

SECTION TWO: MINNESOTA'S SPECIAL EDUCATION POPULATION

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The Beginnings of Special Education

Special education is part of the public education system in the United States. Prior to 1965, children with special needs were served only sporadically nationwide, and mostly by community organizations outside the school system. In the mid-1960s, parents of children with disabilities “began to organize and demand educational services for their children” and Congressional hearings found that “only about one-third of children with disabilities nationwide were receiving appropriate special education services.”⁸

Two federal acts established the special education system as it is today.⁸ In 1965, *the Elementary and Secondary Education Act* was established to provide grants for state operated schools, and later public schools, to serve students with disabilities.

In 1975, Congress passed *the Education for All Handicapped Children Act*, later renamed *the Individuals with Disabilities Education Act (IDEA)*. IDEA guaranteed that ALL students eligible for special education were entitled to free and appropriate public education (FAPE), and created processes for ensuring that FAPE occurred. IDEA also established the requirement that each student enrolled in special education would have an individualized education plan (IEP) based on his or her specific needs, and that special education students would be educated in the least restrictive environment (LRE); specifically they would be educated with non-disabled children as much as their needs allowed. Since the 1997 reauthorization, IDEA also requires that states provide services to all eligible infants and toddlers and their families.¹⁶

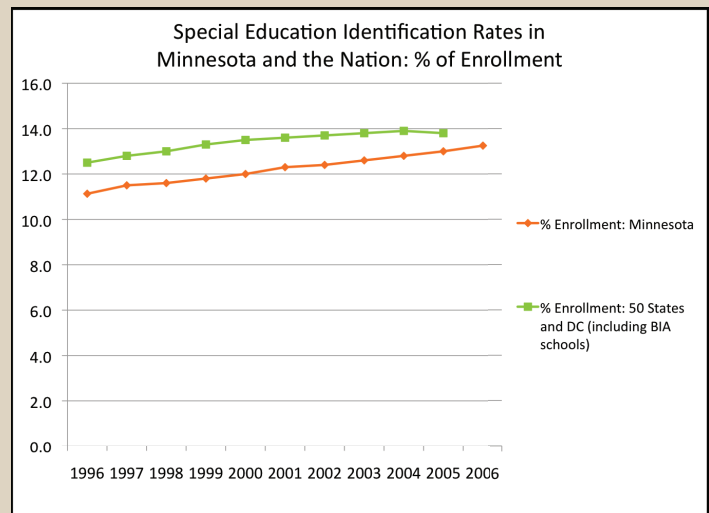
IDEA was re-authorized by Congress in 1991, 1997 and 2004. In the 2004 authorization, two significant changes were made: a change in the way in which students with specific learning disabilities (SLD) are identified⁸ and a provision allowing (but not requiring) “up to 15% of federal funds to be used for early intervention services for students not identified for special education”.⁸ States’ ability to allocate the money this way has been limited due to the high excess special education costs.

It must be noted that Minnesota has a much longer-standing commitment to public education for all

children. The Minnesota Legislature enacted its special education program in the 1950s, more than 20 years before Congress mandated a free, appropriate public education for every child.²⁵

Minnesota's Current and Future Special Education Populations

The percentage of students enrolled in special education has trended upward since the program was established (see graph below). Nationwide, special education students were 8.3% of the total student population in 1976-77, the first year data were collected. The percentage has risen every year, to 13.9% in 2004-05.⁸



Source: Thomas Parrish and the Minnesota Department of Education (MDE)

In Minnesota, 123,269 children 0-21 were enrolled in special education in 2007, roughly 14.9% of the total student population. As with the national trends, the number of special education students in Minnesota has increased: in December 1982, there were 77,455, (9.6% of the total student population) and in December 2003 the number had increased to 117,711 (12.6%).⁸

Factors contributing to the increasing numbers include: increased identification of needs at earlier ages (based partly on IDEA requirements that children 0-5 also be served), greater identification overall, and increases in some specific disability categories.^{8, 24} In addition, “greater accountability under state and federal standards-based education reforms, such as No Child Left Behind, may encourage low achieving students into special education.”²⁰ Demographic

