

Federal Leadership Perspectives on the Early Years of Special Education

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Abstract

This article is part of a case study of federal leadership in special education from the perspective of those who served in the roles of Assistant Secretaries of Office of Special Education and Rehabilitation Services (OSERS) and Directors of Office of Special Education Programs (OSEP), or their equivalents in the former U.S. Office of Education and later U.S. Department of Education. The perspectives cover the time-period since the passage of the Education of the Handicapped Act of 1975 to amendments of Individuals with Disabilities Education Act (IDEA) in 1997 and the end of the Clinton administration in 2001. The participants detailed their (a) Career and appointment, (b) vision for educating students with disabilities, (c) theory of change, (d) politics and financial constraints, (e) advocacy, and (f) views of the past, present, and future.

Keywords

history of special education, federal leadership, OSERS, OSEP

Responsibility for oversight of the federal program for education of children with disabilities is typically conferred through appointment from within a Presidential administration and Congressional confirmation. Thus, as outlined by Martin (2013), the role is time limited and political in nature. Those confirmed in the role of an Assistant Secretary of the U.S. Office of Special Education and Rehabilitation Services (OSERS) are expected to represent the administration that appointed them while implementing and reauthorizing the laws within the time parameters as well as political and economic constraints of a given presidential administration. The purpose of the study is to share the perspectives of Assistant Secretaries of OSERS and Directors of Office of Special Education Programs (OSEP) on the role of federal leadership in the development of special education. By understanding the perspectives of those who filled these positions as the modern field of special education was born and evolved, we can better appreciate the state of the field today, and perhaps anticipate where it might be heading.

The study covers the historical time-period from 1975 to 2001. The timeframe for this study begins with Edwin Martin with the passage of the Education for All Handicapped Children Act (EAHCA, 1975) or PL 94-142, in support of students with disabilities and ends with Judy Heumann who served as Assistant Secretary of OSERS in the Clinton Administration.

The mid-1960s was an era of major shifts in policy and perception of students with disabilities and other disadvantaged groups that culminated in passage of several major

federal legislative acts. “The “Powell Amendment” forbade federal expenditures on segregated schooling . . . The Civil Rights Act and the Voting Rights Act opened public accommodations and full participation in the democratic government process” (Martin, 1968, p. 133). These legislative acts focused on minority groups and economically disadvantaged populations. The Elementary and Secondary Education Act (ESEA), passed in 1965, brought a major influx of funding to support compensatory and remedial education for children who were disadvantaged by poverty and/or by years of segregated schooling.

Martin noted that following passage of the ESEA, “a beginning consciousness of the needs of the handicapped was dawning” (Martin, 1968, p. 133). While the ESEA authorized millions of dollars for educationally disadvantaged children, it included “no provisions for the handicapped as it was initially passed” (p. 133). According to Martin (1968), in 1966 the Ad Hoc Subcommittee on the Handicapped of the U.S. House of Representatives held hearings on the “educational needs of handicapped children and set the stage for increased federal aid through the first version of the Education of the Handicapped Act” (p. 133)

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which passed as Title VI of the ESEA. Martin suggests that passage of the landmark EAHCA in 1975 was “. . . perhaps more significant than the increase in federal programs and dollars over the decade . . .” (p. 133). EAHCA was mandatory. Martin wrote, “[T]here are no education laws similar to PL 94-142 [EAHCA] in its insistence that state and local school systems establish policies of providing free public education” (Martin, 1968, p. 134) for students with disabilities.

Progress in ensuring the rights of children and youth with disabilities to a free appropriate public education (FAPE), as reflected by passage of the EAHCA shifted dramatically during the Reagan presidency as he attempted to disband the U.S. Department of Education, deregulate EAHCA, and block grant educational funds to the states (Bell, 1993). By 1989, Governor Bill Clinton led the National Governor’s Association in adopting *America 2000: A National Education Strategy*. In the mid-1990s, a new education policy framework in the form of standards-based reform emerged, setting the stage for *No Child Left Behind* in 2001.

In the period we describe in this article, Congress reauthorized EAHCA three times. In 1986, PL 94-142 was reauthorized as PL 99-457. Substantive changes included the addition of Part H of the law, which provided services for infants and toddlers under Individual Family Service Plans and the extension of FAPE to 3- to 5-year-olds. In 1990, Congress reauthorized the EAHCA as the Individuals with Disabilities Education Act (IDEA, PL 101-476). A significant contribution of IDEA was to provide requirements and guidelines for transition services to students with disabilities, designed to ensure necessary linkages between school, employment, and community life. In 1997, reauthorization of IDEA as PL 105-17 provided the beginnings of a framework aligned with standards-based reform. The dramatic shifts in education policy during the 30-year period from the time the first EAHCA bill was drafted under President Johnson in the 1960s through the end of the Clinton administration in the 1990s posed existential challenges for the field of special education and those appointed to provide leadership at the federal level. In this article, we share the perspectives of individuals who served in leadership roles from 1975, with passage of the EAHCA, to 2001.

Method

This article reports on a subset of data from a larger study (cf. Kleinhammer-Tramill et al., 2021) and uses qualitative methods to analyze the data. We used case study methodology (Merriam, 1998) to document views of federal leadership personnel (cf. Kleinhammer-Tramill et al., 2021). The interest of the larger study was the phenomenon of federal leadership in special education and exploration of its role. The participants represent 45 years of federal leadership in

special education. The focus of this article is on the perspectives of Assistant Secretaries of OSERS and Directors of OSEP who oversaw special education from its modern beginnings with passage of EAHCA to the end of the Clinton administration. The following research question guided the study: What are the perspectives of special education federal administrators on their role in shaping the special education field?

