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The Persistence of Highly Restrictive Special Education Placements for Students with Low-Incidence Disabilities

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Abstract

The purpose of this study is to analyze the Least Restrictive Environment (LRE) data that states and U.S. territories report from the Office of Special Education Programs and discuss the status of the most restrictive special education placement settings for students with disabilities. In this analysis, we found that (1) states do not set rigorous improvement goals to reduce restrictive placements; (2) that the percentage of students with disabilities (SWD) placed in restrictive placements have remained essentially unchanged over the past decade; and (3) that students with low-incidence (severe) disabilities are disproportionally placed in restrictive placements. These results suggest that segregated educational experiences continue for thousands of students with disabilities in spite of evidence that shows that opportunities to learn and develop are enhanced in more inclusive educational settings. Factors that contribute to student placement in restrictive settings are discussed.

Only since 1975, with the passage of the *Education of All Handicapped Children Act* (P.L. 94-142), have schools been mandated to provide education services to students with the most significant support needs. Historically, when students with significant disabilities were allowed to attend school, they were usually grouped together in special education classes where early on, the focus of instruction was to meet developmental needs (Brown, Nietupski, & Hamre-Nietupski, 1976).

The segregation of students on the basis of disability has historically rested on assumptions that some students cannot learn in or benefit from participation in a "regular" classroom. As Heller and colleagues reported, segregation is alleged to benefit students requiring special education in the following ways: (a) instruction is provided in smaller class sizes; (b) students in segregated settings are provided effective teaching at a level that is appropriate to the student; and (c) any assault to the self-esteem of students with disabilities in a "normal" class (Heller, Holtzman, & Messick, 1982). More recent arguments for educating students with significant support needs in separate settings have focused on the capacity of such settings to provide highly specialized services, therefore easing both fiscal and professional constraints when students are dispersed across their home schools (Hehir, 2011). In addition, concerns about how students with disabilities are supported in inclusive settings continue to be discussed (McLeskey, 2007; Sailor & Roger, 2005; Zigmond, Kloo, & Volonino, 2009).

Given assumptions about the benefits of serving students with disabilities in specialized settings, it is not surprising that educational decision-making appears to continue to be impacted. The most recent research of LRE data reported by McLeskey

and colleagues clearly shows that placement in general education settings for the majority of the day is a reality for certain groups of students, particularly those with mild disabilities (i.e., learning disabilities, emotional disabilities, other health impairments, speech and language disorders, and intellectual disability; McLeskey, Landers, Williamson & Hoppey, 2012). Such positive trends in placement over an almost 20-year period of time (from 1990-2007) for students with high-incidence disabilities is encouraging and follows a line of research targeting this population of students (McLeskey, Henry, & Axelrod, 1999; McLeskey, Landers, Williamson, & Hoppey, 2012).

Williamson et al., examined the placement rates for students with intellectual disability and found similar results, that students with this categorical label were spending considerably more time in general education settings over a 10-year period of time (Williamson, McLeskey, Hoppey, & Rentz, 2006). However, these researchers found that the positive trend toward more inclusive settings stalled during the last three years for which data was analyzed, indicating a possible plateau in movement toward inclusive settings. In addition, they found large variability among states for both the identification of students with the label of intellectual disability, as well as large discrepancies in placement. For students with low-incidence disabilities, autism, and deaf blindness, research points to less positive trends (Ryndak, et al., 2014). In fact, it would appear from preliminary research of the past 20 years of LRE data focusing on students with low-incidence disabilities, trends toward access to general education is not occurring

at rates that are comparable to other disability categories, particularly those included in high-incidence categories (Morningstar, Kurth, Allcock & Gentry, in development).

