 ISSUE BRIEF

Strengthening IDEA to Improve Post-school Outcomes for Youth with Disabilities of Culturally and Linguistically Diverse (CLD) Heritage

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Introduction

The reauthorization process currently underway for the Individuals with Disabilities Education Act (IDEA) of 1997 provides an opportunity for updating and improving this landmark legislation in order to achieve better outcomes for children and youth with disabilities. This policy brief addresses the complex and critical issue of supporting youth with disabilities to achieve success as they transition from high school, with a focus on those of culturally and linguistically diverse (CLD) heritage who tend to face the greatest barriers. This combined focus on CLD heritage and post-school outcomes is based on the following considerations:

® As the result of demographic trends, the proportion of CLD students in the general school population is projected to increase from nearly one-third currently to about one-half by 2040.

® As the result of economic trends, the American economy has a growing need for workers with advanced skills and knowledge, and obtaining quality employment requires demonstration of academic achievement, often at the postsecondary level.

® Students from certain CLD groups tend to drop out from school at relatively high rates.

® Measures of academic and post-school outcomes indicate that students from certain CLD groups face substantial barriers to success, many of which are related to conditions of poverty.

® A guiding principle of the IDEA of 1997 is that the purpose of special education and related services is to meet the “unique needs” of students with disabilities and “prepare them for employment and independent living”.

Given that CLD students constitute a large and growing proportion of those served through the
special education system, and that academic achievement is required to obtain quality employment, then it is imperative that the reauthorization process include a focus on how the IDEA can help to address the barriers to academic and post-school success experienced by many CLD students with disabilities. This brief provides relevant background information and context, based on recent research sponsored by the US government as well as various philanthropic foundations and other organizations. This brief takes the position that, within the context of public education, improving overall post-school outcomes for CLD students with disabilities requires improving the academic programs and other services and supports offered by public school systems serving large numbers of children and youth at-risk for poor outcomes. Systems improvement efforts tend to be most needed in areas with high concentrations of CLD groups facing the greatest barriers, such as poor urban neighborhoods and isolated rural areas.

The IDEA of 1997 and Transition
Since its enactment in 1975, reauthorizations of the IDEA have been responsive to evolving concepts about how best to provide free appropriate public education for ALL children and youth. Beginning with the 1990 reauthorization, one area that has received increased attention is that of transition from high school. This relatively recent focus on transition is based on research showing that after leaving high school, youth with disabilities experience much lower rates of employment, attending educational or vocational programs, and independent living compared to their peers without disabilities (Blackorby & Wagner, 1996). In response, the IDEA requires that individualized education plans (IEPs) include statements of the transition service needs of students with disabilities beginning by the age of 14. Transition services are defined as “a coordinated set of activities” designed within an outcome-oriented process to promote movement from school to valued post-school activities, such as postsecondary education, vocational training, employment, independent living, and community participation.

The IDEA of 1997 and Issues of Cultural and Linguistic Diversity
When broken down by race or ethnicity, the research on post-high school outcomes shows that certain CLD groups have alarmingly low overall rates of employment and participation in postsecondary education or vocational training (Blackorby & Wagner, 1996; Greene & Nefsky, 1999). These groups include African-Americans, Hispanic-Americans, and Native Americans (American Indians, Native Alaskans, and Native Hawaiians). The relatively low rates of post-high school “success” for CLD youth with disabilities are clearly linked to their generally poor academic progress while in school (known as the “achievement gap”), and for many of these youth to the pervasive impacts of poverty. An introductory section of the IDEA of 1997, summarizing the reauthorization findings of Congress, includes a commendable focus on issues of cultural and linguistic diversity, with three of nine sections, and over half the words, devoted to CLD issues. However, the legislation itself directly addresses CLD issues in only a few places. The assumption appears to be that CLD-related issues for students with disabilities will be resolved through the individualized IEP process, as students and their families participate and make known their concerns and preferences. The weakness in this assumption is that CLD
students and their families generally do not “drive” the IEP process, and in fact are often reluctant to reveal and advocate for their concerns and preferences. On the other hand, the IDEA of 1997 (Subpart 2) does prescribe funding for projects aimed at improving services and outcomes for CLD students with disabilities (or populations with high proportions of CLD students, such as children from low-income families). The Department of Education’s Office of Special Education and Rehabilitative Services (OSERS) has responded by sponsoring numerous outreach, technical assistance, personnel preparation, research, and dissemination projects that focus entirely or in part on CLD issues. The current reauthorization process provides an excellent opportunity to incorporate findings from these projects in order to strengthen IDEA to achieve better academic and post-school outcomes for all students with disabilities.