Design of the Study

Utilizing case study design (Merriam, 1998), federal leadership in special education is reconstructed from the perspectives of federal leaders who were in charge of special education from its modern beginnings with passage of EAHCA (1975) to the reauthorization of IDEA (1997) and the end of Clinton administration.

Participants and Sampling

Eligible participants included Assistant Secretaries of OSERS from 1976 to 2001 and Directors of OSEP during the same time period. The persons who agreed to participate include Assistant Secretaries of Education Edwin Martin, the first person to serve in this role, Madeleine Will, and Judy Heumann; and Directors of OSEP Tom Bellamy and Tom Hehir. Contact information did not result in viable contacts for former Assistant Secretary Robert Davilla, and OSEP Directors Judy Schrag and Ken Warlick.

Data Collection

With IRB approval, the interviews with the five participants took place during 2015 and 2017. The second author interviewed the participants by telephone. Every participant answered the same research questions on vision, familial and life experiences, challenges, politics and finances, accomplishments, and views of the future (cf. Kleinhammer-Tramill et al., 2021). Each interview lasted approximately 2 hr. In addition, all five participants took part in a face-to-face focus group in Washington D.C. that lasted for 5 hr. The focus group questions were on vision, goals, politics and financial issues, and the state of the field.

Data Analysis

Guided by phenomenology, we took an interpretive approach in analyzing the data (Buttimer, 1976). Our primary interest was in the participants’ perspectives on the federal role in special education. The “basic datum of phenomenology is the conscious human being” or the lived experiences of the participants in the research (Bentz & Shapiro, 1998, p. 98), therefore the transcribed interviews were key texts in our analysis.

Data analysis began with *a priori* codes based on concepts related to leadership (Northouse, 2019) such as vision, setting goals, priorities, and change. Additional *a priori* codes included participants' career appointments, accomplishments, and challenges. Line by line analysis of the interview data using *inductive* coding led to nine major codes: commitment to inclusion, advocacy, parents and families, historical perspective, bureaucracy, accountability, issues and barriers, relationships, and collaboration. Secondary analysis of the codes resulted in these combined codes politics, financing, advocacy, change, controversies, and concerns.

Each author analyzed a portion of the data independently, by hand. Codes and supporting data from the transcripts were entered into a codebook (Saldaña, 2016) that designated which parts of the transcript correspond to particular codes. No analytical software was used. The researchers compared coding results to find agreement on data coding. Henceforth, the authors coded each interview separately and discussed their analyses jointly until agreement was reached for both *a priori* and *inductive* coding. The authors sought and achieved consensus for every application of every code throughout the data analysis process.

The final step included developing themes. The authors used pattern coding (Saldaña, 2016) to identify and structure themes that were germane to the study. The process involved examining codes (*a priori* and *inductive*) developed previously, and returning to the concepts of leadership, the purpose of the study and major questions of the study. Codes that were unique to a single participant or idiosyncratic were excluded. The multiple stage process of data analysis and consensus building allowed the authors to refine the themes and highlight examples linked to the research questions. The authors met as a team multiple times to discuss and develop the study's themes. Ultimately, this process yielded six themes that encompass the participants' careers, vision, theory of change, politics and financial constraints, advocacy, and their views of the past, present, and future.

Triangulation and Trustworthiness

One of the major methods regarding trustworthiness of the data included first level member checking (Brantlinger et al., 2005). The first step involved sending transcribed interviews to each participant to ensure the transcript was an accurate depiction of their views and intentions. Participants knew they were free to make changes in any text that they felt did not represent them or their views accurately. Two of the five participants provided changes to clarify their descriptions of events as discussed in the interviews. Data collected during the focus group were a source of data used for triangulation purposes (Denzin & Lincoln, 2005). Transcript data

from the focus group were compared to the interview data and reinforced for the researchers the validity of the data. The seventy-three page transcript from the focus group was not sent to the participants as part of the triangulation process. The three researchers involved in this study added to the investigator triangulation (Brantlinger et al., 2005).

Positionality. Two of the researchers had an interest in the topic based on their work as directors of OSEP grants. The second author has studied trends in funding for OSEP personnel preparation grants. The third author was the beneficiary of stipend support through a leadership grant and completed a summer internship at OSEP.

Reflexivity. The authors value OSERS' and OSEP's contributions to building and sustaining the field of special education. Furthermore, the authors appreciate the challenges posed by the political contexts in which the participants worked. This study reflects the authors' interpretation of the perspectives of the participants while attempting to remain faithful to their words.

Limitations. There is a caveat worthy of noting in this study: There has been considerable time since the participants served in these roles. Hence, the findings of the study reflect what participants recalled during their interviews rather than an all-encompassing account of their achievements, lifework, and current perspectives. The single interviewer may present a limitation in regards to validity as opposed to having all three authors conduct the interviews. This limitation is mitigated by the fact that all authors participated in data analysis.

Significance. The transcripts from the 2-hr interviews and the 5-hr focus group provide a worthwhile sense of the work of special education leadership as seen in reflection from the present time. Such views are important sources of knowledge in themselves and they add to and compliment the historical record.

