

Edited by  
Margaret J. McLaughlin  
and Martyn Rouse

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Special Education and School Reform  
in the United States and Britain



**Also available as a printed book  
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# Special Education and School Reform in the United States and Britain

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## How has recent reform affected the development of special education in Britain and in the USA?

This book is about how special education policy and practice is being negotiated within the context of educational reform in two countries.

The political climate of recent years in both Britain and the USA led to many changes along similar lines, with a move towards higher standards of achievement, an emphasis on outcomes, privatisation, greater choice and competition.

Each chapter provides an overview and comparative analysis of the origins and evolution of specific educational reforms in the United States and the United Kingdom. The themes explored include:

- providing parents with greater choice
- decentralising decision making
- making the whole curriculum available to all
- increasing accountability
- funding
- the impact of market-place reforms

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# Contents

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	<i>List of illustrations</i>	vii
	<i>List of contributors</i>	ix
	<i>Preface</i>	xi
	<i>Acknowledgements</i>	xiii
<b>1</b>	<b>Introduction: the struggles for reform</b>	<b>1</b>
	MARGARET J. MCLAUGHLIN AND MARTYN ROUSE	
<b>2</b>	<b>Defining difference: a comparative perspective on legal and policy issues in education reform and special educational needs</b>	<b>11</b>
	LANI FLORIAN AND DIANA PULLIN	
<b>3</b>	<b>Standards and curriculum: the core of educational reform</b>	<b>38</b>
	MARGARET J. MCLAUGHLIN AND CHRISTINA TILSTONE	
<b>4</b>	<b>National assessment and special education in the United States and England and Wales: towards a common system for all?</b>	<b>66</b>
	MARTYN ROUSE, JAMES G. SHRINER AND LOU DANIELSON	
<b>5</b>	<b>Educational accountability and students with disabilities in the United States and in England and Wales</b>	<b>98</b>
	JUDY SEBBA, MARTHA L. THURLOW AND MARGARET GOERTZ	
<b>6</b>	<b>Special educational needs policy and choice: tensions between policy development in the US and UK contexts</b>	<b>126</b>
	CHERYL LANGE AND SHEILA RIDDELL	

7	<b>The changing governance of education and its comparative impact on special education in the United Kingdom and the United States</b>	<b>147</b>
	JENNIFER EVANS AND MICHAEL M. GERBER	
8	<b>Funding of special education in the United States and England and Wales</b>	<b>167</b>
	TONY BOWERS AND TOM PARRISH	
	<i>Index</i>	<b>195</b>

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# List of illustrations

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## Tables

1.1	Major elements of the Education Reform Act 1988	3
3.1	Key Stages	40
3.2	The National Curriculum subjects	40
4.1	IDEA requirements for assessment	76
4.2	Possible scenarios for assessment under the Individuals with Disabilities Education Act	78
4.3	Examples of accommodations for assessments	79
4.4	Summary of assessment project and related efforts	84
5.1	Examples of targets of accountability systems in the United States	100
5.2	Index for inclusive schooling: draft dimensions and indicators	117
6.1	Minnesota enrolment options programmes	138
6.2	Selected school choice options and their place on the characteristics continuum	139
8.1	Special educational needs expenditure in one London Borough	173

## Figure

8.1	The 'ability/resource' relationship	174
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# Preface

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Governments around the world have become increasingly involved in education during the past decade. Education has been seen as both the cause of and the potential cure for many of society's ills. In many countries, the process of reforming schools to make them more accountable and to raise academic standards began in the 1980s and has continued without pause since. It is an international phenomenon, the United States and the United Kingdom being two of the countries that have continued to experience a series of major changes to the structure, organisation and content of their educational systems.

The agenda of these reforms is primarily about raising academic standards. It is not surprising therefore that students who find learning difficult are not the central focus of many of these initiatives. Indeed, it could be argued that in the first phase of the reforms such students were, at best, seen as irrelevant to policy-makers as they pursued their agendas. Consequently, there are many people on both sides of the Atlantic who are concerned that the reforms may be having a negative impact on the education of students with disabilities and special educational needs.

