

**PANEL THREE: Federal Law Opens Doors (1975-1989)**  
**EDUCATOR DISCUSSION GUIDE**  
**For K-12 Teachers**

**Overview:** This panel explores how federal legislation in 1975 and 1986 transformed education and early intervention for children with disabilities. Students will learn about the power of law to create systemic change, the implementation of new federal mandates, and the development of systems still in use today.

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**ELEMENTARY SCHOOL (Grades K-5)**

**Key Concepts for Young Learners:**

- Before 1975, some children couldn't go to school
- A new law said ALL children have the right to go to school
- Schools had to create special plans (IEPs) to help every child learn
- Babies and toddlers started getting help too

**Discussion Questions:**

1. The panel says that before 1975, schools could "turn away" some children. What does that mean? How would that feel?
2. What is a "right"? How is having a right to education different from needing to ask permission?
3. The panel mentions something called an IEP—an Individualized Education Program. That's a special plan for students who need extra help. Does anyone in our class have an IEP? (Note: Handle sensitively, don't require disclosure)
4. Why do you think it was important that the law said ALL children could go to school—not just some?

**Activity: "Rights and Responsibilities"**

- Discuss what "rights" means (things everyone should have)
- Create a classroom "Bill of Rights": Everyone has the right to learn, be respected, get help when needed, etc.
- Connect to federal law: "In 1975, America said all children have the right to education"
- Have students draw pictures showing children of all abilities learning together

### **Simple Explanation of Key Terms:**

- **IEP (Individualized Education Program):** "A special plan that teachers and parents make together to help a student learn in the best way for them"
- **Free Appropriate Public Education (FAPE):** "Schools must teach all children for free—families don't have to pay"
- **Least Restrictive Environment:** "Students learn with their classmates as much as possible"

### **Book Connections:**

- "Just Ask! Be Different, Be Brave, Be You" by Sonia Sotomayor
- "The Importance of Being Charlie" by Sarah Hartt
- "Emmanuel's Dream" by Laurie Ann Thompson

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## **MIDDLE SCHOOL (Grades 6-8)**

### **Key Concepts:**

- Federal legislation can mandate systemic change across all states
- The shift from "privilege" to "entitlement" was legally and ethically significant
- Implementation of new federal requirements created challenges
- Early intervention (birth-3) recognized the importance of earliest development

### **Discussion Questions:**

1. The panel describes education for children with disabilities as shifting from "privilege" to "entitlement." What's the difference? Why does it matter whether something is a privilege (that can be taken away) or a right (that's guaranteed)?
2. Before 1975, Missouri had Senate Bill 40 (from Panel 2) which helped fund disability services. Why wasn't state-level action enough? What does federal law add?
3. The panel mentions that schools sometimes resisted the new law, claiming they "lacked resources or expertise." Were these valid concerns? How should society balance "this is hard to do" with "this is the right thing to do"?
4. The 1986 amendments added early intervention for babies and toddlers (birth-3). Why might helping children in their first years be important? What might be different about services for babies compared to school-age children?
5. The panel says that by 1989, "the fundamental shift had occurred: education for children with disabilities was no longer a favor." What does this tell us about the power of law to change culture?

**Activity: "Then and Now Timeline"**

Create a visual timeline showing:

- Before 1975: Exclusion (many children could not attend school)
- 1975: Education for All Handicapped Children Act passed
- 1977: Law takes effect—schools must serve all children
- 1986: Amendments add early intervention (Part H/Part C)
- Today: Students with disabilities in your school

Include images, statistics, and personal stories if available.

**Research Project:**

Have students investigate one of these topics:

- The Education for All Handicapped Children Act (now IDEA): How it passed, what it required
- Court cases that led to the 1975 law (PARC v. Pennsylvania, Mills v. Board of Education)
- Missouri First Steps: History and current services
- IEP process: How it works, who's involved, what it includes

**Writing Prompt:**

"Imagine you're a parent in 1976, the year after the new federal law passed. Your child has been excluded from school for years. Now the school must accept them. Write a letter to the principal explaining what this law means to your family."

**Connection to Today:**

- Find out how many students in your school have IEPs (your teacher or principal may be able to share general numbers without identifying individuals)
- Research: What services does your school provide for students with disabilities?
- Discuss: Are there still barriers to full inclusion? What are they?