One reason for continued restrictive placements of students with significant disabilities may relate to the assumption that these students require more intensive services that "legitimately require more restrictive program features, such as alternate educational placements" (Mayton, Carter, Zhang, & Wheeler, p. 95, 2014). However, little research currently exists that points to the benefits of more segregated settings leading to improved outcomes for these students. Conversely, current research points to inclusive experiences as a critical predictor of both in school and postschool outcomes. Specifically, students with significant support needs have demonstrated their abilities to learn a variety of academic skills, including **mathematics** (Browder, Spooner, Ahlgrim-Delzell, Harris, & Wakeman, 2008) and literacy (Browder, Wakeman, Spooner, Ahlgrim-Delzell, & Algozzine, 2006). Further, others have found that individuals with low-incidence disabilities demonstrate improved academic achievement by participation in inclusive programs (Dessemontet, Bless, & Morin, 2012; Kurth & Mastergeorge, 2012). Research has further demonstrated that students with low-incidence disabilities learn communication (Foreman, Arthur-Kelly, Pascoe, & King, 2004), social (Carter & Hughes, 2005; Fisher & Meyer, 2002), and employment skills when fully involved in general education settings (Benz et al., 2000).

Research over the past several decades has further documented that students with significant support needs benefit from having more opportunities to make meaning and connections, opportunities that are more plentiful in inclusive (general education) settings (McDonnell, Johnson, Polychronis, & Riesen, 2002). Placement in general education

settings offer a qualitatively different learning experience than segregated settings. Further, simply being placed in a general education setting appears to increase learning expectations for students (Kurth & Mastergeorge, 2010).

As extant research documents the benefits of inclusive education, there is a need to examine national trends in restrictive settings. Data from State Performance Plans (SPPs) and the Data Accountability Center (now collected by the National Center for Educational Statistics, NCES) were examined to understand these particularly vulnerable groups of students and to further examine state and national trends in placement in these highly restrictive settings. Thirty-three years after P.L. 94-142 became law, we wondered if examining state placement of students in the most restrictive educational settings would help us understand what progress has been made. Four specific research questions guided our examination of data from these sources:

- 1. To what extent do states vary in the degree to which students are served in more restrictive settings at baseline (year 2004)?
- 2. What targets for improving patterns in Category C placements did states set over the monitoring years (2004-2012)?
- 3. To what extent do state target goals for Category C placements predict placement rates after a decade of monitoring and planning for improvements (year 2012)?
- 4. Which of the disability categories most often appear in the most restrictive settings?

Methods

In 1993, Congress passed the *Government Performance and Results Act* as an accountability measure for government programs. Subpart F of the *Individuals with Disabilities Education Improvement Act* (IDEA) of 2004 specifies that state monitoring of the implementation of IDEA will occur with the intent of improving education results and functional outcomes for children with disabilities. One component of the monitoring approach consists of 20 IDEA Part B indicators (OSEP, 2009) including Indicator 5, which measures participation of children with disabilities in the general education setting (LRE). Indicator 5 tasks states with reporting the percentage of students aged 6-21 served in the following three categories:

- Category A: Inside the regular class 80% or more the day
- Category B: Inside the regular class less than 40% of the day, and
- Category C: Educated in separate schools, residential facilities, or homebound/hospital placements.

States are responsible for annually collecting and submitting these data to the U.S. Office of Special Education Programs (OSEP) through Annual Performance Reports (APRs). The U.S. Office of Management and Budget (OMB) circular 1820-0624 specifies the data requirements for each of the 20 IDEA Part B indicators. While what is to be reported is described, the rationale for why it is to be reported in a particular way is not described. As a result, the determination for only reporting categories A, B, and C, omitting students who are in general education classes between 41 and 79% of the day, is not clear. While the omission is concerning, tracking the top and bottom tiers of students and their progress towards LRE helps to provide an overall picture of trends towards

LRE. For this article, we focus only on the group of students who are identified in Category C because this category is understudied in the literature and invisible in the public discourse produced by OSEP.