The major reforms that are affecting education in both the United Kingdom and the United States make for fascinating comparisons because interesting parallels may be drawn between the two systems. Furthermore, there has been a long history of ideas developed in one system being 'borrowed' by the other. In both countries the pace of change is remarkable, but the chronology of the changes is different. Thus, there are opportunities for the study of the impact of change in one country before it is implemented elsewhere (Firestone, 1997).<sup>1</sup>

Many of these issues were raised at the first Anglo American Symposium on School Reform and Special Educational Needs, held at Magdalene

1 Firestone, W. (1997) 'Standards Reform Run Amok: What the British experience can teach us'. *Education Week* 8 October, pp. 30–32.

College, Cambridge University in July 1994 (Florian and Rouse, 1996).<sup>2</sup> The symposium was planned to provide a forum in which issues crucial to the education of students with special educational needs could be discussed in the light of recent changes brought about by reforms at the national, local or school level. This meeting provided the basis for subsequent research that was carried out at the Universities of Cambridge and of Maryland.

As part of this work, another invited symposium was held in Washington DC in October 1997. Again a number of commentators from the United States and the United Kingdom came together to share their experiences and the findings of research in their respective countries that considers the impact of recent school reform initiatives on the education of students with disabilities and special educational needs. Subsequently, the papers presented at the Washington meeting were revised by pairs of authors, one from each country. This volume contains the results of those collaborations. Authors have been listed alphabetically to imply equal contributions to each chapter.

Support for this project has been provided in part by the University of Cambridge School of Education, the University of Maryland and the United States Department of Education.

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2 Florian, L. and Rouse, M. (1996) *School Reform and Special Educational Needs: Anglo American Perspectives*. Cambridge: University of Cambridge Institute of Education.

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Special thanks are due to two people who have made this project possible. First to Lani Florian who first suggested such a study. Her experience of policy development, from when she worked in the United States Senate, together with her work in American and British universities, gives her particular insights into what has been happening in the two countries. This book benefits from her enthusiasm, perspicacity and common sense. Second, to Lou Danielson at the United States Department for Education who saw the value in learning from such a comparative analysis. His wisdom is much appreciated.

Finally, we would like to thank Nina Stibbe and Jude Bowen together with their colleagues at Routledge for their guidance, support and patience.



# Chapter 1

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## Introduction

### The struggles for reform

*Margaret J. McLaughlin and Martyn Rouse*

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This book is about the journey of two countries and their attempts to improve educational opportunity and outcomes for all children. Each chapter provides an overview and comparative analysis of the origins and evolution of specific educational reforms in the United States of America and the United Kingdom.<sup>1</sup> However, unlike other scholarly endeavours that have chronicled the successes and pitfalls of reform in these two nations, this collection of chapters views these reform initiatives through the lens of education for students with disabilities and special educational needs. This population of students is a particularly interesting and challenging group to consider, given the diversity of their characteristics and educational needs, in light of the call for educational reform that emphasises higher standards and a common curriculum. While the characteristics and legal entitlements of these students often require individualised educational decision making, teachers and families are struggling with how to reconcile the goals and demands of the reforms that include higher standards and more rigorous accountability, while maintaining effective and meaningful practices.

A comparison between the United States and the United Kingdom is useful because the two countries have influenced each other's reforms, and yet their individual policies and practices vary enough to provide interesting contrasts and comparison. Such comparisons are important, not so that we can import ideas from elsewhere, but because they help us to have new insights by providing a different perspective from which we can view ourselves. Comparative analysis can help us to avoid thinking that our way is the only way. More importantly, it can help us to understand who we are, what we believe, what we do and perhaps, what we might do differently (Artiles and Larsen, 1998).

There are many difficulties in carrying out such comparative work between the United Kingdom and the United States. Although the two countries share a common vocabulary, they often place different meanings on these shared terms. Equally, different terms are used in each country to convey a shared concept. Thus, there is considerable potential for misunderstanding. Florian and Pullin



explore many of these differences in context, law and language between the two countries in Chapter 2 and the reader is encouraged to consider these issues carefully.

