

What does the A, really mean?

Board of Education of Hendrick Hudson Central School District
v. Rowley (1982)

By
Tamika Riggs

Key Terms

Throughout this presentation you will see the following terms:

- ❖ FAPE- stands for Free and Appropriate Public Education which is a component of IDEA that provides schools with very specific requirements to guarantee to all students with disabilities are served adequately.
- ❖ IDEA- which stands for Individuals with Disabilities Education Act is a federal law that requires public schools to serve the educational needs of students with disabilities.
- ❖ IEP- stands for Individualize education plan that must be created for every student with special needs to improve their educational outcomes.

This is Amy Rowley! She was the center of a controversial case which helped define what the **A** in FAPE really means!



Let me explain.....

Facts about Amy Rowley?

Amy was a kindergartener who:

- Had minimal residual hearing due to a genetic disability
- Was an excellent lip reader
- Attended Furnace Woods School

These are Amy's parents, Clifford and Nancy Rowley, both are deaf.



The summer before Amy attended kindergarten.....

Amy's parents participated in a meeting with administrators from the school to discuss necessary supports for Amy when she started school. During the meeting, it was determined that Amy would be placed in a general education classroom with the following supplemental services:

- * FM hearing aid
- * Sign language instruction for teachers
- * Sign language interpreter



Kindergarten year

- * Amy successfully completed the school year but after a 2-week trial, the school determined that the interpreter was not needed.



First Grade

An IEP was created that outlined these supports:

- ❖ FM hearing aid
- ❖ Instruction from a tutor one hour per day
- ❖ Speech therapist for three hours per week



Parents file for Due Process Hearing

Amy's parents felt that she needed a sign language interpreter, as well. However, the school refused claiming that Amy performed well academically and socially without the assistance of an interpreter.

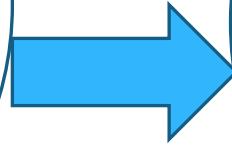


The examiner agreed with the School district stating that a sign language interpreter was not necessary for Amy to be successful.



District Court and Court of Appeals

Not satisfied with the decision, Amy's parents decided to file a case in District Court claiming that Amy's right to FAPE was being violated because the school would not provide an interpreter.



Both courts ruled in favor of the family determining that although Amy was able to progress, she was not able to learn as much as the other students in her class without the assistance of an interpreter.



Supreme Court

The school decided to petition the Supreme Court which overruled the decision of the lower courts and ruled in favor of the school district.



The Court ruled that:

- The intent of FAPE was to provide students with disabilities access to public education; not to maximize their potential.



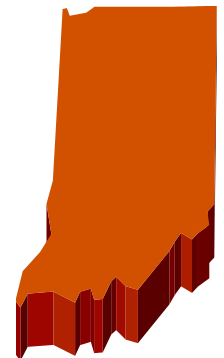


Impact on FAPE



The Rowley case set the foundation that requires schools to:

- ❖ Provide a free education and related services
- ❖ Deliver an education that meets state standards
- ❖ Serve the individual needs of the student by creating an IEP
- ❖ Provide sufficient support services that allow students to gain some educational benefit



My point of view

I understand why the Rowleys were willing to pursue this case; they wanted what was best for their daughter. Like the Rowleys, I believe that the goal of education should be to maximize the potential of every student.

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Yet, I also realize that maximizing every students' potential is hard to measure and unrealistic. The cost of providing every available resource to every student can not be met by a school district.





Scenario

There will be situations that can come up once a teacher enters the classroom that may bring up questions to what is a FAPE? For instance, a new teacher, Ms. Miller, just started co-teaching in a self-contained with Mr. Cary. Mr. Cary seemed like a very committed and knowledgeable teacher. However after only a week, Ms. Miller starts to question if he truly understands the expectations of FAPE. For starters, all ten of the students in his class work on the same assignments each day with very little individualization. Most of the assignments are not even tied to any goals set forth in their IEPs nor or they linked to State Standards. Ms. Miller knows that the students are receiving very little educational benefits from their instruction.



Significance for Educators



This case is important for educators to understand because:

- ❖ It was fundamental in determining what FAPE meant to students with special needs and it defined the expectations of schools as expected by IDEA.
- ❖ It's important for educators to understand so that they are able to identify what is considered a FAPE as to make the best decisions for students.

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