Issues Needing to Be Addressed in the Reauthorization of IDEA

Many of the issues that should be addressed in IDEA reauthorization concern improving the academic preparation of students with disabilities so they are better able to take advantage of post-high school education and vocational training opportunities. Access to and participation in post-high school programs is increasingly essential for obtaining quality employment in the American economy, which has a growing unmet need for workers with advanced skills and knowledge. With the provision of effective educational and related services, virtually all students with disabilities can obtain the academic background needed to successfully access and participate in some kind of postsecondary education or vocational training program that enhances their prospects for quality employment and full participation in their communities.

Summarized below are a number of the most significant issues around post-school success for youth with disabilities, with a focus on issues of particular relevance to CLD groups with the highest proportions of at-risk youth.

Cultural Competence. The term “cultural competence” has been defined as “a set of congruent behaviors, attitudes and policies that come together in a system, agency or among professionals to work effectively in cross cultural situations” (Cross, Bazron, Dennis & Isaacs, 1989:13). Cultural competence is widely recognized as essential for effective and high quality educational and related services. Although cultural competence is not specifically referred to in the IDEA of 1997 or its regulations, the concept is implicit in the prescriptions for determining eligibility for services under IDEA and developing individualized education programs (IEPs). For example, materials and procedures for testing and placing children with disabilities shall not be “racially or culturally discriminatory” and “shall be provided and administered in the child’s native language or mode of communication”. An important rationale for promoting cultural competence is that it enhances the effectiveness of educational and related services, producing better outcomes at lower cost compared to services lacking cultural competence. In addition, cultural competence supports greater accuracy and validity in referring and evaluating students of CLD heritage for special education eligibility, preventing inappropriate placements and potentially reducing the overrepresentation of some CLD groups in special education (Meyer & Patton, 2001). In recognition of the importance of cultural competence, numerous government agencies and private organizations at the national, state and local levels are implementing
programs designed to raise awareness about cultural competence and enhance skills and knowledge among personnel. As a result, education and related services personnel across the country are at least aware of the concept of cultural competence and there is an infrastructure (texts, trainers, technical assistance centers, etc.) for imparting the requisite skills and knowledge. The reauthorized IDEA should specify that all IDEA-related activities and services be delivered in a culturally competent manner.

**Limited English Proficiency.** Language is the most important communication channel for the great majority of individuals, and good English language skills are required for success in school and post-school settings. As noted in the IDEA of 1997, students with limited English proficiency comprise the fastest growing segment of the school population, but many schools lack the additional resources and specialized skills needed to effectively serve them. One result is that, on the whole, students with limited English proficiency have exceptionally high dropout rates (Secada, et al., 1998). This is especially true for recent immigrants, and to a lesser extent for students with disabilities from homes and neighborhoods where a non-standard version of English is spoken (for example, African-Americans whose first language is Ebonics, or Native Hawaiians whose first language is Hawaiian pidgin). The IDEA of 1997 recognizes limited English proficiency as an important issue, stating that it shall not serve as the basis for determining special education eligibility and describing it as a “special factor” that needs to be taken into consideration in developing IEPs. However, neither the IDEA of 1997 nor the subsequently issued regulations provide guidance on how to appropriately and effectively, “in the case of a child with limited English proficiency, consider the language needs of the child as such needs relate to the child’s IEP”. Although this terminology provides necessary flexibility for IEP teams, the fact is that many IEP teams may not have a good understanding of the needs of students with limited English proficiency and how to address them, particularly in view of the nationwide shortage of specialist personnel in this field. A related problem is that although a research base has been established for developing effective practices and strategies for raising English proficiency (much of it stimulated by the IDEA of 1997’s provisions for research and other projects in this area), much work remains to be done. The reauthorized IDEA should: (1) describe acceptable and appropriate ways in which IEP teams may relate the language needs of a child with limited English proficiency to the IEP; (2) specify an increase in funding for projects focused on developing, demonstrating, and disseminating practices and strategies that effectively raise English language proficiency; and (3) prescribe measures fostering the professional development of personnel serving students with limited English proficiency, including regular education teachers to help them mold content instruction to promote English language learning.