Findings

We present six final themes derived from data analysis, as follows: (a) Career and appointment; (b) vision for educating students with disabilities; (c) theory of change, (d) politics and financial constraints; (e) advocacy; and (f) views of the past, present, and future. We present these themes for each of the five participants (Assistant Secretaries of Education Edwin Martin, Madeleine Will, and Judy Heumann; and Directors of OSEP Tom Bellamy and Tom Hehir) in chronological order as aligned with their tenure in leadership positions, starting with Ed Martin and ending with Tom Hehir.

Career and Appointment

Participants spoke about their career and appointment in the position. They described the process of being hired, and length of time each served in the position. In addition, the political milieu during their years in the federal government provides rich contextual information of the period.

Ed Martin. Ed Martin entered public service at the federal level in 1966, when he took a leave from teaching speech and language at the University of Alabama to assume a role in the U.S. Office of Education to manage grants for the Division of Speech and Hearing. After four months in the position, Martin was asked to serve as Director of the House of Representatives' Ad Hoc Subcommittee on the Handicapped. In 1969, Martin became the Deputy Associate Director of BEH, serving under James Gallagher. Throughout that period and beyond, Martin worked to secure legislation and funding, first through Title VI of the ESEA, and, later, as stand-alone legislation for children and youth with disabilities and to establish the new administrative entity—the Bureau of Education for the Handicapped (BEH), or “the Bureau.”

Martin's service spanned four presidential administrations (Johnson, Nixon, Ford, and Carter). The beginning of Martin's service began within a time period of massive legislative accomplishments on behalf of education under President Johnson. The passage of the ESEA had occurred in 1965. Martin worked closely during this period with New York Congressman Hugh Carey who was Chairman of the Ad Hoc Subcommittee on the Handicapped and Representative John Fogarty (D-RI). Martin's alliances with Fogarty and Carey were important to his success in establishing the BEH and early legislation for education of students with disabilities. Martin's service continued through 1979 when he became the first Assistant Secretary of OSERS after the U.S. Office of Education became the U.S. Department of Education (ED) under President Carter.

Madeleine Will. Will served as Assistant Secretary of OSERS from 1983 to 1989. Will was President Reagan's appointee. Reagan entered office with the goal of reducing the size and cost of government. One of his first actions was an attempt to abolish the U.S. Department of Education, which had been elevated to Departmental status and Cabinet membership only 2 years earlier, under the administration of President Carter. Reagan also proposed to block grant the IDEA along with other education legislation. The Reagan administration soon found itself in the crosshairs of multiple advocacy groups and had difficulty advancing its policy agenda. Then Secretary of Education, Terrel Bell, claims to have warded off the threat to the fledgling Department by commissioning A Nation at Risk report in which the Carnegie Foundation described in apocryphal terms

how the nation's security was jeopardized by the dismal state of education in the U.S. and the dire need to reclaim excellence (Bell, 1993).

It was at this tumultuous time for the Department of Education that Will was offered the position of Assistant Secretary of OSERS. Will said she would accept the position only if “Secretary of Education Bell agreed to not block grant the IDEA law.” According to Will, she entered office with limited experience and knowledge of federal policy and government. Will had experience and knowledge of state level policy based on her previous work as an advocate in the state of Maryland, and her advocacy to obtain services for her son, Jonathan, who has Down syndrome.

Tom Bellamy. Tom Bellamy served as Director of OSEP (1986-1989) under Assistant Secretary Madeleine Will. He worked in a policy fellowship role in 1984 for a year in the OSERS office. The role of Director of OSEP at that time was a competitive position. According to Bellamy, “I competed for the position and was selected by a panel that clearly reported to Madeleine Will.” Bellamy was a university professor prior to his appointment to this position. Bellamy assumed the position after the controversy over block granting and major advocacy by the disability community.

Judy Heumann. Judy Heumann served as Assistant Secretary of OSERS from 1993 to 2001. As a disability rights activist in the late 1960's, she led a movement for people with disabilities who occupied buildings at Berkeley to demand access. As a teacher, Senate intern, and advocate at the Center for Independent Living (CIL) at Berkeley, she led the way to bring communities together toward ensuring equal opportunities for people with disabilities in schools and in the workforce by pushing for legislation in the form of Section 504 of the Rehabilitation Act. These diverse experiences at all levels of the system informed her vision and advocacy for inclusive schools and for creating an inclusive society.

Heumann's leadership of OSERS was situated within the Clinton administration and was, of necessity, consistent with federal education policy at that time—specifically, *Goals 2000: Educate America Act*. As such, the intent of *Goals 2000* was to encourage states to develop a standards and accountability framework and to align all education systems and services, including curriculum and instruction, and teacher preparation and professional development with each state's standards. While Secretary Riley envisioned policy alignment of all major education legislation that was due for reauthorization, the status of special education within states' assessment and accountability frameworks was not clarified until the 1997 reauthorization of IDEA.

Tom Hehir. Hehir served as Director of OSEP from 1993 to the end of 1999 during the Clinton Administration. He was

an appointee of Secretary of Education Riley. Prior to becoming the Director of OSEP, Hehir's experiences included serving as Associate Superintendent of Schools in Chicago. He was also Director of Special Education, school administrator, and special education teacher in Boston Public Schools.

Vision for Educating Students with Disabilities

All participants indicated that their vision for special education was to ensure access to education, to provide or strengthen services for students with significant support needs, and to improve early childhood services and post-school outcomes for children and youth with disabilities. All entered office with clear agendas based on their vision.

