This article discusses how the Individuals with Disabilities Education Act (IDEA) and Section 504, least restrictive environment (LRE) relate to physical education placement and services. More specifically, the Individual Education Program (IEP) is explained with suggestions for initial screening, referral, and assessment. Ten levels of service options and four levels of placement options are presented along with how they meet the unique needs of students with disabilities. Physical educators should participate in the educational development of students with disabilities. Sadly, many are not involved in the IEP process (e.g., placement, services, objectives), thus leaving decisions related to physical and motor development to less qualified individuals. The information provided should help physical educators feel more confident about participating in the IEP process and discussing LRE options for disabled students.

Physical educators, classroom teachers, and/or parents are often the first to notice motor development delays. That there may be a problem is often observed in play settings such as a softball game. Observers, who feel an individual student may have a disability and would benefit from an adapted physical education environment, should contact an authorized administrator or adapted education specialist. They will be able to explain the referral process, assessment protocols, and arrange for an IEP committee to meet. Generally, referrals are as simple as making a verbal request for a more formal assessment in order to identify a student’s level of motor development. The assessment should be done within 30 days, and an IEP meeting scheduled within 30 days after the assessment. An adapted physical education assessment model is illustrated in Figure 1.

According to IDEA Public Law 105-17 (1997) children with impairments that adversely affect their educational performance are entitled to special education services. A student may qualify for adapted physical education if s/he has significant fundamental motor disabilities, perceptual motor disabilities or physical fitness delay. For example, if a student scored two standard deviations below the mean on a norm-referenced fitness test and two to three age levels behind his/her peers on a criterion-referenced test, s/he would be considered for some type of special services. Categories under IDEA cover a wide range of physical and mental impairments, as well as emotional disturbances and behavioral disorders. Students who may have superior physical abilities (as may be the case with a student with autism) are also eligible, as they are often unable to perform skills or follow rules during group activities.

IDEA states, “If a student with a disability needs specially designed PE, that program must be addressed in all applicable areas of the IEP. Students who can participate fully in regular PE without specialized modifications or with only minor modifications do not need IEP goals and objectives. Therefore they do not qualify for Adapted PE” (300.307 in QUA). Decisions for services and placement, based on IDEA qualifications, are generally discussed and determined during an IEP meeting.

Section 504 states, “An individual is disabled if they have a record of, or
is regarded as having a physical or mental impairment that significantly interferes with one of life’s major activities." Major life activities include, but are not limited to, learning, hearing, speaking, walking, and/or other physical limitations. The definition of section 504 could qualify an individual with disabilities who is not qualified under IDEA. For example, until 1997, Attention Deficit and Hyperactivity Disorder (ADHD) fell under section 504. The most important aspect under section 504 for physical education is an interpretation toward interscholastic competition. In many aspects, section 504 is interpreted much like Title IX with respect to equality in interscholastic athletics. For example, if a mentally disabled student wanted to participate in football, and his participation would not radically change the nature of the game, then he should be allowed to participate. If the coach(s) does not want a student with disabilities on the team, the school system is required to provide an alternative program. Further, students with disabilities are eligible for educational services from ages 0 to 22. Therefore, a 20-year-old student with disabilities would be given the opportunity to participate in a team sport if an IEP committee determined that the activity is appropriate for that student.

Placement determination (e.g., regular physical education, adapted physical education) will depend exclusively on which program can best meet a student's individual and unique needs (Block, 2000). An IEP meeting should incorporate as many plausible factors (physical, mental, social, attitudes, opportunity, resources) into the equation, as possible. If placement does not seem to meet the objectives for a student, or a student's status changes, there should be another IEP meeting. Alternative placement should be considered if a student continuously struggles to accomplish IEP objectives; a student surpasses the IEP objectives and new objectives need to be implemented; or, a student's physical or mental condition improves, whereby adaptation is no longer required. The IEP process is an ongoing process, continually determining a disabled student's best educational opportunities. Although some students with disabilities status are slow to improve, IDEA requires a minimum of one IEP meeting every school year and a total reevaluation of student's intervention every three years.

Least restrictive environment (LRE) philosophy, according to IDEA, has two basic beliefs, which can be represented by the word inclusion. IDEA first states "To the maximum extent appropriate children with disabilities, including those in public or private institutions or other care facilities, are educated with children who do not have disabilities." And second, "Special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only when the nature and severity of the disability is such that education in regular classes cannot be achieved satisfactorily." [U.S. Department of Education, 1997, p. 135, citing 34 CRF 300.550 (a) & (b)]. Further, section 504 states "No otherwise qualified handicapped individuals in the United States shall, solely by reason of his handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. (29 U.S.C. 794)" Therefore, IDEA and section 504 work together to provide a comprehensive coverage for equal opportunity.