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**HIGH SCHOOL (Grades 9-12)**

**Key Concepts:**

- Federal legislation, backed by constitutional authority, can mandate nationwide systemic change
- Implementation of federal mandates faces political, practical, and resource challenges
- The legal framework established 1975-1989 remains the foundation of current special education
- Early intervention research reshaped understanding of developmental disabilities

- Tension between legal rights and adequate funding has persisted

### **Discussion Questions:**

1. **Federalism and Constitutional Authority:** The panel describes how state-level victories (like Missouri's SB 40) weren't enough—federal law was needed. Analyze the constitutional basis for federal involvement in education, traditionally a state responsibility. What gave Congress authority to pass this law? (Consider the Spending Clause, Equal Protection, and federally-funded programs.)
2. **From Litigation to Legislation:** Research the court cases that preceded the 1975 law (PARC v. Pennsylvania, Mills v. Board of Education). How did these cases establish constitutional principles that Congress then codified in statute? What's the relationship between judicial activism and legislative action?
3. **Implementation Challenges:** The panel notes that "implementation wasn't always smooth." Research the actual implementation of PL 94-142 in the late 1970s. What resistance did schools mount? How were disputes resolved? What role did the Department of Education play in enforcement?
4. **Unfunded Mandates:** Congress promised to fund 40% of the excess costs of special education but has never reached that level. Research current funding levels. How does underfunding affect implementation? Should Congress be able to mandate services without fully funding them?
5. **Early Intervention Science:** The 1986 amendments adding Part H (Part C) were based on research showing early intervention's effectiveness. Research the neuroscience and developmental psychology behind this. What evidence convinced policymakers that birth-3 services were worth public investment?
6. **Least Restrictive Environment (LRE) in Practice:** The law requires education in the least restrictive environment. But implementation varies widely—some students are fully included in general education, others are in separate classrooms or even separate schools. Research LRE disputes. When is separate appropriate? How do we balance individual needs with the presumption of inclusion?

### **Research Project Options:**

#### **Option 1: Legislative History Deep Dive**

Research the passage of the Education for All Handicapped Children Act:

- Who were the key legislators and advocates?
- What was the Congressional debate?
- How did it pass both houses?
- What did President Ford say when he signed it?
- Were there opponents? What were their arguments?

Create a detailed legislative timeline with primary source documents.

### **Option 2: Court Case Analysis**

Analyze one of the key cases that led to or interpreted the federal law:

- PARC v. Pennsylvania (1972)
- Mills v. Board of Education (1972)
- Board of Education v. Rowley (1982) - first Supreme Court interpretation of FAPE

For your chosen case:

- Summarize the facts
- Explain the legal arguments
- Analyze the decision
- Assess the impact on disability rights

### **Option 3: Missouri Implementation Study**

Research how Missouri implemented the federal law:

- Interview special education teachers, administrators, or parents who lived through this period
- Search newspaper archives from 1975-1989 for stories about implementation
- Contact Missouri DESE for historical information
- Analyze: How did Missouri respond? What challenges arose? What successes occurred?

Create a multimedia presentation or research paper.

### **Option 4: Early Intervention Effectiveness Study**

Research the evidence base for early intervention:

- What does neuroscience tell us about early brain development?
- What studies showed that early intervention works?
- How cost-effective is early intervention compared to later services?
- Interview early intervention providers (like United Services) about current practices

Present findings in a policy brief format.

### **Philosophical Discussion:**

1. **Positive vs. Negative Rights:** The federal law created a "positive right"—a right to receive something (education, services) not just freedom from interference. Some political philosophies are skeptical of positive rights. Debate: Are positive rights legitimate? What's the government's obligation to provide services?
2. **Mainstreaming vs. Specialized Services:** Tension exists between the principle of LRE (inclusion with non-disabled peers) and the recognition that some students

benefit from specialized instruction. How do we resolve this? Is there a point where "separate" can be "appropriate"?

3. **Parental Rights vs. Professional Judgment:** IEPs give parents significant decision-making power. But sometimes parents and educators disagree about what's "appropriate." Who should have final say? How do we balance parental rights with professional expertise?

### **Connection to Current Issues:**

- Research current debates about IDEA implementation and funding
- Investigate inclusion practices: How much has truly changed since 1975?
- Explore: Americans with Disabilities Act (1990) - how did IDEA pave the way?
- Analyze: How did COVID-19 pandemic affect special education services?

