

Although both the United States and England share the same concerns about special needs students they have responded to the challenge somewhat differently.

# The United States and England—Meeting the Mandate

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Though uniquely different in organization, the school systems of England and the United States share many commonalities. Each is a reflection of the society which created it, and each represents the aspirations of that society to develop a well educated citizenry capable of preserving the tenets of a democratic way of life. Sharing a heritage and a culture based on common values, each system seeks to transmit a culture, promote societal values, and provide options ensuring optimum literacy.

In the most recent decade, the school system in each country has shared yet another commonality in the challenge handed down by legislative mandate directing that schools in each country provide appropriate education for all handicapped children. The education prescribed by the mandates required that, to the maximum extent appropriate, handicapped learners were to be educated in the mainstream of the school system along with non-handicapped pupils.

Meeting that challenge represented some major changes in the way services had previously been delivered. The legislative acts and attendant judicial decisions gave explicit directions on services, along with exact timetables for implementation. In assuring the rights of the handicapped to educational opportunity, the legislative acts in each country called on educators and schools to embrace a new era of education for an under-served group of learners, and challenged the creative abilities of administrators and teachers to re-define their role as professionals.

In the brief period since enactment of this mandate, what changes have taken place? Have schools changed in their sensitivity to what constitutes an appropriate educa-

tion? How have the mandates been interpreted and translated into action? To what extent has England and the United States complied with the intent of the mandate? This report will attempt to answer some of these concerns by comparing data before the mandate (1978) with the status of education of the handicapped reflected in the most recent data available (1987). Opinions and reactions from Administrators, teachers, and parents will be presented in an informal format so as to assess some of the feelings generated by the changes that have been required.

In the United States, the path which led to passage of Public Law 94-142, mandating an appropriate education for handicapped children in the least restrictive environment was a route that emerged out of a variety of forces. A powerful catalyst came from judicial decisions, and from legislative action lobbied into reality by advocacy groups.

The present system of educating the handicapped in England and Wales has evolved over a period of time and reflects concern for educating the handicapped that goes back for a long period of time. A progression of reports, studies, commission policies and parliamentary action has provided the framework for the operation of a diversified school system. The current system which embraces a diversity of private enterprises, volunteer agencies, and government initiative produces an umbrella of tax supported and government supervised schools that cannot be reduced to a simple description. The efforts of government, church, and private endeavor combine to provide for the education of children, including the handicapped. Specifically, it was Parliament that established the Committee of Enquiry which filed the report leading to the Education Act of 1981, often called the Warnock Committee Act.

Both Public Law 94-192 and the Education Act of 1981 embodied some specific changes that were remarkably similar. In both countries, it was mandated that

- (1) All handicapped have access to an education appropriate to individual needs.
- (2) The confidentiality of records and procedures be respected.
- (3) Parents be made part of the decision-making process regarding the child.
- (4) All procedures from assessment to the delivery of services be non-discriminatory.

The Education Act of 1981 in England and Wales incorporated a bold new concept from the Warnock Report that, in time, may significantly change the direction of service to the handicapped. It mandated a model for delivery of service based solely on educational needs rather than on the previously used medical model. Prior educational programs had been built around a categorical condition with delivery of services focused on an environment populated by others with the same medically diagnosed condition. Education supposedly addressed deficits perceived to be the result of a "disability of body or mind." The Education Act of 1981 made a complete change by replacing categorical definitions with a single description; Pupils With Special Education Needs.

Here was a dynamic philosophical posture from which it was possible to look at the child's educational needs and at ways of meeting those needs through appropriate educational practices. This process described the child's needs for modification in teaching methods, modification of curriculum, and adequate support so as to ensure a measure of success. A certain measure of accountability is built into the process by requiring that a statement of educational needs be written for each child who is in need of additional Special Education. The statement is to detail specific needs of the child and how they are to be met.

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By looking specifically at the educational needs of children, the categories no longer reflect a group of children according to the cause of their need. Rather it allows for grouping according to what the child needs to learn regardless of the cause of his present symptoms. The Education Act of 1981 in effect divides service levels into three levels in order to address the varying intensity of needs as well as to provide a degree of flexibility in options.

Public Law 94-142 retained the procedure that was in place by using a categorical description for funding, for qualifying pupils for service and for delivery of services. One of the key provisions, however, is the requirement that, to the extent appropriate, handicapped children must be educated with non-handicapped. Special class placement or other educational environments that created a segregated situation were to be considered only when the nature and severity of the handicapping condition made regular classes, with support services, an unsatisfactory placement for the child.

The term, "least restrictive environment" has come into common use and reflects the intent to provide education with non-handicapped peers to the greatest extent appropriate for the learner. The appropriateness of an educational placement is two-pronged: it must be a setting in which the child can make progress and an environment in which the child can interact with his/her non-handicapped peers. It is well to keep in mind the tension that will always exist between the special education needs of the child and the need for the least restrictive environment. For many, the least restrictive environment may be the regular class, but for others it may be a special class or an institution. The key determiner lies in the word "appropriate."