In 2005 States produced State Performance Plans that provided baseline data on each of the 20 indicators that were established by OSEP (using 2004 data). Baseline data were used to demonstrate initial performance and to provide a measure against which subsequent APRs could be assessed. States set their own target rates for improvement (e.g., improvement on Part B Indicator 5, Category A could be anywhere from no change to annual percentage gains) and assessed progress against their own targets. As states report their progress in absolute percentage changes, we have used the same method to describe and report progress here.

Indicator 5 data are collected within states at the local education agency level, using a system that loads data from each local administrative unit to the State Education Agency. Local education agencies report the number of students with active Individualized Educational Programs (IEPs) who were in attendance on a particular date during the academic year. Thus, the number on a particular day in time may not reflect all students served by any local unit during that academic year. Further, due to inaccuracies in how individual student records are collected at the school site (e.g., omitting a student in attendance or counting a student who is going through a staffing but not yet identified for services), and submitted to the local administrative unit, there is additional measurement error in the data. Both local and state education agencies review the annual child count for accuracy since funding from the states depends on the child count. Data are then compiled across the state and uploaded to the federal government

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site where a second data cleaning exercise is completed. To protect individual identity, suppression of small cell sizes is done by the federal government after state data are reviewed and before the data are made public. These processes are repeated annually and data are tracked over time.

Data on Category C targets and placement percentages from 2004 through 2012 were accessible to the researchers both from public websites and also because one of the researchers completed the analysis for Indicator 5 for OSEP. These data may be available on state websites as well as the National Technical Assistance and Dissemination website. The number and percent of students served in each of three categories (A, B, and C) defined above were reported annually by each state and included in the annual analysis. In this analysis, we used Category C data from the 50 states and the District of Columbia. Because the U.S. territories frequently have very few, or even no students in Category C placements (e.g., American Samoa), and due to the unique historical and contemporary contexts that differentiate these territories from the dominant culture, these territories were excluded from our analysis. Ranges and averages of Category C placements, as reported in SPPs, were calculated for fifty states and the District of Columbia (referred to as a 'state' hereafter for simplicity) for each reporting year.

There are a number of complications in these data that create some measurement error since not all states use the same disability categories. For instance, students with emotional and behavioral disorders are identified and named in a number of different ways, depending on the state. And, state definitions also vary so that all students with a similar sounding label may not all fit the exact same category. Thus, reliability across states in terms of disability categories is suspect. Further, research studies also show that within state, between local education agencies as well as between schools, even in the same district, variation exists in terms of which students are identified and which are not (Artiles, Kozleski, Trent, Osher, & Ortiz, 2010; Kavale, Forness, Macmillan & Gresham, 1998). As a result, the data offer an indication that seems to hold within state over time but who is included and for what reasons remains unclear. This has been and remains a troubling aspect of interpreting national data. Yet, we believe that these are the best data available at this point in time.

In addition, the APR data were compiled, aggregated, and analyzed descriptively for OSEP by the third author. Those cross-year analyses are used here. Finally, we conducted an analysis of state placement rates using data from the Data Accountability Center (www.ideadata.org, now available from the National Center for Educational Statistics, www.nces.ed.gov), which comes from the same state sources. Data reported here were collected from the fifty states plus the District of Columbia by educational environment (Categories A-C, as described above) and across disability category. NCES data was inspected to determine which groups of students are placed in specific Category C placements (i.e., special schools, hospitals/homebound, residential). Because NCES reported educational environment (Category A-C) by disability categories for the years 1989-2009, and because the disability labels of students are not reported in SPPs or APRs, we report here the years of state monitoring that overlap with NCES data (2007-2009).

For this study, the data came from the 13 IDEA disability categories: autism, deaf-blindness, deafness, developmental delay, emotional disturbance, intellectual

disability, multiple disabilities, orthopedic impairment, other health impairment, specific learning disability, speech or language impairment, traumatic brain injury, and blindness. Ranges and averages of placement percentages were calculated for each year for educational environment by disability. The SPPs were used to address the first three research questions (state variability at baseline, state targets, and state placement rates in year 2012). The NCES data was evaluated to address the fourth research question, regarding disability categories most representative of Category C placement.