This book is about how special education policy and practice is being negotiated within the context of educational reform in the two countries. There are a number of common themes that emerge throughout the chapters. There are also some very stark as well as subtle differences. For example, both countries can trace their current reform initiatives to the concerns about global competitiveness, curricular equity, and the widespread belief that academic and behaviour standards in schools were too low. These concerns coincided with the contemporary political and economic ideologies of former British Prime Minister Margaret Thatcher and former US President Ronald Reagan which supported deregulation and privatisation in many aspects of the economy and public service. In the education system these philosophies led to demands for enhanced accountability and market-driven policies that would place more power and choice in the hands of the consumer.

In both countries, concerns were voiced by policy-makers from both the left and the right about economic competitiveness and the need for closer ties between schools and the world of business. Similar concerns were reported throughout many English-speaking countries (Kennedy, 1995; Mitchell, 1996). According to O'Neill (1995), government interventions in many countries have been driven by a range of motives including:

- improving national economies by tightening a connection between schooling, employment, productivity and trade;
- enhancing student outcomes in employment related skills and competencies;
- attaining more direct control over curriculum content and assessment;
- reducing the costs to government of education; and
- increasing community input to education by more direct involvement in school decision-making and the pressure of market choice (Ibid., p. 9).

Although the pace and details of the reforms vary between countries, a 'new orthodoxy' has emerged based on the motives listed above. Mitchell (1996) suggests that the reforms are characterised by a common set of features which include:

- choice—providing parents with greater choice of school for their children;
- competition—between schools for students and resources;
- privatisation—reducing public monopolies by contracting out services to private sector suppliers;
- decentralisation—of decision-making through local and site-based management;
- prescription—of curriculum content and assessment systems;
- surveillance—through rigorous quality control procedures using quantifiable outcome indicators.

An obvious difference between the two countries is the role of central government in the defining and shaping of reform. Within the United States, the predominant model of current reform is referred to as ‘standards-based’. Despite broad consensus about the issues and acceptance of the ‘new orthodoxy’, there is not always agreement about specific solutions as the United States is marked by its fierce protection of local control in education which results in the 50 separate states, as well as individual local school districts, crafting similar yet separate reforms. For the purpose of education policy in the United Kingdom, England and Wales share (broadly) the same framework, while Scotland and Northern Ireland have their own systems. Often, similar reforms are apparent throughout the United Kingdom. With respect to students with disabilities, the United States has a decidedly legalistic and uniform set of policy expectations, shaped by the powerful federal legislation, whereas in the United Kingdom the legal protection offered to children with special educational needs is less prescriptive than in the United States.

The problem facing those who wanted to reform education in England and Wales before the late 1980s was that decision-making and policy-making was largely located with the local education authorities (LEAs), the schools and teachers, with very little power being held centrally. If change was to occur, then legislation was required which relocated control of education by taking it away from the producers (teachers, schools and LEAs), retaining considerable powers centrally (in government or government-appointed agencies) and handing the remainder to the consumers (parents) by giving them greater choice and influence over their children’s schools. This relocation of power was one of the central aims of the Education Reform Act 1988. This legislation was the most important and far-reaching piece of educational law in England and Wales since the Education Act of 1944 (which ensured universal access to secondary education), because it altered the basic power structure of the education system (Maclure, 1988). It was designed to raise standards by introducing a national curriculum closely linked to national assessment and testing. In addition, control of the education service would pass from the providers (LEAs and teachers) to the consumers (parents) through a series of measures designed to impose the rigours of the market-place on schools. Table 1.1 summarises the major reforms introduced by the Education Reform Act 1988:

*Table 1.1* Major elements of the Education Reform Act 1988

- 
- National Curriculum
  - national testing and assessment
  - publication of test results
  - local management of schools
  - competition between schools for students
  - open enrolment and parental choice
  - grant-maintained schools
  - city technology colleges
-