### **Writing Assignments:**

1. **Argumentative Essay:** "The 1975 federal law was more important than the 1960s-70s parent organizing in creating lasting change." Agree or disagree, using historical evidence.
2. **Policy Analysis:** "Should the federal government fully fund IDEA as originally promised? Analyze the arguments for and against, and make a recommendation."
3. **Historical Analysis:** "Trace the path from grassroots parent organizing (Panel 2) to federal legislation (Panel 3). How did each contribute to transformation of disability services?"
4. **Creative Historical Writing:** Write from the perspective of:
  - A teacher in 1977 facing a classroom that now includes students with disabilities for the first time
  - A parent at the first IEP meeting for their child
  - A school administrator trying to implement the new federal requirements

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## **INTERACTIVE QUIZ**

*10 Questions for Google Forms or other*

**Question 1: What did the Education for All Handicapped Children Act (Public Law 94-142) guarantee when it passed in 1975?**

- A) That parents could choose any school for their child
- B) That every child with a disability had the right to free, appropriate public education
- C) That separate special schools would be built in every district
- D) That disabilities would be cured through medical treatment

**Correct Answer:** B

**Explanation:** The 1975 law guaranteed that every child with a disability, ages 3-21, was entitled to a free, appropriate public education—transforming education from a privilege to a federal right.

**Question 2: What does "zero reject" mean in the context of the 1975 law?**

- A) Schools can reject students who are too difficult to teach
- B) Schools must accept all children regardless of disability severity
- C) Parents can reject services they don't like
- D) Zero students were rejected in Missouri

**Correct Answer:** B

**Explanation:** "Zero reject" meant schools could not refuse to serve any child, no matter how significant their disability. This was a revolutionary requirement.

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**Question 3: What is an IEP (Individualized Education Program)?**

- A) A test all students must pass
- B) A written plan tailored to each child's unique needs, developed with parents
- C) A separate school for children with disabilities
- D) A medical diagnosis

**Correct Answer:** B

**Explanation:** An IEP is a written plan developed by educators and parents together, specifying each child's unique needs, goals, and services. It's required for every student receiving special education.

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**Question 4: What does "Least Restrictive Environment" (LRE) mean?**

- A) Children should have fewer rules in school
- B) Schools should be smaller
- C) Children with disabilities should be educated with non-disabled peers to the maximum extent appropriate
- D) Children should go to the closest school

**Correct Answer:** C

**Explanation:** LRE requires that children with disabilities be educated alongside their non-disabled peers as much as possible, challenging decades of segregation in separate schools or classrooms.

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**Question 5: Before the 1975 federal law, how many children with disabilities were completely excluded from public schools?**

- A) None—all were served
- B) About 100 children
- C) More than 1 million children
- D) Only children in rural areas

**Correct Answer:** C

**Explanation:** Before 1975, more than 1 million children with disabilities were completely excluded from public schools, and another 3.5 million received inadequate services.

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**Question 6: What did the 1986 amendments to the law add?**

- A) Requirements for teacher training
- B) Early intervention services for infants and toddlers (birth-3)

- C) Free college education
- D) Medical services for all children

**Correct Answer:** B

**Explanation:** The 1986 amendments added Part H (now Part C), creating a comprehensive early intervention program for infants and toddlers with disabilities or developmental delays.

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**Question 7: What is Missouri First Steps?**

- A) A walking program for toddlers
- B) Missouri's coordinated early intervention system for children birth-3
- C) A new school in Missouri
- D) A parent organization from the 1960s

**Correct Answer:** B

**Explanation:** Missouri First Steps is the state's early intervention system, established in response to the 1986 federal amendments, serving children birth to age 3 with developmental delays or disabilities.

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**Question 8: What made the federal law different from state-level efforts like Missouri's Senate Bill 40?**

- A) Federal law was voluntary while state law was mandatory
- B) Federal law applied nationwide and was backed by constitutional authority
- C) State law was more comprehensive
- D) There was no real difference

**Correct Answer:** B

**Explanation:** While state laws like SB 40 were important, federal law applied uniformly across all states, was backed by constitutional authority, and tied to federal funding—creating guaranteed rights rather than local options.

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**Question 9: What does "family-centered" mean in early intervention?**

- A) Services are only for families, not children
- B) Families pay for services
- C) Services support the whole family and are often provided in natural environments like homes
- D) Only one family member can be involved

**Correct Answer:** C

**Explanation:** Family-centered early intervention focuses on supporting the entire family, not just treating the child in isolation. Services are often provided in homes and other natural environments.

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**Question 10: According to the panel, what "fundamental shift" occurred during 1975-1989?**

- A) All disabilities were cured
- B) Education for children with disabilities changed from charity/favor to federal right
- C) Private schools became illegal
- D) Parents no longer needed to be involved

**Correct Answer:** B

**Explanation:** The fundamental shift was that education and services for children with disabilities transformed from something dependent on charity and parental advocacy into a federal right, enforceable by law.

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**BONUS REFLECTION QUESTION (Open-ended):**

"The panel says that for children born after 1975, the right to education is 'simply assumed'—they don't know a world where schools could refuse them. Why is it important to learn about the history of how rights were won, even when we now take them for granted?"