Results

We used extant data to identify state baseline placement rates, state targets for improving patterns in restrictive placements, and trace what has happened over the last eight years in terms of progress in decreasing the number of students with disabilities served in the most restrictive environment, and report which disability categories are most representative of the most highly restrictive placements.

State Variability in Most Restrictive Placements at Baseline

State Targets to Improve Restrictive Placements

States set very modest targets for their performance in 2012 in terms of decreasing Category C placements, as evidenced from the SPP reports, and seen in Figure 1. Over an eight-year period of time, states proposed changes in restrictive settings to decrease by less than 1 percentage point (0.83%). By comparison, over the same period of time, the mean target increase of almost 10% (9.3%) across states for improvements in Category A placements (i.e., in regular education 80% or more of the time); and target decreases of 4% to Category B placements (in regular education less than 40% of the time). The most ambitious state, Ohio, proposed a target decrease of Category C placements of 6.88% between 2004-2012. Only twelve states proposed targets of 1% or more (range: 1-6.88%). The remaining states selected extremely low targets for decreasing Category C placements: (a) 28 states proposed targets of a tenth of a percent (range: 0.17-0.92), (b) 6 states proposed targets of one-hundredth of a percent (range: 0.02-0.08), (c) 2 states (Oklahoma, Oregon) actually proposed to increase Category C placements (by .11 and .1, respectively), and (d) 3 states (Mississippi, South Carolina, Texas) proposed no change in their Category C placements, choosing instead to remain at current levels of restrictive placements.

State Progress on Reducing Patterns of Restrictive Placement Rates a Decade Later

The mean change in placement (M=3.22) from a baseline mean of 3.66 over an eight-year period of time was extremely small, representing a decrease in restrictive placements of less than half a point (.44). This is half of the proposed mean target across all sates of 0.83%. Only four states accounted for the mean change (Figure 2). The variability of change in the reported data is largely the result of 1 or 2 states each year

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that are serving large numbers of students in Category C placements, whereas the majority of states have remained flat in terms of trend.

<<Figure 2 here>>

Most recently state progress and slippage toward targeted placement rates was reported with nearly 40% (20 of 51 states; 39.2%) reporting slippage in their overall placement change. This slippage indicates an actual increase in placement into more restrictive settings. Ten states (19.6%) showed no change in restrictive placements, and 21 states showed progress (41%). Mean placement rates of Category C are essentially unchanged between 2004-2012, remaining right around 3.5% of the population of students with disabilities placed in the most restrictive settings. During this time period, Category C placement decreased by only 0.01%, contrasting with states' proposed targeted decrease of 0.82%.

Who are the students in the most restrictive placements?

NCES data was inspected to determine which groups of students are placed in specific Category C placements (i.e., special schools, hospitals/homebound, residential). As shown in Figures 3-7, there is little change in placement rates for unique disability groups between the years 2007-2009. Placement in separate schools for students with disabilities was most common, with 98.4% of all students served in restrictive settings in this placement option. When examined by disability category, placement in separate schools ranged from .3% of students with speech-language disabilities to 20.9% of students with dual-sensory impairments (deaf-blind). As shown in Figure 3, students who have dual sensory impairments, multiple disabilities, and emotional behavioral disorders are among those most likely to be educated in separate schools. Students with

developmental delays, specific learning disabilities, and speech-language disorders are among the least likely.

<<Figure 3 here>>

Placement in residential facilities is a less common option comprising of 5.2% of all students in Category C placements. As seen in Figure 4, placement in residential facilities ranged from 0.1% of students with developmental delays and specific learning disabilities, to 8.5% of students with dual sensory impairments. Students with sensory impairments (dual-sensory, hearing, and vision impairments) are among the most likely to be placed in residential facilities.