IDEA further expanded a least restrictive environment with recommendations for a continuum of placement. Each public agency shall ensure that a continuum of alternative placements is available to meet the needs of students with disabilities. The continuum must (a) include alternative placements (e.g., regular classes, special classes, special schools, home instruction, hospitals instruction, institutions instruction) and (b) make provisions for supplementary services (e.g., instruction, assisted technology) to be provided in conjunction with class placement (Federal Register, September 29, 1997).

IEP recommendations for services and supports must consider a student's unique needs, the most appropriate education environment, and LRE. An IEP committee should incorporate a multi-disciplinary team, that is, administrators, classroom and physical educators, counselors, nurses, occupational therapists, physical therapist, parents, and any others concerned with the educational performance of a disabled student. The levels described below (least restrictive to most restrictive) illustrate how disabled students can received different placements and supportive services.

**Level 1: Full-time Regular PE**

*Example* – Student with a disability can successfully integrate into the regular physical education environment when the PE teacher introduces a few required modifications (i.e., environment, equipment, curriculum).

*Justification* – Student successfully participates in regular PE setting with teacher’s modifications.

**Level 2: Peer Assistant**

*Example* – Student has semi-regular problems with modifications required in order to succeed. With peer help, success can be achieved. In many situations, peers can be very effective instructors, once given a simple list of instructions.

*Justification* – The environment, in which the student with disabilities learns is appropriately modified by the PE teacher and peer tutors.
Level 3: Adapted PE Consultant

Example – PE teacher has semi-regular problems with the required modifications for disabled student, but overall, accommodates well with some ideas and teaching strategies from an adapted PE consultant. Consultant evaluates the program, instructs the PE teacher regarding recommendations, and provides additional references.

Justification – PE teacher needs some advice on curriculum modifications.

Level 4: Peer Assistant with Adapted PE Consultant

Example – Student and PE teacher have semi-regular problems with required modifications, but can achieve success when student has peer tutor and teacher has consultation from adapted PE.

Justification – Student and PE teacher need additional assistance for successful inclusion.

Level 5: Teacher Assistant

Example – Student has regular problems with the required modifications, and does not appear to respond to peer tutor, or it seems unsafe to have a peer tutor. Student and PE teacher, with the help of a teacher assistant, can provide appropriate accommodations for intervention. PE teacher shares experiences, responsibilities, and specific teaching strategies with teacher assistant.

Justification – Student’s needs cannot be achieved with less restrictive levels of support.

Level 6: Teacher Assistant with Adapted PE Consultant

Example – Student, PE teacher, and peer cannot satisfy IEP goals and objectives. However, with a teacher assistant and adapted PE consultant, necessary adaptations (e.g. instruction, behavior, safety) success can be achieved.

Justification – PE teacher and student needs teacher assistant and adapted PE consultant to achieve appropriate instruction.

Level 7: Part-time Adapted PE (Rotating)

Example – Student and PE teacher have considerable problems with necessary modifications for success during some specific class activity. The disabled student may only need adapted PE when new skill is introduced and practiced (e.g., basketball dribbling, rules, shooting). Adapted PE intervenes only when needed, and IEP objectives require the rotation.

Justification – Student needs individual assistance from a trained adapted PE expertise on specific class activity.

Level 8: Part-time Adapted PE (Fixed)

Example – Student and PE teacher have considerable problems with required modifications on the majority of skills related to a specific activity. Student may only need help in basketball, but not other areas of the PE curriculum. Adapted PE on a fixed schedule helps only during specific activities. Peer tutors, teachers, consultants, and/or teacher assistants can otherwise provide enough support for a successful learning environment.

Justification – Student needs some individual assistance on modified regular PE curriculum for success that cannot be achieved without direct assistance from adapted PE during an entire activity unit.

Level 9: Full-time Adapted PE

Example – Student is not successful the majority of the time and the PE teacher has little to no success with prior modifications. Reasons may include: student disrupts learning for non-disabled students; regular PE curriculum is drastically change to meet student’s unique needs; student takes a substantial amount of unequal time to teach; and student’s health or safety is endangered or endangers others.