**CLD Underrepresentation Among Education Personnel.** As noted in the IDEA of 1997, close to one-third of the students in public elementary and secondary schools are of CLD heritage, but only about one-seventh of teachers are of CLD heritage. In practical terms, it is desirable to increase the proportion of teachers, administrators, and related services personnel who are of CLD heritage because they are most likely to have personal insights into the daily lives of CLD students and to be culturally competent in serving them (Lankard, 1994). In recognition of this fact, the IDEA of 1997 prescribes several measures to support personnel
preparation, leadership development, and other activities on the part of historically black colleges and universities as well as institutions of higher education with minority enrollments of at least 25%. However, in view of the growing proportion of students of CLD heritage in the public schools, expected to reach half of school enrollment by 2040, it is imperative that such initiatives be intensified. The reauthorized IDEA should increase the level of support for research, demonstration, dissemination, and outreach efforts to substantially increase the proportion of education and related services personnel of CLD heritage.

**Attracting Good Personnel to Struggling Schools.** A major barrier to improving educational and related services for many CLD students with disabilities is that they attend what have been called “struggling schools” (Prince, 2002). Schools serving poor urban neighborhoods and rural areas with high concentrations of Native Americans are the most likely to be struggling, due to lack of funding, poor infrastructure, and other factors arising from the negative impacts of poverty. Struggling schools tend to lack highly experienced and competent personnel, because such personnel are sought by better-off schools that can offer higher compensation, better working conditions, and students from home environments strongly supportive of education. Yet struggling schools are the ones most in need of good personnel, given the difficult barriers to learning faced by many of their students. The reauthorized IDEA should promote and support research, demonstration, dissemination, and outreach efforts to attract good personnel to struggling schools.

**High Expectations.** Research indicates that students with disabilities tend to meet the expectations of their parents and teachers regarding their potential for academic achievement, achieving at lower levels when expectations are low but at higher levels when expectations are high. According to the Congressional findings summarized in the IDEA of 1997, “the implementation of this Act has been impeded by low expectations, and an insufficient focus on applying replicable research on proven methods of teaching and learning for children with disabilities.” On the other hand, “Over 20 years of research and experience has demonstrated that the education of children with disabilities can be made more effective by,” among other things, “having high expectations for such children and ensuring their access in the general curriculum to the maximum extent possible.” In response, the IDEA of 1997 specifies that evaluations for special education eligibility and the development of IEPs be oriented to maximizing the participation of students with disabilities in the general curriculum, and also prescribes funding for research, personnel preparation, and state systems improvement grants that include a focus on supporting participation in the general curriculum. The reauthorized IDEA should: (1) continue to promote the concepts of “high expectations” and “participation in the general curriculum”; and (2) provide additional support for personnel preparation, research, demonstration, outreach, and dissemination activities that serve to enhance and broaden the implementation of these concepts.

**Self-determination.** Self-determination refers to the personal capacity to choose one’s own goals and then purposefully undertake steps to achieve them. Research shows that youth with disabilities who have good self-determination attitudes and skills achieve better post-school
outcomes than those who lack such attitudes and skills (Wehmeyer, Argan, & Hughes, 1998). The component skills of self-determination have been identified as including evaluating one’s own skill levels, recognizing limits, setting goals, identifying options, accepting responsibility, communicating preferences and needs, and monitoring and evaluating progress. Largely as the result of OSERS support for more than two dozen projects on self-determination since 1988, the concept of self-determination has been widely adopted as a guiding principle for planning and providing special education and related services. One important reason for promoting self-determination is that youth who actively participate in setting their own goals and planning their own services are more likely to be engaged in, and to strive for the success of, their services (Deci & Ryan, 1985; Mithaug, 1991). A number of successful self-determination programs have demonstrated the efficacy of having students with disabilities actively participate in developing their own transition plans, sometimes even running the planning meetings. However, self-determination is not mentioned in the IDEA of 1997, although it is referred to in the Act’s regulations as a component of the philosophy of independent living described in Section 701 of the Rehabilitation Act of 1973. *In order to enhance the capacity of youth with disabilities to recognize and express their needs, make informed decisions, and function as responsible and productive members of their communities, the reauthorized IDEA should: (1) specify that beginning at the age of 14, as part of transition planning, the self-determination capacity of each student with disabilities should be addressed and, if deemed lacking by the IEP team, services and supports to address this lack should be included in the IEP; and (2) in line with the concept of high expectations, state that students with disabilities aged 14 and older “shall participate” in their own IEP development and transition planning, rather than just being invited.*