<<Figure 4 here>>

Finally, placement in home or hospital settings remains the least common Category C placement (2.2% of students). As shown in Figure 5 this placement ranged from a low of 0.2% (speech-language disabilities) to upwards of 2.9% (multiple disabilities) among the different disability categories. In general, students with multiple disabilities, traumatic brain injuries, and dual-sensory impairments are the most likely to be educated in home or hospital settings. Students with speech-language disorders are the least likely to be educated in this setting.

<<Figure 5 here>>

In general, it would appear that students with low-incidence disabilities that require the most significant support needs are among those most likely to be placed Category C placements, as well as in the most restrictive placements within Category C (i.e., homebound/hospital, residential schools). IDEA defines low-incidence disabilities as including those students who have a disability for which a small number of personnel with highly specialized skills and knowledge are needed. It typically includes the following disability categories: vision impairments, hearing impairments, dual-sensory impairments, significant cognitive impairment, and multiple disabilities (IDEA, 2004). Across Category C settings, students with low-incidence disabilities are more frequently placed in these settings when compared to students with high-incidence disabilities (such as specific learning disabilities and speech-language disabilities).

Discussion

Unquestionably both general and special education policy significantly influence educational placement decisions; and while states and districts have made progress in moving students with less intensive support needs into general education settings, the same cannot be said for students with the most significant disabilities. The purpose of this paper was to analyze and discuss the most restrictive special education placement settings, Category C placements, which include separate schools, residential facilities, and home/hospital settings. In this analysis, we have found that (1) states varied considerably in their placement patterns at baseline; (2) states do not set rigorous goals to reduce Category C placements; (3) that Category C placements have remained essentially unchanged over the past decade; and (4) that students with low-incidence (severe) disabilities are disproportionally placed in Category C placements.

Between State Variability

The wide variability between states in Category C placement rates suggest that the factors that influence placement decisions are not squarely on the child and his or her unique needs, but is reflective of larger systems and practices. Understanding the reasons for this variability was beyond the scope of the present analysis, although it is likely that

many reasons, including local capacity and resources, pressures from parent and professional groups, and state-level funding structures all contribute to variability in placement patterns across states. The underlying assumptions about students with significant support needs may also contribute to this variability. Indeed, long-standing debate regarding interpretation of the least restrictive environment has perpetuated a continuum that sanctions highly restrictive and segregated settings for students with the most significant disabilities (Taylor, 1988). Early concerns regarding restrictive settings for some students was described as apprehension of policy assumptions: "not whether people with disabilities should be restricted, but to what extent" (Turnbull, p. 17, 1981). More recently, in response to Ryndak et al's. (2014) assertion of the general halt in progress toward more inclusive placements for students with significant disabilities, Jackson (in press) argued that despite legal and research priorities supporting the reduction in self-contained placements, school systems have not changed significantly in either where students are educated or what they learn.

Rigorous State Goals to Reduce Category C Placements

At this point, it is not clear what a reasonable state target for Category C placements might be, but the highly variable targets among states has not produced movement toward more inclusive settings. Further, we argue that the current state goals do not meet the muster of "rigor," given the rather meager targets set for most states ranging from 0 to 6.88%, across the monitoring years. The encouraging news is that through this past decade of state monitoring of LRE, we are now in a position of examining state trends in restrictive placements that can inform state and national targets more than ever. It would benefit OSEP to set a state percentage target for all states

(Marks, Kurth, & Pirtle, 2013), based on trends between 2004-2012, and informed stakeholder input. A further recommendation would include monitoring of the group of students who are outside of general education 41-79% of the time (a new "category D"). This would assist policy makers in evaluating progress towards educating more students in the general education setting for 80% or more of the school day. Further research is needed to understand why states set low targets for Category C placement, including a deeper analysis of why and how states arrived at a particular target for educational placement. Follow up research fully examining state decision-making procedures, including state agency perceived rationale for restrictive placements, barriers to reducing separate settings, and effective approaches for transforming educational experiences for students typically found in such placements would be a significant contribution. Based on such results, changes in policies and practices would be possible.