Minnesota Children Enrolled in Special Education 2007

Race	Number of Special Ed Students (COL. 1)	Total K-12 Students (COL. 2)	% Special Ed (COL. 3)	Largest Three Disability Categories <small>KEY: ASD - Autism Spectrum Disorder; D/D - Developmental Delay; EBD - Emotional-Behavioral Disturbance; OHI - Other Health Impairment; SLD - Specific Learning Disability; SLI - Speech or Language Impairment</small>
American Indian	4,265	17,759	24.02%	SLD – 1,063; EBD – 1,045; SLI - 598
Asian	4,653	50,427	9.23%	SLD – 1,477; SLI – 1,071; ASD - 462
Black	15,318	78,359	19.55%	SLD – 4,463; EBD – 3,693; SLI – 1,582
Hispanic	7,949	50,721	15.67%	SLD – 2,894; SLI – 1,287; D/D – 1,179
Caucasian	91,084	640,312	14.22%	SLD – 21,453; SLI – 17,409; OHI – 11,616
TOTAL	123,269	837,578	14.72%	

Source: Col. 1 – Minnesota Department of Education Child Count Reports
 Source: Col. 2 – Minnesota Department of Education Student Fall Enrollment, 2007-08
 Col. 3 – Percentages calculated based on Col. 1 and Col. 2

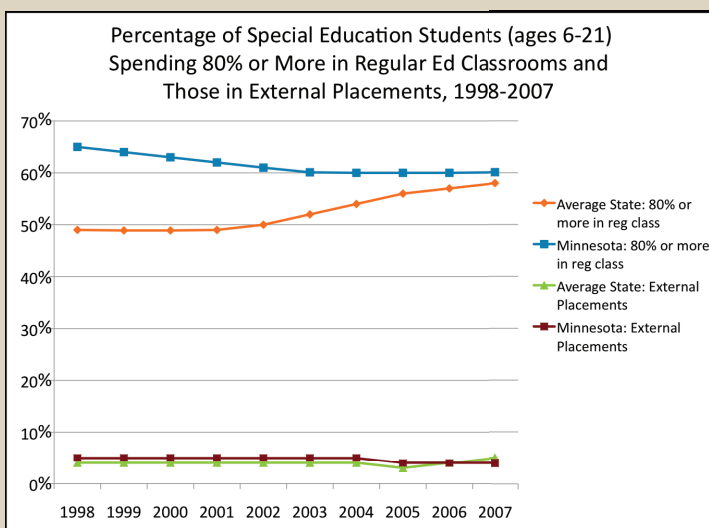
factors such as children at risk due to poverty and low-birth weight, and medical factors such as the increased life span of children with severe disabilities may also contribute to the increase.²¹

There are thirteen federal disability categories.⁸ They are: autism, deaf-blindness, deafness, emotional disturbance, a hearing impairment, mental retardation, multiple disabilities, orthopedic impairment, other health impairment, specific learning disability, speech or language impairment, traumatic brain injury, visual impairment including blindness. Although descriptions of these categories are beyond the scope of this report, they are specifically defined in the IDEA statute. Minnesota uses an additional category, developmental delay, that is allowed by IDEA.

What is important to note is that some students require a much costlier set of services than others, for example sometimes requiring very intensive services or extensive supplemental services.

Special education students are served in a variety of settings within and outside of schools. Over the last ten years, more than 60% of Minnesota’s special education students spent 80% or more of their time in regular classrooms. This is above the national average, although as the graph to the left shows, the percentage in Minnesota has been decreasing while the percentage nationally has been increasing. In addition, a small number of students are served in external placements – outside the school. The rest spend more than 20% of their school day receiving special education services within a regular public school.

Students who qualify for special education have several important attributes: 1) as noted earlier, they represent a growing proportion of the population; 2) they have a legal right under federal law to a free and appropriate public education under federal law, so school districts are legally bound to provide services based on an IEP, without cost being a barrier; 3) they have very diverse educational needs, with “specific learning disability” (SLD) being the largest category at over 45% nationally in 2005-06.⁸ Specific learning disability is the largest category in Minnesota as well.¹²



Source: Thomas Parrish and the Minnesota Department of Education (MDE)