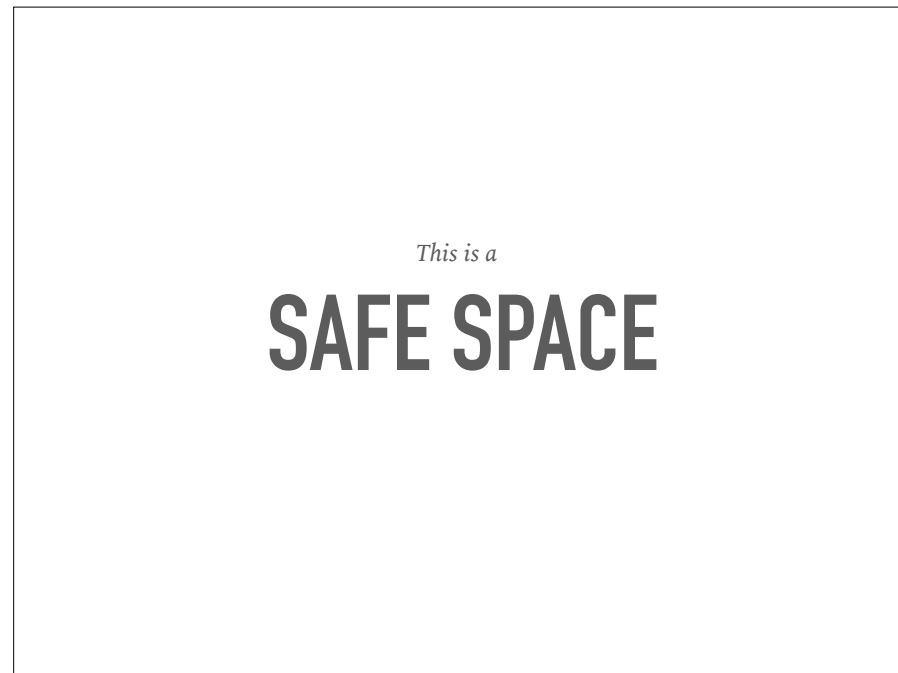
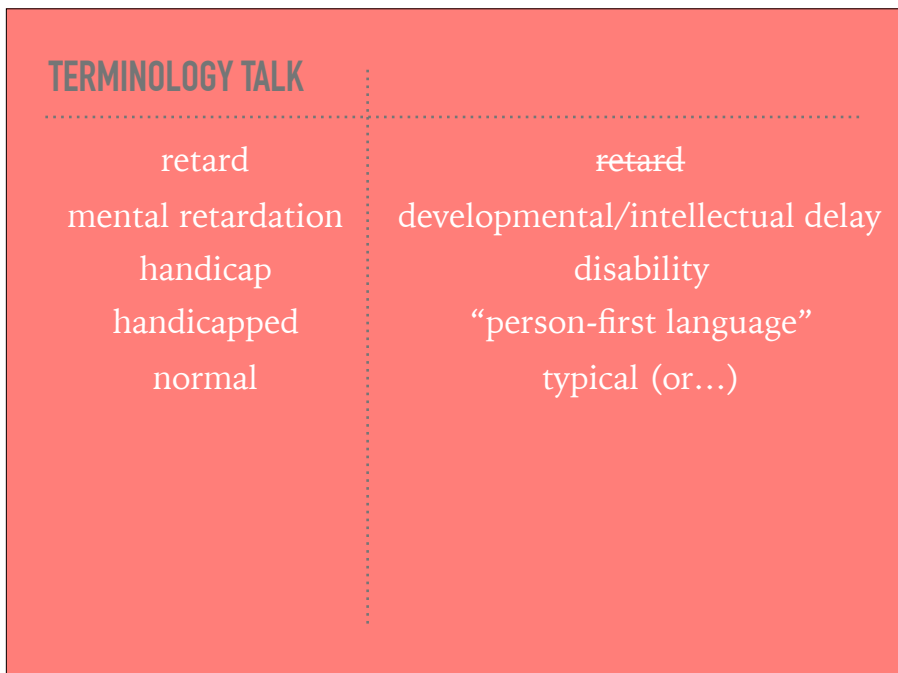




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## Laws Governing Education of Children with Disabilities

- Section 504: 1974 Amendment to the Rehabilitation Act (1973)
- ADA: Americans with Disabilities Act (1990)
- PL.94-142: Education of All Handicapped Children Act (1975)
- IDEA: Individuals with Disabilities Education Act (1990)

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## Section 504

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### BASIC TENET OF SECTION 504

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No qualified handicapped person shall, on the basis of handicap, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity which receives or benefits from Federal financial assistance.

(Section 504 does not specifically name the handicaps disabilities that are covered.)

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## Americans with Disabilities Act (ADA)

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## ADA OVERVIEW

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Modeled after the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color, religion, sex, or national origin, the ADA is an "equal opportunity" law for people with disabilities.