Persistence of Segregated Settings

The results of this analysis suggest that thousands of students with disabilities continue to be segregated and marginalized from the typical school experience, having minimal to no interaction with the general education setting, peers, and activities. That is, as of 2011, over 211,000 students were educated in the most restrictive (Category C) settings throughout the United States, with nearly 169,000 educated in separate schools, nearly 20,000 educated in residential facilities, and nearly 23,000 educated in home and hospital settings (nces.ed.gov). Thus, state targets for Category C reflect that, indeed, it is appropriate and necessary to educate thousands of U.S. children in the most segregated and restrictive settings. It appears from the present data that there continues to be a consistent group of students (those in Category C placements) who are excluded from our

schools. While it is true that students with disabilities are segregated into classrooms on general education campuses, the placement of students altogether outside of general education, as in Category C placements, represents a tremendous degree of separation and significantly reduced opportunities to interact with general education.

Disproportional Placement of Students with Low-Incidence Disabilities

Analysis of the NCES data reported here seems to demonstrate that students who are traditionally at greatest risk of exclusion, those with low-incidence disability labels, are more likely to be placed in the most restrictive placements. Unfortunately, the picture of which particular students constitute Category C placements and how decisions are determined for why they are served in such settings is still murky at best. Specifically, the available data seems to imply that disability label is a primary factor in determining placement, however other factors that may be influencing placement decisions are still not known. It is possible that certain demographic features have a significant impact on placement, including student gender, racial or ethnic background, and socio-economic status (de Valenzuela, Copeland, Huaqing Qi, & Park, 2006). It is also plausible that the availability of services (or lack thereof) may play a contributing role (Hehir, 2011). As well, parent choice and priorities may impact placement decisions (Dymond, Gilson, & Myran, 2007). A lack of knowledge or attitudinal barriers among teachers and schools related to inclusive programming may also impact Category C placement decisions (Pivik, McComas, & LaFlamme, 2002). Additional research is needed to determine what roles, if any, demographic variables, professional practices, and systems factors play in Category C placement decisions. Local level practices involving both district guidance and individual IEP team decision-making processes regarding services and placement of

students with disabilities across the spectrum of LRE placements should be better understood. Certainly, further research is needed to ascertain how increased opportunities to learn in engaging and inclusive environments leads to changes in decisions regarding individual student placement.

Limitations of the Current Data Collection and Monitoring Systems

Presently, states are allowed to determine their own benchmarks and goals for progress in addressing LRE, including targets for educating students in the most restrictive placements. Further, the data reported here are only as good as the data reported from schools, who in turn report data to districts, who report to states. As outlined earlier, there are a number of important measurement errors that can potentially impact the accuracy of data reporting. Thus, the accuracy of data from local and state education agencies, including disability labels and percentages of time in various settings, warrants further investigation. Similarly, the current data system fails to report the number of students educated in general education 41-79% of the school day. This omission, along with inadequate information about the quality of services students receive in these settings and a lack of information about when and how students are included in general education (e.g., which activities? with what types of supports?) limit our ability to understand the inclusion of students in general education and the type of education students receive in separate settings.

The current data collection and monitoring system simply reports percentages of time in different settings; it would be preferable to collect additional information from IEP teams and local education agencies so that stakeholders and policy makers might make more informed decisions about student progress in gaining access to the LRE.

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Specifically, there is a need to improve national data collection on student placement by disability category, racial, ethnic, English learning status, and other key variables by state. Further, data collection regarding when students are accessing general education (the types of activities, the proportion of students with IEPs in each setting) would further inform the field regarding the extent to which inclusive education is being achieved. Finally, the present system provides us no meaningful information about the quality of services provided to students in different settings. Reporting the services and supports provided to students in different settings, such as co-teaching, paraeducator supports, and curricular adaptations would provide needed information to gauge the quality of services provided to students.