**Self-Advocacy.** Closely related to the concept of self-determination is that of self-advocacy – the ability to recognize and express one’s strengths and needs and to seek out and obtain services and supports needed to achieve one’s goals. Primarily as a result of the IDEA, students in grades preK-12 who are identified as having disabilities will automatically have their needs assessed and services and supports planned and provided for them. In contrast, youth with disabilities who reach the age of adulthood generally find that it is now their own responsibility to have their needs for services and supports taken care of (Cullen, Shaw, & McGuire, 1996). In many cases, however, youth with disabilities lack self-advocacy skills and therefore have difficulty gaining needed services and supports – a problem that can be prevented by teaching self-advocacy skills to students with disabilities from an early age and giving them ample opportunity to use them (Battle, Dickens-Wright, & Murphy, 1998; Benz, Doren, & Yovanoff, 1998; Deshler, Ellis, & Lenz, 1996; Kohler, 1998; Skinner, 1998). *The reauthorized IDEA should: (1) specify self-advocacy as an area to consider in IEP development and transition planning, and (2) provide additional support for personnel preparation, research, demonstration, outreach, and dissemination activities aimed at enhancing the self-advocacy abilities of students with disabilities.*

**School Completion.** Students with disabilities dropout of high school at substantially higher rates than their peers without disabilities. The highest dropout rates for students with disabilities are found for a number of CLD groups, notably African-Americans, Hispanic-Americans, and Native Americans, with the highest rates of all being among students with limited
English proficiency (Hauser, Simmons & Pager, 2000). The CLD dropout problem is acknowledged in the IDEA of 1997, and OSERS has sponsored numerous projects addressing the issue. A troubling research finding is that schools themselves often contribute to dropping out through making certain students feel unwelcome, especially those with emotional or behavioral problems. Being suspended or expelled is one of the top three school-related reasons for dropping out (Black, 1999; DeRidder, 1991), and suspension is a moderate to strong predictor of dropping out (more than 30% of sophomores who drop-out have been suspended) (Skiba & Peterson, 1999). Although schools may thereby rid themselves of what are considered “problem” students who consume high amounts of staff time and other school resources, the result is that these students usually end up failing to gain the attitudes and skills they need to be productive, contributing members of their communities, and are more likely to engage in antisocial activities (Civil Rights Project, 2000). The reauthorized IDEA should: (1) strongly support continued funding of research, demonstration, personnel preparation, outreach, and dissemination projects aimed at reducing dropout rates; and (2) enjoin schools from using disciplinary procedures that have been shown to increase the likelihood of dropping out.

**Mentoring.** Research indicates that youth who grow up to be successful adults despite multiple risk factors were almost always supported by at least one caring adult who served as a role model (Lefkowitz, 1986; Werner, 1986; Werner & Smith, 1991). Analysis of the largest ever survey of American adolescents found that the most significant predictor of school failure was large amounts of time spent “hanging out” with friends engaging in behaviors known to produce unhealthy outcomes (Blum, Beuhring, & Rinehart, 2000). Such findings point to the need for connections with caring adults—whether parents, other family members, teachers, friends or others—who will steer adolescents clear of danger and express belief in their potential regardless of their background (American Association of School Administrators, 2000). The reauthorized IDEA should specify an increase in funding for projects focused on developing, demonstrating, and disseminating mentoring practices and strategies that effectively steer youth with disabilities away from risky behaviors and promote their engagement with school.

**Case Management.** Case management refers to the set of activities needed to effectively obtain, coordinate, and monitor services and supports. The case management function is typically assumed by an IEP team member, usually a special education teacher or a parent. However, when students with disabilities exit high school and perhaps leave home, case management is generally lacking (except for those with higher levels of need who transition to services from agencies such as vocational rehabilitation, mental health, or developmental disabilities). Yet, according to data collected by the Office of Special Education Programs (1996), case management is the most anticipated service need for students with disabilities exiting high school, needed by about 80% of such students. This finding underlines the importance of promoting and fostering self-determination and self-advocacy, so that youth with disabilities and their families are better able to assume the case management function when it is not assumed by an agency. The reauthorized IDEA should address the post-school need for case management by: (1) including post-school case management as a need that should be addressed in transition planning; and (2) providing funding for projects focused on developing, demonstrating, and
disseminating case management skills and practices that can be used by youth with disabilities and their families.

**Paying for Postsecondary Education and Vocational Training.** The financial burden of attending a postsecondary education or vocational training program is a major barrier to access for youth from low-income backgrounds (National Center for Education Statistics, 1998), and many such youth are only able to attend with the help of scholarships and other financial aid (Thomas, 1998). Research indicates that high school graduates who got more support from their high schools regarding finding and applying for financial aid were more likely to go on to higher education (Plank & Jordan, 1997). The reauthorized IDEA should specify that transition planning must address options available for students with disabilities and their families to finance attending postsecondary education and vocational training programs.

**References**


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