Ed Martin. Martin's vision was "to get education to every child in the country." Martin and others worked closely with members of Congress on EAHCA that passed in 1975. The next step in achieving Martin's vision was to develop the regulations to the EAHCA.

In the late 1970's the BEH worked to implement the law. According to Martin, some of the problems confronting the BEH were not yet having enough academic departments of special education at the university level to train teachers, making education for students with disabilities available, and finding related services personnel. Martin was involved and played a significant role in creating the foundations of a comprehensive system of special education to provide public education to millions of children.

Madeleine Will. Will's vision included broadening the scope of attention for people with disabilities beyond the K-12 school years and increasing the role of families in decision-making. Will stated, "I had a very keen interest in extending the mandate, the IDEA mandate, down to the 3- to 5-year-olds, and to strengthen the 'baby program,' [Part H] which is what I always call it." Regarding transition services, Will said, "It was time to say that people with disabilities—significant disabilities, intellectual, developmental disabilities, etc., could work and could be productive." Will was also interested in ". . . building the early concept of inclusion, full inclusion, as opposed to mainstreaming, which back then was executed disparately."

Tom Bellamy. Tom Bellamy spoke first about his vision generally. He stated,

I felt like much of what we were doing was creating opportunities for people to have the kinds of educational and life opportunities that so often seem to be taken away, not due to individuals' ability, but simply because of assumptions about their disability.

He also confirmed that he worked to implement Assistant Secretary Will's vision. Bellamy worked on three overarching policy goals: 1) Integration of people with disabilities and their non-disabled peers, 2) outcomes for people with disabilities in terms of employment and community-integrated outcomes after school, and 3) the role of families in decision making about schools and services for children with disabilities.

Judy Heumann. Heumann's tenure at OSERS was marked by her efforts to promote access for students with disabilities to general curriculum, standards, and the larger school community. Heumann stated,

My vision included having the voices of disabled people and parents incorporated in policies. I also was concerned with implementation in states and stronger enforcement of the law. My objective in outcomes was inclusion of disabled students in all education processes. This meant ending the segregation of children with disabilities in public schools and increasing accountability by including all students with disabilities in states' standards based assessments. The emphasis was on achieving better performance and outcomes for children with disabilities.

Tom Hehir. Hehir's vision was to include children with disabilities in the accountability system and to afford them access to the general education curriculum. It was during this time that education policy focused on standards based reform. He stated,

You know, from my perspective, IDEA, by this time, by 1993, had been around for quite a while. We certainly had extended education to all kids with disabilities and, my primary concern coming into the job was the fact far too many kids continued to be segregated, and we had no accountability for outcomes. We couldn't even tell if kids with disabilities were learning to read or learning mathematics. They weren't part of NAEP [National Assessment of Educational Progress]. . . . That's why we found standards based reform so attractive, and I still do by the way, is that it holds out a standard upon which you can judge the effectiveness of educational programs.

Overall, according to Tom Hehir, standards based reform would address a "huge problem" of "low expectations of students with disabilities" in the education system.

Theory of Change

Participants indicated that the process of setting funding priorities served as a major vehicle to promote progress even though a particular priority was often not announced until after their tenure in office. Several noted having to consider how initiatives would be expressed through multiple funding priorities to accomplish change.

Ed Martin. Martin's theory of change relied on building relationships with members of Congress and gaining access to public education for students with disabilities incrementally. In describing his theory of change, Martin stated,

One favorite person of mine was Wilbur Cohen (former U.S. Secretary of Health, Education, and Welfare). He had left at the end of the Johnson administration, before Nixon came in. Cohen gave me advice on how to get the Education of the Handicapped bill through. He had passed Medicare. He was one of the architects of it. So, he had said to me what are you trying to do? I told him, to get education to every child in the country. He said, well you can't do that all at one time. He said, my advice to you is take a little bit every time and build up these programs in critical mass, get people behind it. Eventually, you will get what you want. But if things go bad, don't get nasty about it. Don't attack the Congress or the Republicans or anybody. Just wait and keep working on it. So that's what I did. During the time when the administration was against this legislation—they testified against it—I just kept working with the Congress and Fred Weintraub at CEC. The administration knew I was doing that. They didn't bother me. I didn't make public criticism.

Madeleine Will. Will's theory of change was to build support for her vision through communication with stakeholders and members of Congress. She used her political capital to stand firm against administrative actions that might interfere with the hard-won progress for children with disabilities that the passage of EAHCA guaranteed. She stated,

It took me a long time to get into the Department because I had said that I would not take the job unless the Secretary gave assurances to not block grant IDEA. I would not go into government to do that. They seemed to agree with me, but that wasn't sufficient. I am a person with political antennae and I didn't like the signals I was getting. Ultimately, two members of Congress conveyed, from their unique perspective, not only that I, Madeleine, did not want to do this, but that the Senate didn't want block granting either. The official word that we were not block granting took 18 months. But it was a dead thing the day that I walked into the Office, because of the enormous negative reaction of the disability community across the country, and the Secretary understood this.

Will's priorities focused on expanding IDEA. According to Will, "we're going to build on it [IDEA] both in terms of the older kids and the younger kids."

Madeleine Will traveled throughout the country extensively to reassure stakeholders that the law was still in effect, to promote her vision for transition and early childhood, and to highlight inclusive schools across the country. She also took her time to understand how the Department of Education worked and how the budget functioned. Will was hands-on in priority setting and worked to set a process for

reviewing, refining, and improving funding priorities proposed by career professionals of OSERS.