To understand how students with disabilities may participate in the reforms requires an understanding of the context of the reforms in the United States and the United Kingdom, their common origins and intents. Perhaps as noted above, among the most significant is the fact that the principal force driving educational change in both countries was a desire to improve the educational outcomes of students. That is, both countries were driven by political as well as professional concerns about declining academic performances of students as well as perceptions about the lack of relevance or lack of ‘authenticity’ of much of the curriculum. Evident throughout the chapters is the relative paucity of research related to the efficacy of reforms as well as how students with disabilities are faring within the reforms. One might argue that many of the reforms currently being promulgated in both countries are based more on political ideals than empirical evidence and that concerns about special populations of students may be more subverted to larger national goals. However, as each chapter makes clear, the issues are far more complex and challenge some of the long-held assumptions about students with disabilities and the roles and functions of special educators. These chapters provide the first attempt to document the comparative experiences, perceptions, and evidence of how current educational reforms are affecting one important sector of the population in publicly funded schools in the United States and the United Kingdom. The book documents the lessons learned and explores some of the common as well as particular dilemmas in each country.

The chapters in this book address each of the following major educational reform initiatives in the context of educating students with disabilities and special educational needs: rigorous curriculum and content standards; increased performance expectations through assessment; high stakes accountability for student performance; increasing school and community autonomy in decision making and educational choice. In addition, a final chapter on educational finance has been included because funding special education has become a critical issue in implementing reform. Each chapter is co-authored by a US and UK authority who describes the development and current status of specific initiatives within their respective countries and provides a summary of common challenges and issues. Generally, British spellings have been adopted, except where a particular American term is used. We have tried to define the meaning of terms and/or specific conventions to the extent that they may not make sense to readers from one or the other country, but we have not tried to meld the information into a common statement on reform. As a result, the book provides both rich comparative descriptions of the various educational reforms and a rare opportunity to view the reforms through the different cultural lenses of the United States and the United Kingdom.

The Florian and Pullin chapter presents an overview of the current policy base supporting special education for students with disabilities in the United States and in England and Wales. It also provides the context for

understanding some of the key developments in educational reform with respect to these students. Important developments, such as the recent changes in US federal special education policy as defined within the Individuals with Disabilities Education Act and current developments in England and Wales are briefly considered. The chapter highlights some of the important differences between the two countries, such as the lack of a national (i.e. federal) education policy in the United States and the strict adherence to local control of education. Further differences are reflected in the important role of the courts in shaping US special education policy versus the United Kingdom where the courts play a small, albeit growing, part in policy development.

McLaughlin and Tilstone present the core of the reform agenda in both countries. In England and Wales, the National Curriculum was central to this agenda, while in the United States it was the development and implementation of state content standards. These efforts are illustrative of how the body politic defines 'education'. It is through defining curriculum and content standards, that various political ideals are made concrete. Deciding what are the most important knowledge, skills and competencies that all students must acquire is fraught with debate and uncertainty but, as the chapter demonstrates, is at the heart of reforming education. The National Curriculum and the various state content standards have been fiercely debated and revised as a result of public and professional opinion about the purpose and nature of schooling. In the United States they also reflect changing intergovernmental roles, while in England and Wales, the impact on teachers' professionalism has been great. The chapter also considers how teachers in special and mainstream settings in both countries are attempting to teach a common body of knowledge to the most diverse students within schools. The challenges of meeting individual needs within a common curriculum are discussed, as are the assumptions that underpin such work.

The assessment chapter authored by Rouse, Shriner and Danielson scrutinises the nature and purpose of student assessment in the United States and in England and Wales in light of demands for higher standards for all students and greater accountability for schools. The chapter considers how the methods of assessment that are favoured in a particular time and place, not only result from the prevailing perspectives on disability and the nature of special educational needs, but are also influenced by the legacy of the assessment traditions of each country. In addition, assessment policies and practices are moulded by contemporary social and political pressures. Assessment is increasingly used as a means to influence the curriculum, to motivate teachers and students, and to ensure the accountability of the education system. The chapter considers how pre-existing assessment policies and practice in the field of special education have been affected by recent developments and it examines some of the difficulties involved in creating systems of assessment that include all students.