When seeking comparative figures to use to measure with statistics the extent to which the two countries have complied with their respective mandates, it is essential to acknowledge the difficulty to find the desired level of credibility in data collected from different bases and with differing levels of sophistication. Generalization allows only a summary statement to be made regarding numbers of children served and the setting in which they were served. Some tentative conclusions can be made by looking at the numbers of children served as reported in summaries from the Federal Bureau of Education of the Handicapped (now the Division of Special Education in the Department of Education). Table I shows the change in the United States.

**FIGURE 1**

**Percentage of school enrollment served as handicapped, by handicapping condition, for the 50 States and the District of Columbia during school years 1976-1977, 1984-1985, and 1985-1986.**

Handicapping Condition	1976-77	1984-85	1985-86
Learning Disabled	1.79	4.72	4.73
Speech Impaired	2.84	2.90	2.86
Mentally Retarded	2.16	1.84	1.68
Emotionally Disturbed	0.64	0.96	0.95
Other Health Impaired	0.32	0.18	0.17
Multihandicapped	—	0.18	0.22
Hard of Hearing or Deaf	0.20	0.18	0.14
Orthopedically Impaired	0.20	0.15	0.14
Visually Handicapped	0.09	0.08	0.07
Deaf-Blind	—	0.01	0.01
Total	8.24	11.19	10.97

— Data for these categories were not collected in 1976-77

Review of data reflecting practices in the United States showed an early focus on the concept of Least Restrictive Environment. Reports from the various states showed a growing preference for regular class placement with support services. In the 1978-79 school year, every school district audited by the Department of Special Education showed expansion of options that were available. Placements in environments other than the public schools decreased as new programs were made available.

If one examines changes in the United States from school year 1978-79 to school year 1985-86, certain trends and some changes are noteworthy. Following several years of rapid increase in number of children served, there was a slowing of this trend by 1983-84 and only slight increases in 1984-85 and 1985-86. The total number of students served in school year 1985-86 was 4,370,244. No doubt the rapid increase in numbers in the first years following enactment of P.L. 94-142 was a result of two facts: absorbing handicapped children who had not been in public schools, and increased identification of children classified as learning disabled. As a percentage of total school enrollment, the numbers of handicapped children being served decreased slightly in 1984-85 and again in 1985-86, with the latter year showing data reflecting 10.97 percent of all children being served under P.L. 94-142.

Survey of data from all states in the United States show that a majority of handicapped children are being educated in settings with non-handicapped children. Twenty-seven percent were being educated in regular class with 42 percent receiving instruction in resource rooms. An additional 24 percent were in special classes in a building that housed mostly regular classes. Though there were significant variations among the states and between districts in the same state, there is a generalization which can be made with some validity: learning disabled and speech or language handicapped were more likely to be in regular classes than some other categories. For example, mentally retarded were more likely to be in separate classrooms. Nationally, 50 percent were in separate classes.

In England and Wales, a close look at data shows some interesting trends developing, especially when figures on Special Schools and hospital-based schools are examined. Reports from the Department of Education and Science showed 138 maintained hospital schools in 1979 with an enrollment of 7,780 students. That number has changed to 87 maintained hospital schools with an enrollment of 4,265 children by 1986. The inference to be drawn here is that as ordinary and special schools developed programs, the demand for and use of hospital schools decreased.

The same trend is true of the Special Schools though the decrease is less dramatic. In 1979 there were 1,461 Special Schools (boarding and day schools) enrolling 123,091 children. In 1986 these numbers had changed to 1,406 schools with 107,675 children in attendance. Here again certain inferences can be drawn. As more students are finding appropriate education in the integration process associated with ordinary schools, fewer are filling places in the special schools.

Data for 1986, England and Wales, shows a total of 30,046 students with Special Education needs were in ordinary schools with slightly more than half (16,810) on the register of ordinary classes. Link arrangements between special schools and ordinary schools is allowing for cooperative programming and opening opportunities for children who formerly were isolated, allowing them to gain new skills both academically and socially. Mixing with other students in ordinary schools allows special needs students to have access to curriculum, to sit for exams, and elimi-

nates the regression to the mean which occurs in classes of all handicapped. Jowett (1988) found that three-fourths of the special schools in England and Wales had some kind of scheme for linking with an ordinary school.

In examining any significant change brought on by legislative direction it is appropriate to look at the change from the viewpoint of those whose lives are impacted by new policies. How has the Education Act of 1981 been received by those who give and those who receive services within the parameters it outlined? Has the spirit of the law generated new optimism for improved education among those who are consumers of what it has produced?