Tom Bellamy. Bellamy worked to build trust with the career professionals at OSEP after the Reagan Administration's effort to deregulate EAHCA. He stated,

There was a certain level of distrust I think between the professional staff who had just done real . . . yeomen's work in responding to [over 100,000 letters that the disability community and parents sent to the Department of Education] and creating a strong evidentiary base for sustaining 94-142 [EAHCA] as it was. And a lot of political appointees at the time who thought that that law should be deregulated. So, I think we need to sort of recognize that that era really had just ended as Madeleine Will came in as Assistant Secretary. But the impact of that enormous amount of work and the conflicts associated with it, I think, lasted for quite a while.

In addition, Bellamy believed in debating new ways of educating students with disabilities.

I've always thought of progress in Special Education as being a little bit of a dialectic between, sort of demonstrating what's possible, then, essentially creating a political environment for your people . . . I think it's easy to make change if we're talking about working within an established framework. So, as long as we can think of progress in disability as simply getting better and better research-based practices- that was easy.

According to Bellamy, "the difficult changes came when the point of discussion was no longer research, but was, well, are we actually working for the right goal? Are we applying the research to the right outcome?" The issues that proved to be difficult and led to debate were the extent of integration as an individual right or who has the right to decide about what constitutes a quality of life. Bellamy described the "debate" and "incredible opposition" from those "who didn't think that any restriction on punishment was appropriate at all" during priority setting that led to funding research on positive behavioral supports as a new way to discipline rather than restriction and punishment.

Judy Heumann. Heumann approached change from an advocacy perspective. She also valued the input of stakeholders. In preparing to reauthorize IDEA, in 1997, Heumann set up mechanisms to engage stakeholders in a collaborative process. She described how her life experiences taught her the importance of having all stakeholders at the table. She attributed her approach of tackling many issues at once to several features of her time in office: (a) Building a strong team within OSERS, (b) the support of Secretary Riley, and thereby the Clinton White House and (c) the multiple roles of OSERS (research, monitoring, and rehabilitative services). Heumann approached her

leadership position from a vantage point of a collaborator with a clear vision: She advanced the issue of inclusion of people with disabilities through all available avenues; legislative, regulatory, grant-making, research and monitoring.

Heumann also spent considerable time getting to know people in OSERS and made it a priority to hire and support staff who had disabilities. "I would do my very best to get around and visit people at their desk and request information." She also worked to convene people who had similar interests to collaborate on projects. She consistently engaged in the same processes with people across the country. She also worked with ESEA Title I staff within the Department of Education to ensure that OSERS was represented in Title I regional meetings held at that time.

Tom Hehir. Hehir utilized federal initiatives to work to end the segregation of students with disabilities and to raise the expectations schools had of students labeled as disabled. Hehir was successful in garnering the support of Secretary Riley in advancing his vision of inclusion. He recalled,

I remember one of the first meetings I had with Secretary Riley, he asked me how the kids with disabilities did on the NAEP, and I said, 'Well, Mr. Secretary, I don't know.' He said, "Can you give me a report?" And I said, 'Well, Mr. Secretary, I can't because the kids are not included.' . . . He was astounded at that given how many kids with disabilities we had by that point, 5 million. And, he said, "Well we have to change that." He told me I had to come up with a reauthorization proposal for IDEA.

Hehir was disturbed by findings from the first National Longitudinal Transition Study that showed that students with disabilities including those with learning disabilities did not enroll in courses that would enable them to have access to higher education. Hehir stated that "these were real concerns of ours and ones we fought to explicitly change primarily through changes in IDEA Part B."

According to Hehir, systems change grants under IDEA Part D "were enormously effective in inclusion of kids with significant disabilities, which in the '90s was a pretty radical notion. You know, we thought they should be in regular schools." Hehir gained the support of Secretary Riley on their inclusion after taking him to visit the Henderson School in Boston. After spending the entire morning at the school, "Secretary Riley came back from that meeting totally in our corner. And he made it clear to the groups that were opposing inclusion that he was on the other side."

Politics and Financial Constraints

Each participant faced unique challenges. In the early years, the Assistant Secretary and Director worked closely with advocates and Congressional staff to establish a federal

infrastructure and to advocate for authorizing legislation to maintain the commitment of free and appropriate public education for students with disabilities. In addition, issues surrounding funding or lack thereof of special education permeated all participants' interviews.

Ed Martin. According to Martin, it took many years of work and coalition building to draft legislation, bring it to a vote, and pass it. Even then, there were times when Congress did not pass a special education bill due to timing and scarce resources:

We were not getting anywhere fast. The reason was that Vietnam was gobbling up the bread and butter, as well as guns. Then the Nixon administration did not want to have a state grant program. They didn't think it was a federal responsibility. So, I basically had to work with Congress to do that. That was the germ behind PL 94-142 [EAHCA].

According to Martin, even though they had drafted legislation for the education of students with disabilities, and there were enough votes to pass the bill, the legislation did not pass:

We couldn't get it through that year. The President's budget had already gone up. We went over to the White House, and talked to the President's assistant for education. He said, 'Next year we will not resist it, even if we don't accept it as a bill. The President is not against this. We just don't have the money this year.'

Financial constraints were a common concern for most of the administrations Martin served.