Sebba, Thurlow and Goertz discuss the complicated and controversial issues surrounding enhanced educational accountability. The drive to make systems, schools, teachers and students accountable for the attainment of certain performance goals is creating high levels of anxiety on both sides of the Atlantic. It could be argued that special education has no history of providing a public account of the outcomes it achieves for the students who participate in its programmes. Yet, public accountability for results could be seen as a crucial aspect of any reconsideration of the policy goals of educational 'equity' and 'excellence'. In order to ensure that curriculum reforms become more than rhetoric, there must be mechanisms that promote and ensure that the performance of all students is made public and has consequences attached. In England and Wales, this means not only the elaborate system of school inspections but also the publication of assessment results as noted in the Rouse, Shriner and Danielson chapter. The primary accountability mechanisms used within the fifty US states consist of public (i.e. state) school report cards of student test scores. Some states and local districts have been requiring that students demonstrate mastery of specific curriculum in order to graduate from high school or be promoted to the next grade. When the stakes are raised, the realities as well as assumptions about how much or how well students with disabilities can learn become starkly obvious. In both countries such public accountability for student performance represents a major shift in how special educators consider students with special educational needs. The focus on an individualised or specialised education often separated from the mainstream created the assumption that a universal accountability system would be impossible. However, as is evident in the Sebba, Thurlow and Goertz chapter, current public policies, as well as emerging data, suggest that, when schools and students are expected to perform better, and given the opportunity to do so, performance improves.

Evans and Gerber discuss what US reformers Smith and O'Day (1991) refer to as the 'third-prong' of reform. That is, increasing autonomy and flexibility in school governance. Within the United States, this has primarily been evidenced through site-based management and increasing the flexibility within public schools to use resources and make decisions about operations, management, and curricular organisation. In England and Wales a similar process, local management of schools (LMS), has been a major aspect of the reforms. It is part of a series of proposals which when taken together are intended to create a market-like system in which schools compete against each other to attract students and resources.

According to Thomas and Bullock (1994), LMS has the following components:

- financial delegation, in which schools are given day-to-day control over their budget and are required to live within this allocation;

- formula funding, in which most of the money delegated is based on the number and age of students on roll, thus creating what is effectively a ‘pupil-as-voucher’ system;
- staffing delegation, which makes schools take responsibility for the appointment and dismissal of staff;
- performance indicators, intended to provide parents with information about schools in this ‘market’ (Ibid., p. 41).

The reform of how schools are governed represents an interesting difference between the United States and the United Kingdom. While the embrace of market-driven reforms in the United States is more recent and primarily evident in choice and charter options (see Chapter 6), the notion of increasing flexibility within existing public (state) schools is a key theme in current federal legislation as well as a number of state level reforms. This type of governance reform does not endorse choice or opting out of a public education system but believes that existing structures and power relationships can and should be changed to permit greater community input and the creation of schools that are tailored to a community’s needs.

Lange and Riddell approach the topic of choice from two different perspectives. The chapter presents the current and relatively new dimensions of choice that are emerging within the United States: intra-district choice and charter schools. The Scottish perspective views choice in the context of publicly funded schools and considers how students with special educational needs are denied freedom to choose to attend certain schools. In the deregulated educational market-place some children are more attractive to schools than other children, because they bring more resources than they consume. This reluctance of some schools to accept ‘difficult’ or low-achieving children is one of the unintended and negative consequence of the reforms in some parts of the United Kingdom. Perhaps it is not surprising that some children are more attractive to schools than others, when schools are being held accountable for the results they achieve, and this is linked to high stakes consequences. What has emerged in some instances is that schools are choosing students, rather than parents choosing schools.

The central conflicts surrounding the issue of choice are educational, social and legal. From a social perspective, the desire to create heterogeneous and inclusive schools as part of preparing students to live in a democratic society conflicts with a notion of choosing to be educated with one type of student or in one type of curriculum. From the United States perspective, legal guarantees, particularly for students with disabilities, ensure that students have equal access to schools and curriculum. But these guarantees can conflict with the ‘educational right’ of a school to define its curriculum and instructional models. When there is not a good fit, who must change—the school or the student? Underpinning this question is the notion of what best serves the public or common good—choice, options, competition or ensuring inclusion?