Justification – Student’s ability to meet IEP objectives has been unsuccessful in prior levels and the IEP committee deems full time adapted PE instruction appropriate.

Level 10: Full-time APE with Assistant

Example – Student does not to respond consistently to APE teacher, seems unsafe, and/or IEP goals are not being met. Adapted PE teacher needs assistance. With a teacher assistant, required modifications (e.g. instruction, behavior, safety) can achieve success. Adapted PE teacher should share specific expectations, instruction strategies, and safety precautions with teacher assistant.

Justification – Adapted PE intervention does not yield success defined in IEP objectives. However, extra support from an assistant provides a safe and appropriate instructional environment that meets goals for student.

After determining student’s levels of support, the IEP committee should focus on a location for providing services. Service and placement options should be discussed simultaneously because placement may affect services or vice versa. For example, a disabled student may need a teacher assistant and special modification to the curriculum if placed in a regular class setting. If placed in an adapted PE class, only an APE teacher may be required, with minimal activity modifications.

As noted earlier, placement options for services and supports are subject to change, depending upon each individual’s unique needs for an appropriate education in the least restrictive environment. Further, school personnel should not have a predetermined placement plan or program prior to an IEP. All individuals involved must come to the meeting with an open
mind and be prepared to design the best plan for the student. The IEP committee’s placement options are presented, discussed, and chosen on an individual basis—not on a pre-arranged script. The following are suggestions IEP members may wish to consider when making placement options for students with disabilities.

Setting 1: PE in Traditional School Setting

Example – Student is receiving an appropriate educational benefit from a regular classroom setting. That is: student does not physically endanger others; student is not endangering his/her own health and safety; student does not seriously disrupt others from their educational experience; student is not taking an unequal amount of teacher’s time (with the best support the school system can provide); student and teachers (RPE, APE, aides) are making the necessary modifications for appropriate instruction; and, teacher’s curriculum does not have to drastically change.

Justification – Student with a disability, peers, and teachers are all successfully meeting their objectives and goals.

Setting 2: Adapted PE in traditional school setting

Example – Student with a disability requires drastic change in the regular PE curriculum, and/or the PE teacher spends too much time and attention on the student, neglecting other students’ educational benefits. Further, disabled student could be placed in adapted PE setting if s/he or other students’ safety and health are endangered. Finally, if the disabled student is not receiving sufficient benefit in regular PE setting that provides supplementary aides and services, then alternative placement should be considered. One factor alone may not allow transition to another setting. The IEP committee should weigh all factors before making placement decisions.

Justification – The regular PE teachers, aides and extra services are not successful in meeting student’s unique needs, and other students’ educational needs are being affected.

Setting 3: PE in Special School Setting

Example – Modifications in traditional PE setting cannot meet student’s needs. Varying levels of continuum have been unsuccessful over a period of several years. An alternative school or institution may be an option, because the setting provides superior educational benefit. The IEP committee may deem an alternative school significantly more appropriate for student’s needs. (If special school is deemed appropriate, the school system is required to pay cost of enrollment.)

Justification – School system cannot provide an appropriate educational benefit. IEP committee deems alternative setting more appropriate.

Setting 4: Home and/or hospital

Example – Students’ health is severely threatened by regular school environment and/or threatens health of others (e.g., student is on life support system or has contagious disease). Student could also be placed in a hospital or home if s/he is unable to cope, have violent outbursts, or extreme phobias. In some cases, students may be temporarily placed in a hospital for severe emotional or behavioral disorders (schizophrenia, delusional, psychotic, etc.) until medication is regulated. They may also be eligible for temporarily home placement if they take seizure, diabetes, or heart medication that if not regulation, compromises their safety.

Justification – Student is at high personal risk, a risk to others, or both.

Although laws push for the least restrictive environment, they do not mandate that all students with disabilities be educated in the regular classroom. However, federal mandates require educating students with disabilities as close as possible to their home school; be given the best education possible; be free of cost to parents; and, if a more restrictive environment is required, an IEP committee provides adequate documentation for their recommendations. The IEP team assumes a very important role in ensuring an appropriate education for a disabled student. IEP team recommendations are federal documents and supersede state and local policies. Therefore, all individuals involved in the IEP process should be knowledgeable of the laws and rights of students who have disabilities and be committed to the best possible intervention.

References


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Phillip Conatser (pconatser@mail.wamu.edu) and Cliff Summar (csumar@mail.wamu.edu) are Assistant Professors for the Department of Sport & Exercise Sciences at West Texas A&M University, Canyon, TX.