Madeleine Will. Will entered office in the midst of Presidential efforts to abolish the newly created Department of Education and efforts to block grant all education funds, thereby risking loss of a separate funding stream for students with disabilities. Will worked closely with moderate Republicans and Democrats at the time. They were highly engaged in policy around the early intervention, early childhood, and transition programs in the 1986 reauthorization of IDEA to include Part H (later Part C) which extended services to infants and toddlers with disabilities, introduced the Individualized Family Service Plan, and acknowledged the need for interagency coordination to serve very young children with disabilities. Will also introduced the "Regular Education Initiative" to promote improvements in integration (inclusive services) for children with high incidence disabilities and to intensify services for children with significant developmental and cognitive disabilities. The latter initiative drew resistance from the field, in part because of continuing concerns following Reagan's efforts to block grant IDEA.

Despite these difficulties, Will believed that she had more latitude than her successors. "I think a lot of the policy focus [in the role of Assistant Secretary] has diminished, in part because different administrations are different. When I was there, we would do a draft piece of legislation. That doesn't happen anymore." Will reiterated that much of the progress in special education to this day is due to many disability activists and parents who kept the pressure on the administration either through protests or writing thousands of letters.

Tom Bellamy. Bellamy noted that despite efforts by the Reagan White House to deregulate EAHCA, "there appeared to be a solid political consensus in general support for the programs and services. That doesn't mean that there wasn't very real and extensive debate about the appropriateness of the initiatives around transition and around integration." The politics were strongest in the disability community itself. Bellamy stated,

But the debates around how positive behavior support and the arguments about decreasing the amount of punishment in schools, and those around integration or inclusion I think were ones that pulled the [disability] community apart in those years and really demonstrated the significant rift between the organized advocacy groups, the organized professional groups and the organized administrative groups.

Bellamy also discussed the failed grant competition related to the Regular Education Initiative during the Reagan years and his role in averting another boycott:

[T]he role that I took in that and in most of the competitions was in trying to mediate between the interest and proposals of the staff, the interest and proposals of the politically appointed policy folks and the interests of the departmental policy folks who had their reviews through the General Counsel's office and the Office of Planning and Budget.

Tom Bellamy described the lack of funding during the Reagan years that affected education, and most social and health services. "That period of three or three and a half years really represented a time with essentially no growth of staff and no growth of budget. The formal monitoring program for states continued but not much else did."

Judy Heumann. Heumann's tenure included the reauthorization of IDEA in 1997 and a shift toward standards-based reform that continues to dominate education policy. On the heels of the Columbine school shooting, Heumann spoke to averting a crisis in the 1997 legislation when the issues of suspensions and expulsions threatened to disrupt services for students with emotional disabilities. She stated that in spite of the good relationships she had with most Republican staffers,

. . . some of the members on the [Education] committee weren't negotiators. We had this one hearing in the House side where a member pulled out a gun—literally—and basically . . . pulled the gun out and proceeded to talk about a kid in the district that he was a member in and saying this had happened and the law wouldn't allow anything to be done to the kid who had brought a gun to the school . . . We explained that if the kid brought a gun to school then that child would be dealt with right away.

Heumann indicated that a lot of the work included dispelling myths about what was in the legislation.

In addition, Heumann discussed the impact of financial difficulties that occurred even as efforts to reauthorize IDEA were underway. The reauthorization of IDEA was "already on the table" early in her tenure, but it took 4 years to get through Congress. According to Heumann, the Republican takeover of Congress resulted in budget constraints due to "Contract with America," a slogan used by Republicans during the 1992 mid-term election which included a renewed promise to abolish the Department of Education, and singled out IDEA as an example of federal overreach.

Tom Hehir. Hehir spoke of adjustments he needed to make after the mid-term elections. Hehir stated: "Originally, when we put forth our proposal [to reauthorize IDEA], we had control, meaning the Democrats had control of Congress, and then of course we lost it big time in the midterm election." Secretary Riley insisted on collaborating with Republicans. "We had had many meetings with Republican staffers and Republican members. Mr. Goodling, who was chair of the House Education Committee was a former school principal, and he turned out to be a very important ally. But it took a long time to go through this whole process" that resulted in the 1997 IDEA reauthorization. Hehir said, "It was bipartisan, it was bicameral, it was quite unusual. But it worked, from my perspective, because we got most of what we wanted in the bill."

One big controversy Hehir spent considerable time discussing involved efforts for inclusion of students with significant disabilities in schools. Political pressure came from the American Federation of Teachers (AFT):

The Secretary had a very ticklish political issue which was how to balance, on the one hand, advocates for kids with significant disabilities that were increasingly pushing the inclusion of kids with disabilities and particularly the AFT where, you know, Shanker, who was very popular at the time, was adamantly opposed, to the point where he wrote an Op Ed in the . . . *New York Times* in which he specifically criticized, although not by name, Clinton's appointment of Judy [Heumann] and myself as "radical."

At the same time, there was significant opposition from various groups in the special education community that saw

inclusion as threatening to their interests. In response, the leaders at the federal level continued with their agenda but changed the terminology they used.

From our perspective, you know, “inclusion” had, in a sense, a bit . . . too much baggage with it . . . And the concept of *access to the curriculum* was much more consistent with the ADA . . . So that the emphasis in the disability community was on access, it wasn’t on services.

Advocacy

All the participants in the study were advocates for children with disabilities before starting their tenure in the department, during their appointment, and after leaving the federal government.

