

Short Paper #4  
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IN 620

**Part 1: What is FAPE? Discuss further the “A” in FAPE. What is appropriate? Is a school required to do what is “best” for a child with a disability in terms of services and placement? How can an IEP team process through the conflict of “best” vs. “appropriate.” Why are schools not required to provide services to “maximize” the educational benefit of these students?**

FAPE is an acronym for Free Appropriate Public Education. In order for a state to qualify for federal funding under the Individuals with Disabilities Education Act (IDEA) for its schools, it must create a policy that makes available free and appropriate public education to all of its students with disabilities. FAPE has two components that must be followed in the policy. The first component is educational services provided by the school must be free with no cost to the parents. The second component is the educational services provided must be appropriate for the student and based on the student’s individual needs. Schools provide the second component by creating Individualized Education Plans (IEPs) for their students with disabilities. FAPE also requires that special education and related services provided meet the standards of the state educational agency; include an appropriate preschool, elementary, or secondary school education in the state involved; and be provided in conformity with the student’s individualized education program (Rothstein & Johnson, 2021, p. 123).

The “A” in FAPE is the word “appropriate” and means specialized instruction or services that will help the student benefit from their education while accessing the general curriculum. It also means that a student’s educational program must also be “appropriately ambitious” allowing for them to make individual progress. It is not the “best” of instruction or services, but better than average. States are in charge of figuring out successful programs to meet the unique needs of students with disabilities. The federal government does not define the term “appropriate” in

the Individuals with Disabilities Education Act. States are given the ability to interpret what “appropriate” means and create a program of their own. States cannot provide less than what is outlined by IDEA because they might lose their funding, but they can provide more if they choose to do so.

While navigating an IEP, the team must discuss what supports are appropriate for the unique student they are discussing. They want to provide what is necessary for the student to have success while accessing the general curriculum. If a parent requests more support or specialized instruction that is needed and the team is not in agreement, a parent can file a complaint with their state’s Board of Education. Mediation can also be an option for the parent and the school.

Schools are not required to provide services to “maximize” the educational benefit of the students with disabilities because it was found to be unnecessary for students when they were receiving adequate instruction. In the 1982 case Board of Education v. Rowley, the supreme court ruled that FAPE does not mean that a school has to provide the best instruction and services for students with disabilities. However, they do need to provide specially designed instruction and services that permit the students to benefit from the instruction. States do not have to offer the “best” placement a student can have, but they do need to offer a placement where the student with disabilities will be able to benefit from the instruction and be successful in accessing the general curriculum.

**Part 2: The terms LRE and Inclusion are often incorrectly used interchangeably. Distinguish between the two. Also, provide a suggested example or case study of when “full” inclusion might be appropriate and an example of when it might not. Briefly (in a couple of short paragraphs) describe and defend your personal philosophy on inclusion or mainstreaming.**

The Least Restrictive Environment (LRE) is the setting in which a student with disabilities can receive their appropriate specialized instruction designed to meet their educational needs with peers without disabilities to the maximum extent appropriate. IDEA requires states to develop a continuum of alternative learning environments to help ensure that LRE requirements are considered in the IEP process. The placements could be in the general education classroom with special education teacher consult, general education classroom with special education teacher in the classroom co-teaching, regular classroom with the use of resource room for part of the time, part-time separate setting class, full-time separate setting class, special day school, residential school, and homebound or hospital. The philosophy of LRE is to put the student with disabilities in the most appropriate setting for their educational needs and will not cause undue disruption to other students.

Inclusion, often called “mainstreaming” is the concept of educating students with disabilities in the general education setting with students without disabilities as much as possible and access to the general education curriculum. The idea is that students with disabilities will get a more appropriate education because they will be getting the same experiences as students without disabilities. By being in the general education setting they will be getting more appropriate peer interactions, be with their same-aged peers, and be more in a centralized location with their peers.

An example of a student who would benefit from full inclusion would be a student with a learning disability. This student has a reading disability and can get their specialized instruction from a special education teacher in the general education classroom. The student can participate with their same-aged peers who are not disabled while receiving their special education services.

An example of a student who would not benefit from full inclusion would be a student who can not keep up with the general education curriculum despite all of the accommodations in place and support in the classroom. Full inclusion is placing students with same-aged peers, but a student who is several grade levels behind their same-aged peers will struggle to see success in the classroom.

When I first became a teacher, I taught a high school program called the Occupational Course of Study in North Carolina. It was a work program in a separate classroom for students with disabilities, grades 9-12. The program prepared the students for life after high school, and we taught life skills, work skills, and all the other math, science, English, and history requirements. Students had all of their classes in our program and would go out into the general education classrooms for their vocational courses. I had anywhere from 16-20 students every year with varying disabilities.

I was able to see these students graduate with modified diplomas and have full-time jobs waiting for them. I am still in contact with these students who are now adults (thank you, social media), and I have watched them grow up and continue to have jobs and raise families. I wholeheartedly feel that the skills we taught them in school helped them navigate life after high school.

Before I left my job in NC, schools were told that we could no longer have the Occupational Course of Study. Students would be in general education classes, and they would be required to pass Algebra 1 and English 10 to graduate like everyone else. I remember crying when I heard this news and felt panic for my younger students who would have to figure this new system out.

I am also in touch with my younger students who were not able to finish the work program. I watch as they wander through life, jumping from job to job because they can't keep them. I see them lose their children because they are unable to take care of them or themselves. These life skills were not taught in the general education classes. I feel like the educational system failed them because they didn't give them what they needed to succeed in life.

I believe that we need to look at each student and offer them a program and specialized instruction that will help with their education and enrich their lives. My younger students didn't need to know algebraic equations; they needed to understand how to interact with people and take care of themselves. I understand inclusion and believe that it is a great benefit for some, but not for all. I am a proponent of different programs that focus on the needs of the students.

### **References**

Rothstein, L. & Johnson, S.F. (2021). *Special Education Law (6th ed)*. Sage Publications.