Conclusions

The results of this study indicate that overall, there has been little progress in reducing restrictive setting placement options for certain groups of students. This conclusion is based on the results that few, if any, students move out of restrictive settings. Instead, the results point to the risk that the most restrictive settings are in effect terminal placements for thousands of students with significant disabilities. Thus, leading to a permanent class of students for whom segregated settings appear to be deemed appropriate and suitable by states, districts, and practitioners.

Clearly stakeholder input in setting an agenda for meaningful systems change is needed. As discussed, attention continues to be inadvertently concentrated on specialized placement decisions rather than on fundamental and sustainable systems change that can transform education for all students (Burrello, Sailor, & Kleinhammer-Tramill; 2013; Skrtic, Sailor, Gee, 1996). Shifts toward policies supporting comprehensive and sustainable school reform that provides specialized supports and services in general education settings for all students, including those with the most significant disabilities, has occurred and been maintained across a few districts and schools (Kozleski & Smith, 2009; Smith, 2010).

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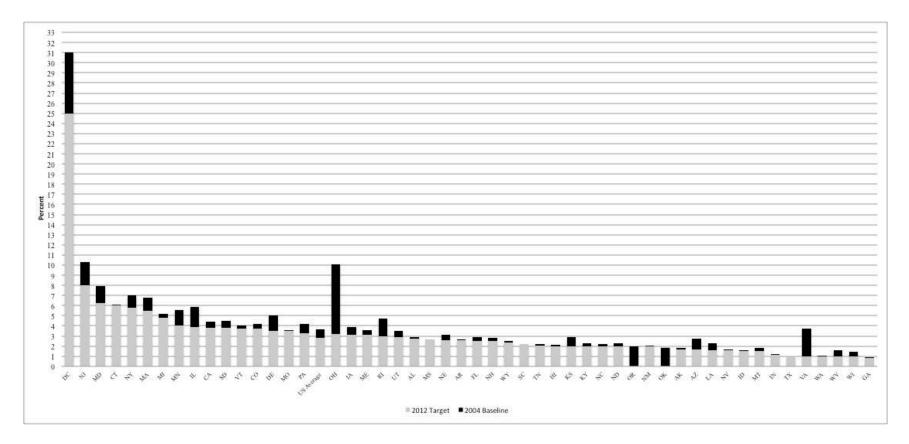


Figure 1. State SPP Baseline (2004) and Target (2012) as Percentages, arranged by 2012 Targets (Source: SPPs 2004-2012)

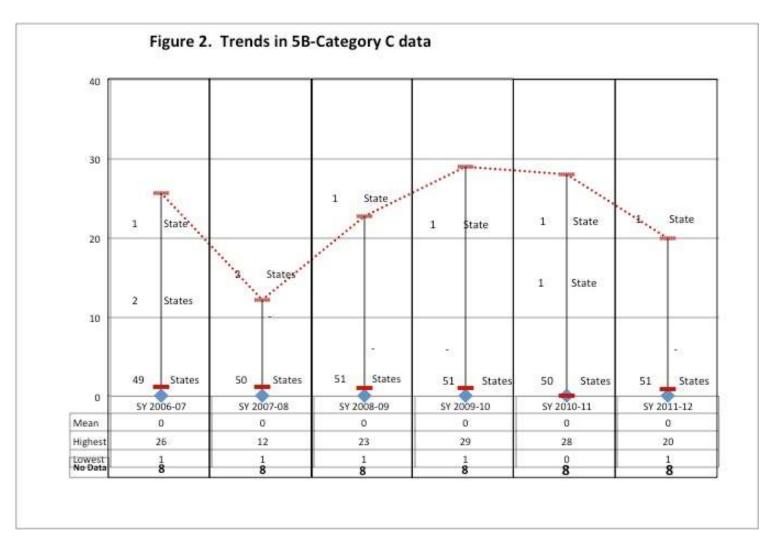


Figure 2. State Trends in Category C Placement. (Source: SPPs 2006-2012)