Significant to the new process is the involvement of parents as partners in their children's education. This new relationship between parents and school staff has required changed attitudes in all parties involved. Julian Kramer, Assistant Education Officer, surveyed a random sample of 10% of parents in Derbyshire to assess their perception of satisfaction with their child's education. Using a survey form, a surprising 84% returned the questionnaire sent to them. Though overall response showed a high level of satisfaction, the dissatisfactions that were expressed centered around time delays, education jargon, and feelings that parents were often hurried through procedures that were new to them. They called for simplification of letters, forms, and documents being used. (Kramer, 1985)

In two London boroughs, Dr. Sarah Sandow found from her research that parents had little knowledge of the Education Act of 1981. Among the parents surveyed whose children were in special schools only 37% expressed the opinion that their child would be better educated in an ordinary school. The Sandow report again emphasizes the need for better communication relative to the intent and purpose of the law and a need to assist parents in understanding their role as a participant.

In the United States, case studies found that most parents of handicapped children reacted favorably to placement of their children in an environment with non-handicapped learners. Their response centered around the more appropriate role models for their children and their belief that there is a better academic climate in the regular classroom.

In the early years of compliance with the mandates, it was recognized that help was needed to make parents participatory partners in their child's education. In school year 1978-79, only about half of all parents were actual participants in formulating their child's Individual Education Plan. Though most parents willingly signed the I.E.P., the goal of P.L. 94-142 was to have participation in its development. Several steps were taken to improve participation of parents in the decision-making process. Legal issues relating to I.E.P. meetings were clarified. Rights as well as responsibilities of parents, and directions for stimulating parent participation were addressed in memoranda issued by the Office of Special Education, Department of Education (formerly known as Bureau of Education of the Handicapped). Overall, an atmosphere of success was prevalent. In a later survey, however, full acknowledgement of shortcomings and needed improvements were articulated for ensuing years.

It is to children that we must go to find a candid evaluation from a consumer point of view. How do children who are living the mandated integration assess the overall situation?

Dr. Wendy Lynas conducted interviews with hearing students in ordinary schools in which deaf students were mainstreamed to assess the reactions to integration on the part of those directly affected. Her findings were interesting in that it revealed the typically human resentment that sur-

faces when children perceive a situation as unfair. Many interpreted the extra attention given to deaf students as being unfair and a subtle signal that the teacher preferred those students over hearing students. The students saw this extra attention as an inappropriate dual standard embraced by the teacher and did not use it as a rejection factor toward deaf students, however. Obviously teachers with mainstreamed students need to involve all students in an understanding of the needs of a student with a handicap. Such lessons could, conceivably add an element of patience and compassion to those involved. (Lynas, 1986)

Deaf students being educated in an ordinary school along with hearing student sex pressed their belief that such experience gave them better preparation for life in the adult hearing world. The students, surprisingly, expressed resentment over what they perceived as too much help. They did not want to be singled out or seen as a "teacher's pet."

Every teacher knows it is difficult, if not impossible, to treat the child with special needs as if he/she has no special needs. To do so is to deny the child the education that is appropriate, but to single out a child in the class and make them different creates a new set of problems. (Lynas, 1986)

Reaction, on the part of teachers, in both countries runs the gamut from enthusiasm to extreme reluctance. Most teachers who express continued resistance do so out of a lack of confidence in their training to teach children with special needs. Both Public Law 94-142 and the Education Act of 1981 seek to address this need through provisions for a wide range of training opportunities for staff.

The initial reaction from regular teachers in the United States has gradually become less negative than it was at first. This has been attributed to realization that the mandate would not result in large numbers of severely limited students in regular classes.

Regular teachers are becoming more expert at making necessary modifications to accommodate learners who have special needs. Some of this can be attributed to the additional specific course work now required in the United States to meet teacher certificate criteria. Much of the improvement in teacher competence has come from experiencing success and from support from consultants and other professionals. Though not without some grumbling, there is a commitment to professionalism among teachers in both countries that moves them, as a whole, toward greater competence with handicapped learners.

A final opinion can be formulated when the intent of the legislative mandate is judged against what has actually happened. Without doubt, both P.L. 94-142 and the Education Act of 1981 had as their central purpose an education appropriate to needs in a non-segregated environment. The moral and ethical values of both countries embrace a position of integration and equity. The United States has made incredible strides in bringing all children into the public school system, and has provided a variety of options in keeping with the intent of the law. Unfortunately, these enhanced opportunities have been made available to children who carry a handicapped label. Children are integrated but still segregated by a label. The categorical label remains a stigma and is related to the medical diagnosis of their condition rather than revealing specific educational needs.

In England and Wales, progress towards integration has been somewhat slower but clearly in keeping with the spirit of the law. All categorical labels using the medical model have been discarded in favor of the term "special needs." Such wording has replaced the word "handicapped" and is used in an introductory sense to spell out exact services and learning environment that are needed. Thus chil-

dren who need special education in order to reach their potential, whether it is short term or long term, are provided for without a label that relates to the condition causing his/her need. This bold step is a sound step, educationally, and is at the heart of compliance with the spirit of the 1981 Act.

What of the future? Each country suffers from restricted budgets for education. Each country is on the cutting edge of teachers demands for in-service training and improved working conditions. Each country is searching for ways for improved accountability and better performance from students. Where and how Special Education will fit in the future remains the final challenge of P.L. 94-142 and the Education Act of 1981.

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