborhood school and provide options for a range of students to reach their potential.

Issue 16. Is Mental Health Screening an Unwarranted Intrusion? 351

YES: Nathaniel S. Lehrman, from "The Dangers of Mental Health Screening," *Journal of American Physicians and Surgeons* (vol. 11, no. 3, pp. 80–82, 2006) 355

NO: Mark. D. Weist, Marcia Rubin, Elizabeth Moore, Steven Adelsheim, & Gordon Wrobel, from "Mental Health Screening in Schools," *Journal of School Health* (vol. 77, pp. 53–58, 2007) 361

Nathaniel Lehrman, clinical director (retired) of the Kingsboro Psychiatric Center, New York, warns that new mental health screening requirements, heralded as a way to increase the health of the nation, will intrude on basic freedoms, lead to inappropriate labels, and increase revenue for pharmaceutical companies. Mark Weist, Marcia Rubin, Elizabeth Moore, Steven Adelsheim, and Gordon Wrobel, consultants and researchers in mental health, view this screening as a way to identify those who need early intervention in order to prevent the development of debilitating mental illnesses.

Issue 17. Should the Government Prohibit the Use of Restraint and Seclusion in Schools? 369

YES: National Disability Rights Network, from *School Is Not Supposed to Hurt: The U.S. Department of Education Must Do More to Protect School Children from Restraint and Seclusion* (2012), www.ndrn.org, March 20, 2012 374

NO: Sasha Pudelski, from *Keeping Schools Safe: How Seclusion and Restraint Protects Students and School Personnel* (2012), www.aasa.org, March 20, 2012 385

The National Disability Rights Network (NDRN) has authored three major reports highlighting concerns about the use of restraint and seclusion in schools. In the face of continuing legislative gridlock, the latest report urges the U.S. federal Department of Education to issue clear guidance limiting restraint and seclusion to situations posing an imminent danger. Sasha Pudelski, government affairs manager for the American Association of School Administrators (AASA), presents her organization's position that restraint and seclusion need to be available tools in schools. Banning their use with any and all students could actually increase the potential for injury.

Issue 18. Is ADHD a Real Disorder? 395

YES: Evelyn B. Kelly, from *Encyclopedia of Attention Deficit Hyperactivity Disorders* (Greenwood Press, 2009) 400

NO: Todd E. Elder, from "The Importance of Relative Standards in ADHD Diagnoses: Evidence Based on Exact Birth Dates," *Journal of Health Economics* (vol. 29, pp. 641–656, 2010) 406

Evelyn B. Kelly, a science writer, journalist, and adjunct professor at the College of Education, St. Leo University, presents an encyclopedia of

characteristics, causes, and interventions for the several conditions, which are all very real attention deficit hyperactivity disorders. Todd E. Elder, a faculty member in the Economics Department of Michigan State University, presents evidence from a longitudinal study indicating that the likelihood of a child's diagnosis with ADHD is more dependent on his age relative to kindergarten peers than it is to any discrete, absolute behavior characteristics.

Issue 19. Are Evidence-Based Practices Sufficient for Educating Students with Autism? 416

YES: Samuel L. Odom, Lana Collet-Klingenberg, Sally J. Rogers, & Deborah D. Hatton, from "Evidence-Based Practices in Interventions for Children and Youth with Autism Spectrum Disorders," *Preventing School Failure* (vol. 54, no. 4, pp. 275–282, 2010) 421

NO: Ken Siri & Tony Lyons, eds., from *Cutting-Edge Therapies for Autism, 2010–2011* (Skyhorse Publishing, 2010) 432

Samuel L. Odom, Lana Collet-Klingenberg, Sally J. Rogers, and Deborah D. Hatton, researchers affiliated with the National Professional Development Center, describe a procedure for determining whether focused intervention practices have sufficient evidence to be deemed evidence-based practices (EBPs). Identifying 24 practices that meet the research criteria, the authors also provide guidance and advice about implementation. Ken Siri and Tony Lyons are fathers of children on the autism spectrum. Dr. Mark Frielich is a developmental pediatrician who practices in New York. They view children with autism as individuals whose bodies have fallen victim to a perfect storm of problems. They introduce an edited book of "cutting-edge therapies," designed to inform readers of possible treatments, many of which have not been vetted by research.

Issue 20. Does Working with Parents Have to Be Contentious? 442

YES: Jenna Goudreau, from "Parenting through Special Education," *Forbes* (2009, August 5), www.forbes.com/2009/08/05/special-education-needs-autism-forbes-woman-time-working-mother_print.html, August 6, 2009 446

NO: Jennifer Krumins, from "Choose Your Advocates Wisely: Getting the Best for Your Child," *EP Magazine* (vol. 39, no. 8/9, pp. 34–36, 2009) 451

Jenna Goudreau, journalist in two prominent publications, relates the compelling stories of several parents who have had to fight with school systems and battle legal complexities to get the free appropriate public education they feel is right for their children with disabilities. Jennifer Krumins, a special education teacher and mother of a child with autism, advises parents to ease tension, stress, and pressure by finding an advocate who can serve as an "interpreter" in a complex educational system and teach them how to secure the necessary supports with a positive approach.

Contributors 458