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The Impact of IDEA and the Jacob Javits Act

Julie is five and loves to draw, help her mother around the house, and play with her younger sister. However, when Julie started kindergarten her teacher was concerned that she was not entering school with the same skills as other students. Julie could not identify letters, write her name or use scissors properly.

Kevin is 11 years old and loves to read and play games with friends on his computer despite the fact that he has spina bifida and gets around in a wheelchair. Kevin also understands all of the materials he is learning in school, but sometimes the teacher allows him to demonstrates his understanding differently than the other students. For example, he uses a computer for his assignments and tests because it is easier than using a pencil.

Prior to 1975, students like Julie and Kevin may have been excluded from attending public school. Fortunately, today schools have a guide called the Individuals with Disabilities Education Act, or IDEA. This law, originally passed in November 1975, guarantees a free public education for all students. It is often called the federal bill of rights for children.

School personnel, parents, and students are all greatly impacted by IDEA. Most of what occurs in special education in the United States is defined by this act. In addition to providing services to school-aged students, the act covers preschool children who are experiencing developmental delays and students past age 18.

Six major principles:

- **Zero reject**: No child may be excluded from public education.
- **Nondiscriminatory assessment**: Evaluation methods must be nonbiased and multifaceted.
- **Procedural due process**: Due process protects the rights of parents and school districts when disagreements arise related to identification and placement of students.

- **Parental participation**: Parents must be given an opportunity to participate as members of a multidisciplinary team that directs their child’s education.

- **Least restrictive environment**: Students with disabilities are to be educated with students without disabilities to the maximum extent possible.

- **Individualized Education Programs (IEP)**: A written document must be developed collaboratively by parents and school personnel that details services and goals related specifically to the student’s educational needs.

The U.S. Congress reauthorized IDEA in 1990, 1997 and 2004—each time with additions and refinements. But the six major principles have remained in place and continue to guide implementation of special education and related services.

**Impact**

IDEA impacts not only students, their families, and the schools but their communities as well. The act requires, for example, that students with disabilities receive transition services that focus on postsecondary goals (e.g., postsecondary education, employment). The intent is to better prepare students for life. Employers in the community are often involved in providing work experience for secondary students as part of the students’ transition goals. Preparing students for employment, residential settings, and social relationships are necessary components of effective postsecondary community adjustment.

IDEA has a less direct community impact as well. More students with disabilities are joining general education classrooms and schools. As a consequence, students without
disabilities are learning about other students who have challenges. This helps to prepare general education students for lives in which those with disabilities will be a part.

For more information on IDEA visit idea.ed.gov.

A smaller, less widely known program that addresses the education of gifted children is the Jacob Javits Gifted and Talented Education Act. The federal definition of gifted and talented to contained in the Elementary and Secondary Education Act as follows:

Students, children, or youth who give evidence of high achievement capability in areas such as intellectual, creative, artistic, or leadership capacity, or in specific academic fields, and who need services and activities not ordinarily provided by the school in order to fully develop those capabilities.

Three primary components:

- The National Research Center on the Gifted and Talented, which provides a forum to conduct research that will inform policy and practice
- A competitive demonstration grant cycle
- A competitive grant to states and local education agencies

Purpose

The purpose of the act is to encourage programs based on scientific research that will enhance the ability of elementary and secondary schools to meet the needs of gifted and talented students.
Resources are focused on identifying and serving traditionally underrepresented students. Hence most program funding is awarded to low socioeconomic areas. Most school districts must fund any and all gifted programs through existing budgets.