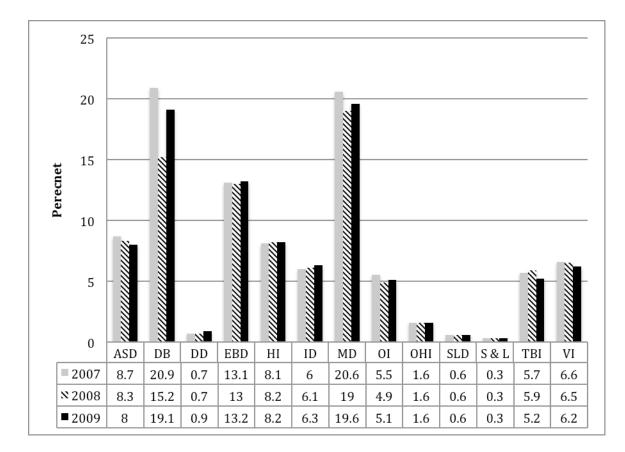


Figure 3. Separate School Placements by Disability, 2007-2009 (Source: <u>www.nces.ed.gov</u>, Table 47. Percentage distributions of students 6 to 21 years old served under Individuals with Disabiliteis Education Act, Part B, by educational environment and type of disability: Selected years, fall 1989 through fall 2009)

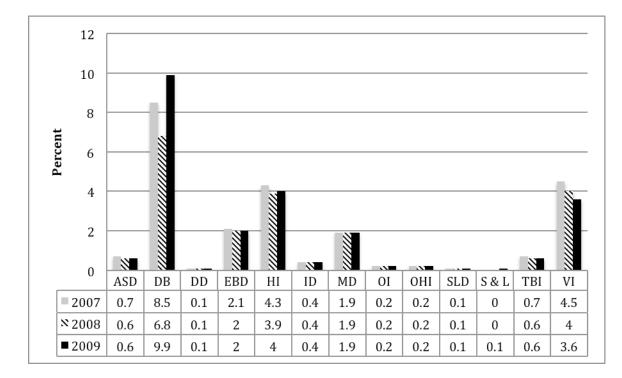


Figure 4. Residential Placements by Disability, 2007-2009 (Source: <u>www.nces.ed.gov</u>, Table 47. Percentage distributions of students 6 to 21 years old served under Individuals with Disabiliteis Education Act, Part B, by educational environment and type of disability: Selected years, fall 1989 through fall 2009)

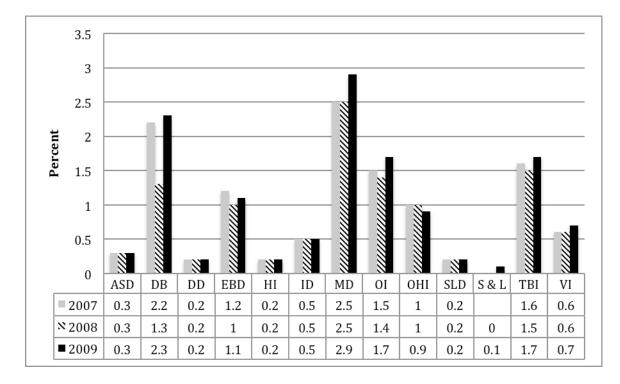


Figure 5. Home/Hospital Placements by Disability, 2007-2009 (Source: <u>www.nces.ed.gov</u>, Table 47. Percentage distributions of students 6 to 21 years old served under Individuals with Disabiliteis Education Act, Part B, by educational environment and type of disability: Selected years, fall 1989 through fall 2009)