Ed Martin. Martin spent his entire career advocating for students with disabilities by initially working as a congressional staffer on the House Education Committee that led to providing access to public education for children with disabilities and bringing together many separate programs into the former BEH. According to Martin, FAPE was one of the key provisions, “we knew there were children who were excluded or that kids were just sitting there in the classroom at school.” Martin recalled when a Congressman asked him “What’s appropriate? Are you going to tell my school district what’s appropriate? I said, it’s going to be a locally based decision through the IEP process. Parents couldn’t veto an IEP but they could appeal it.” Martin’s advocacy is marked by an emphasis on individualized instruction for students with disabilities.

Madeleine Will. Will worked to make disability become a part of education reform at a time when all the focus was on the *Nation at Risk Report* and general education. Will’s advocacy resulted in extending services to persons with disabilities to include early intervention and transition services. She continued her advocacy by serving on committees through several presidential administrations, and by working with disability organizations to protect the rights of persons with disabilities.

Tom Bellamy. Bellamy echoed Will’s reflection on the Department of Education’s lack of focus and concern for issues in special education and Will’s and Bellamy’s push for attention to the needs of persons with disabilities:

I’ll just leave it with the comment that anything about disability was conspicuously absent in the larger Departmental agenda around school reform at the time. It’s easy to wonder if they wouldn’t have been much happier if we had avoided conflict so they could keep the primary focus on their [A Nation at Risk] school reform agenda rather than sort of working through the debates and the conflicts in order to try to make progress

specifically related to people with disabilities. That’s pure speculation on my part.

Judy Heumann. Heumann’s advocacy for including students with disabilities in the standards-based reform framework was consistent with Secretary Riley’s vision; however, many questions arose as to how children with disabilities would and could be incorporated into the Goals 2000 accountability system that called for high expectations, rigorous standards, and assessments for all children. Heumann also focused on advocating for employment opportunities for individuals with disabilities and traveled to different cities focusing on employment. She recalled one meeting in particular:

It was really amazing to see where people’s views were at that point. There was one man in the group who was probably 36 years old. This one man said ‘I have a daughter, she’s in kindergarten. She has a child with Down syndrome in her classroom and I know that my daughter will be different than I am . . . I’d love to be able to do that again to see if people’s views have changed.

Heumann has continued her efforts to dismantle ableism, and to advocate for visibility of persons with disabilities.

Tom Hehir. Hehir advocated for inclusion of students with significant disabilities with their typical peers his entire career. He championed inclusion as a special education teacher, in his administrative posts in local school districts, as Director of OSEP, and later as an academic in his teaching and publications on effective inclusive schools. He also assisted in raising funds to establish a chair position dedicated to disability studies in education at Harvard.

Views of the Past, Present and Future

There was consensus among all participants that progress has been made in the field of special education. On the other hand, participants reflected on the slow pace of progress and some of the enduring issues in the field.

Ed Martin. According to Martin, when he started working for the federal government, his main job was to organize hearings on special education. Martin described parents telling Congress

that schools could serve students if they wanted to. A lot were sent home—turned away at the school door. Parents came in to our offices and said they’d been told by our people, ‘We don’t have anything for you.’

He also described that at that time neither the federal government nor the states had data on the number of children with disabilities. According to Martin,

That was where we started. For that period that we were under Title VI of the ESEA. Things changed, and by 1975, there were more special ed programs around the country. When EAHCA was passed, we tied it to the number of kids who were receiving services.

Discussion about mainstreaming had started in the 1970s. There was discussion of merging the programs of special education and regular education and preparing teachers to teach all children. As for the future, Ed Martin believes that special education instruction will take place in the regular education classroom, “but special education instruction means *individually* designed instruction.” He also had envisioned more progress in special education than where the field is at this time.

Madeleine Will. Will recalled experiences where she had significant latitude in setting priorities and was able to take a leading role in influencing legislation and retaining a certain level of independence from the White House. Will observed that each administration (Clinton, Bush, and Obama) that followed became more controlling.

She also considered it problematic that the role of the Department of Education in drafting legislation has diminished.

Now [during the Obama administration] we have a Republican House; back then we did too, and we had some very strange ideas that came out of the House. It was clear that these ideas were really outside the norm. They weren’t going to be taken seriously by people in Congress, and you would see opposition growing in the community. But that meant we didn’t have to have the kind of struggles that you have now. For example, the cessation of services [proposed as part of the 1997 amendments] that came right out of Congress and had to do with Columbine and the zero tolerance. It was an emotional kind of a movement that took hold and that can sweep away good order and good processes.

Will also pointed out that the level of involvement of the disability community in the policy making process through letter writing and pressuring Congress and the White House is greatly reduced from what it was during her tenure. According to Will:

We can’t get 2000 letters or e-mails or phone calls now. Our grassroots movement needs to be strengthened. Parents think they’ve got everything for their children now, they don’t have to worry. But they do, because when their children get to age 21 and 22, they begin to see that there’s a peck of trouble ahead.

Will considered the divisiveness in Congress as another impediment to good policy. In terms of the future, Will predicted that at some point there will be a merger of special education and general education, but she was not sure how it could happen. One way would be merging ESSA and IDEA legislation. She hoped “the vast difference in the preparation of

teachers in general and special education will be diminished . . . It is also imperative in the future that wrap around supports are designed for students with autism, mental health-related challenges and other significant disabilities.”

Tom Bellamy. Bellamy spoke about his commitment to persons with disabilities but he wondered “how far we’ve gotten. It is sometimes discouraging to see a conversation about exactly the same issue that we’ve talked about 30 years ago.” He concentrated on OSEP when discussing his wish for the future and having “a coherent strategy across monitoring and personnel preparation and research would be very valuable.”