(The ADA does not specifically name the disabilities that are covered.)

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## SECTION 504 & ADA

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An individual with a disability is defined by the ADA as a person who has:

- a physical or mental impairment that substantially limits one or more major life activities,
- a history or record of such an impairment,
- or a person who is perceived by others as having such an impairment.

(The ADA does not specifically name all of the impairments that are covered.)

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# Individuals with Disabilities Education Act (IDEA)

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## IDEA OVERVIEW

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IDEA is designed to ensure that all children with disabilities have available to them a free appropriate public education (FAPE) that emphasizes special education and related services designed to meet their unique needs and prepare them for employment and independent living.

(IDEA *does* specifically name all of the disabilities that are covered.)

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## SIX MAJOR COMPONENTS OF IDEA

1. Zero reject
2. Non-discriminatory evaluation
3. Appropriate education
4. Least restrictive environment
5. Procedural due process
6. Parent and student involvement

Individualized Education Plan  
(IEP)

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## What disabilities are covered by IDEA?

- Developmental Delays
  - Physical, Cognitive, Communication, Social, Emotional, Adaptive
- Intellectual Delays
- Hearing Impairments/Deafness
- Visual Impairments/Blindness
- Orthopedic Impairments
- Autism Spectrum Disorders
- Behavior/Conduct Disorders
- Speech/Language Impairments
- Traumatic Brain Injuries
- Learning Disabilities
- Other Health Impairments

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Your legal  
right  
&  
obligation

504

IEP

Student, Parents/Guardians, Teachers, IEP Team, Administrators

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## MODIFICATION

a change in what a student is expected to learn

## ACCOMMODATION

a change in how or where a student is taught  
or a change in the materials used for teaching

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## Scenarios

# In the Classroom

Adamek, M. S. (2001). Meeting special needs in music class. *Music Educators Journal*, 23-26.

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## SCENARIO 1

A child with a physical disability who is unable to participate meaningfully in a circle dance could be part of a percussion section that provides rhythmic accompaniment for the dance. Other students would also be percussionists, and the rhythmic accompaniment adds to the musical experience of the entire class.

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## SCENARIO 2A

Paul has cerebral palsy. He is nonverbal and is unable to write legibly; however, he is at the same cognitive level as his fourth-grade classmates. He uses a communication board on his wheelchair to make requests and respond to questions. The music educator collaborated with the speech and language therapist to add music-related words to his communication system. Now he is able to request specific instruments independently and to answer questions related to musical concepts on his own.

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## SCENARIO 2B

Kyle is in the sixth grade but has the cognitive abilities of a first-grade student. On a written test of musical terms, the teacher circles three questions that she expects Kyle to answer, while the rest of the class is expected to answer all thirty questions on the test. In this example, Kyle is doing the same test as the rest of the class, but the expectations for him are different.

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### SCENARIO 3

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Suzie, a child with behavior problems, always sits next to Marcia in music class. Marcia is an excellent role model for music behaviors, as well as appropriate classroom behaviors. Marcia helps Suzie find pages in the book, reminds her to put her instrument down when directed by the teacher, and gives her a “thumbs up” sign when she is following directions. This close contact with a peer eliminates the need for constant teacher intervention or a high level of attention for inappropriate behavior.

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## Questions

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### YOUR QUESTIONS

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- How much of a difference does people-first language make? Would some people with impairments prefer to be called blind, for example? What else can teachers do to make students feel empowered and change the social narrative about disability?
- The words that we use and the "labels we assign" are important and have profound impact on persons with disabilities. What can we do to improve our own vocabulary and how can we better educate others on sensitivity towards disability nomenclature?

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### YOUR QUESTIONS

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- How do you cope with disabled students who were disruptive to others in class?
- Where is the line between being sensitive to and assisting a student with a disability, and being overbearing to the point where it is possibly even embarrassing or detrimental to the student?
- How well can other students usually work with students with disabilities?

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## YOUR QUESTIONS

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- Is there a point where a student is simply "too disabled" to be able to participate in a music class?
- How can we best work with students who have severe ADHD/ADD, autism, or a social disability (like social anxiety)?
- I am really interested in how to provide accommodations to students with IEP's. I want to learn more about the various accommodations discussed in the article.

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## YOUR QUESTIONS

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- Many times, abled and/or neurotypical students have a habit of excluding students with disabilities and/or neuroatypical students from activities in class, particularly in group situations. How can a music educator observe these behaviors, ameliorate the current situation, and prevent situations like this from occurring in the future?
- How can we raise awareness of this issue to students without disabilities so that they can be more understanding of this issue?
- What can you do as a teacher, to help create a more comfortable classroom environment for students with disabilities? How can you promote anti-discriminatory behavior in a classroom?

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*Addressing*

# STUDENTS WITH DISABILITIES

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*An Introduction*

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