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Executive Summary

“The education of all children, regardless of background or disability...must always be a national priority. One of the most important goals of my Administration is to support states and local communities in creating and maintaining a system of public education where no child is left behind. Unfortunately, among those at greatest risk of being left behind are children with disabilities.”

—President George W. Bush, Executive Order 13227

On October 2, 2001, President Bush ordered the creation of the President’s Commission on Excellence in Special Education. As part of the President’s charge to find ways to strengthen America’s four decades of commitment to educating children with disabilities, the Commission held 13 hearings and meetings throughout the nation and listened to the concerns and comments from parents, teachers, principals, education officials and the public.

In this executive summary, we provide the overarching findings presented throughout the following pages of the report.

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Summary of Findings

Finding 1: IDEA is generally providing basic legal safeguards and access for children with disabilities. However, the current system often places process above results, and bureaucratic compliance above student achievement, excellence and outcomes. The system is driven by complex regulations, excessive paperwork and ever-increasing administrative demands at all levels—for the child, the parent, the local education agency and the state education agency. Too often, simply qualifying for special education becomes an end-point—not a gateway to more **effective instruction** and strong intervention.

Finding 2: The current system uses an antiquated model that waits for a child to fail, instead of a model based on **prevention and intervention**. Too little emphasis is put on prevention, early and accurate identification of learning and behavior problems and aggressive intervention using research-based approaches. This means students with disabilities do not get help early when that help can be most effective. Special education should be for those who do not respond to strong and appropriate instruction and methods provided in general education.

Finding 3: Children placed in special education are general education children first. Despite this basic fact, educators and policy-makers think about the two systems as separate and tally the cost of special education as a separate program, not as additional services with resultant add-on expense. In such a system, children with disabilities are often treated not as children who are general education students and whose special instructional needs can be met with scientifically based approaches; they are considered separately with unique costs—creating incentives for misidentification and academic

isolation—preventing the pooling of all available resources to aid learning. **General education and special education share responsibilities** for children with disabilities. They are not separable at any level—cost, instruction or even identification.

Finding 4: When a child fails to make progress in special education, parents do not have adequate options and recourse. Parents have their child's best interests in mind, but they often do not feel they are empowered when the **system fails them**.

Finding 5: The culture of compliance has often developed from the pressures of litigation, diverting much energy from the public schools' first mission: **educating every child**.

Finding 6: Many of the current methods of identifying children with disabilities lack validity. As a result, thousands of children are **misidentified every year**, while many others are not identified early enough or at all.

Finding 7: Children with disabilities require **highly qualified teachers**. Teachers, parents and education officials desire better preparation, support and professional development related to the needs of serving these children. Many educators wish they had better preparation before entering the classroom as well as better tools for identifying needs early and accurately.

Finding 8: Research on special education needs enhanced rigor and the long-term coordination necessary to support the needs of children, educators and parents. In addition, the current system does not always embrace or implement **evidence-based practices** once established.

Finding 9: The focus on compliance and bureaucratic imperatives in the current system, instead of academic achievement and social outcomes, fails too many children with disabilities. Too few successfully graduate from high school or transition to full employment and post-secondary opportunities, despite provisions in IDEA providing for transition services. Parents want an education system that is results-oriented and focused on the child's needs—**in school and beyond**.

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Summary of Major Recommendations

In response to these findings, the Commission has produced *A New Era: Revitalizing Special Education for Children and Their Families*. This report contains dozens of recommendations addressing each of the Commission's nine major findings and their ramifications.

Overall, federal, state and local education reform efforts must extend to special education classrooms. What we discovered was that the central themes of the *No Child Left Behind* Act of 2001 must become the driving force behind IDEA reauthorization. In short, we must insist on high academic standards and excellence, press for accountability for results at all levels, ensure yearly progress, empower and trust parents, support and enhance teacher quality, and encourage educational reforms based on scientifically rigorous research. In addition, we must emphasize identification and assessment methods that prevent disabilities and identify needs early and accurately, as well as implement scientifically based instructional practices.

Three broad recommendations form the foundation of the report.

Major Recommendation 1: Focus on results—not on process.

IDEA must return to its educational mission: serving the needs of every child. While the law must retain the legal and procedural safeguards necessary to guarantee a "free appropriate public education" for

children with disabilities, IDEA will only fulfill its intended purpose if it raises its expectations for students and becomes results-oriented—not driven by process, litigation, regulation and confrontation. In short, the system must be judged by the opportunities it provides and the outcomes achieved by each child.

Major Recommendation 2:

Embrace a model of prevention not a model of failure.

The current model guiding special education focuses on waiting for a child to fail, not on early intervention to prevent failure. Reforms must move the system toward early identification and swift intervention, using scientifically based instruction and teaching methods. This will require changes in the nation's elementary and secondary schools as well as reforms in teacher preparation, recruitment and support.

Major Recommendation 3:

Consider children with disabilities as general education children first.

Special education and general education are treated as separate systems but, in fact, share responsibility for the child with disabilities. In instruction, the systems must work together to provide effective teaching and ensure that those with additional needs benefit from strong teaching and instructional methods that should be offered to a child through general education. Special education should not be treated as a separate cost system, and evaluations of spending must be based on all of the expenditures for the child, including the funds from general education. Funding arrangements should not create an incentive for special education identification or become an option for isolating children with learning and behavior problems. Each special education need must be met using a school's comprehensive resources, not by relegating students to a separately funded program. Flexibility in the use of all educational funds, including those provided through IDEA, is essential.

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A Final Challenge

Before signing the Education for All Handicapped Children Act of 1975 (since reauthorized as the Individuals with Disabilities Education Act), President Gerald R. Ford expressed some concerns about the effect of the law. He worried that it would create new complexities and administrative challenges for public education. But, ultimately it was hope and compassion that inspired him to sign the bill into law.

More than a quarter century later, we know that many of President Ford's concerns were realized. But, we also know that IDEA has exceeded President Ford's greatest hopes. Children with disabilities are now being served in public schools alongside their nondisabled brothers, sisters and friends. And, new opportunities abound. This Commission is optimistic that our nation can build on the successes of the past and do even better in meeting the needs of children with disabilities and their families. But, we will do so only through a focus on educational achievement and excellence, teacher quality and support, and rigorous research. We will succeed if we work to create a culture of high expectations, accountability and results that meets the unique needs of every child. Only then can the promise of *No Child Left Behind* truly be fulfilled.

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