Judy Heumann. Heumann noted that there has been progress in educating students with disabilities but she was also critical of the dual system that continues to operate. “I think the term *special education* is really wrong. I think we’ve set up a model that tells people that you have to be a unique kind of a person to work with kids who have disabilities.” She lamented, “still, disabled kids are seen as the problem children . . .” Heumann emphasized the need to be “much more demanding of the educational system itself to *own* responsibility for *all* its children.” She also observed that now (the interview took place in 2017), “[f]rom a congressional perspective, we are lobbying to keep money at this point, not to lose money.” Her parting words for the present were: “We have to be very careful not to get overwhelmed by everything going on, which I am on a regular basis, but really, strategically, look at what it is that we can be doing to make a difference.”

Tom Hehir. Hehir spoke about the legislative process during his tenure wherein the OSEP career staff under his leadership worked to draft the IDEA reauthorization. Hehir said,

From my perspective, thank God we did that because we at least had a standard out there that we felt was good policy. As opposed to 435 people deciding what good policy was . . . and that became the basis for those discussions for the next four years.

Hehir underscored the importance of policy implementation and that “one of the problems you have at the federal level is people are often guilty of thinking in utopian terms.” As for the future, Hehir wished to see more funding to research best practices and programs that are impactful.

Discussion

The perspectives of federal leaders in this study elucidate our understanding of the periods of stability and change in the expressed purposes of federal initiatives in special education, the contextual supports and constraints accomplishing these changes, and the target objectives for use of

discretionary funds since their inception. Moreover, their perspectives provide insight into the individual circumstances, values and beliefs that guided the visions they attempted to enact. While bound by the vision of U.S. Secretaries of Education they served, they still managed to secure funding, maintain legal protections and opportunities for students with disabilities, gradually expand services, and increase accountability for the education of students with disabilities.

Advocacy was a major feature of their work. They remain committed to advance the interests of students with disabilities and some of the participants have continued to write on these issues. The advocacy of both parents and the disability community was remarkable in preventing block granting of IDEA during the Reagan years and later stopping Republican efforts during the Clinton administration to get rid of IDEA protections through zero tolerance, suspension, and expulsion policies. The advocacy for special education came from parents of students with disabilities from both parties. In the end, a Republican-controlled House reauthorized the IDEA of 1997.

The significance of this study lies in its potential for revealing the visions and theories of change enacted by the persons who have provided leadership at the federal level for multiple discretionary and statutorily authorized programs that have impacted and continue to influence the field of special education. Our findings suggest that the group of people who had ultimate oversight of federal special education programs were driven by their strong commitment to improve how we educate students with disabilities, and that they were, and still are, skilled political advocates for the people they represented.

The study also reveals how Presidential appointees must operate within the constraints of a short term of office, maintain a clear vision of what they intend to accomplish, sometimes in political opposition to the administration that appointed them or Congressional will, and rally advocacy and support for their positions. These findings show that politics and financial circumstances influenced every participant's work and were embedded in the Presidential administrations that they served thus influencing their ability to realize their personal and professional goals in their appointed posts. Importantly, their perspectives reveal the support from Congress in the early decades that was more robust than that during some of the later administrations.

From the participants' perspectives, it is clear that special education has progressed, but progress has occurred slowly and has been controversial at times. The participants expressed concern about the status of the field and diminished advocacy. They also expressed disappointment at the reduced role professionals at OSERS and OSEP currently have in providing input regarding policy development.

This study shows the almost insurmountable political obstacles that might have posed barriers to ensuring a Free

Appropriate Public Education in the Least Restrictive Environment for children with disabilities. In spite of presidential and congressional actions that could have stalled or ended the federal role in special education, these leaders worked with various groups to support and uphold the continued commitment of the federal government to children and youth with disabilities and their families.

Perhaps most importantly, their perspectives provide us with a glimpse of the future of the field of special education and allow us to consider the importance of federal support for the field in light of current questions about the federal role in education, and the status of children and youth with disabilities within that. The participants emphasized the importance of mobilizing the disability community and its allies to keep the gains in special education in the current political milieu and push toward future innovation and progress. In the face of political uncertainties, the leadership of these individuals provides an example for how to address future challenges.

Implications

This study revealed the leadership experiences, preparation and styles of the persons who provided federal leadership in special education during the years 1975 through 1999. All participants had prior experience in either administrative or political posts at the federal, state, local, or university level. Several had personal or familial ties to persons with disabilities that seemed to drive their visions, their advocacy, and their approach to change. Their intimate understanding of the impact of disability across lifespans and across settings profoundly shaped their vision and work. Special education professionals looking to influence the future of the field might carefully consider the influence that OSERS and OSEP leadership can exert, and advocate for future federal leadership that has been developed and tested through personal/familial connections, professional experience as well as through positions of political influence. Furthermore, the special education field needs to stay attuned to the current and future administration's education policy, consider implications for students with disabilities and their families, and be prepared to contribute to its direction through scholarship and advocacy. Above all, the study reveals the importance of advocacy in sustaining and rejuvenating the nation's commitment to children and youth with disabilities.

Directions for Future Research

This study provides a snapshot of federal leaders' perspectives at a given moment in time as provided through our interviews. Future research focusing on federal leaders might provide more depth of understanding based on examination of the guidance, testimony, and contributions to the literature provided by these leaders.

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