Beyond Narrow Confines: Special Education Leadership for Ethnically Diverse Urban Learners

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Gathogo Mukuria and Festus E. Obiakor

Human frailties exist in everyone. There are some things that we know and some that we do not know (Stephens & Nieberding, 2003). However, when the lack of knowledge is used to harm others or when it falls short of expected criteria, this failure becomes more than just a human weakness. In educational leadership contexts, such a failure could have far-reaching, devastating effects on others. Schools are one setting where harm can be the unintended result of not knowing. This unwillingness or inability to know seems critical today because of the dynamic change that is now impacting schools in the United States and because of the emerging global economy and ongoing demographic shifts in power and paradigm. What is perceived as “knowledge” and who determines what “knowledge” is valued provides an additional uncertainty. No doubt, advances in technology as well as skills and abilities demanded by businesses and industries of the future have all combined to render obsolete the way schools have been administered in the past (Freire, 2000). As school reform programs are instituted, the social and political dimensions of those reforms have tended to complicate the debate for what and for whom schools have been designed (Ferguson, Kozleski, & Smith, 2003).

Urban school building administrators are aware of sociocultural dynamics that affect today’s urban schools. but they seem to lack the will to make the necessary changes that could buttress programmatic stability and integrity. For some, the debate focuses on the issue of equity in the pursuit of educational excellence for all children (Freire, 2000; Monkman, Ronald, & The rame ne, 2005; Reay, 2004). For others, the debate centers on the preparation of a competitive labor force or service industry as well as the socioeconomic stratification that comes with it (Gagnon, 1995). These debates permeate current discussions on special education leadership in urban schools. In more concrete fashion, the debates address issues tied to teacher preparation, quality of teachers, and best practices as well as equity in school finance and resource allocation. Implicitly tied to these issues are new standards and accountability methods, school safety issues, and curricula—all of which impact teachers, parents, students, taxpayers, and school leaders. In this article, we focus on special education leadership for ethnically diverse urban schools.

Urban School Environments and Ethnically Diverse Learners

Urban schools serve a diverse student population that includes African Americans, Hispanic Americans, Asian Americans, and “poor” European Americans. The school size and location and the composition of student population play major parts in determining learning outcomes of a particular school (Mukuria, 2002; Obiakor, Obi, & Algozzine, 2001). About two decades ago, the Carnegie Commission for the Advancement of Teaching (1988) described many urban schools as having a large, diverse population and being located in “poor” neighborhoods. This Commission’s report indicated that many schools lacked purpose, coherence, and unifying culture and that they had neglected buildings that gave them a negative appearance. In addition, these schools lacked meaningful instructional programs and regular routines as well as a strong sense of community. As a result, they demonstrated the inability to establish a consensus on a unifying culture which, to a large extent, leads to disciplinary problems.

Urban environmental risks frequently result in high numbers of students identified as needing special education services. In addition, the majority of urban students with disabilities are poor (Ferguson, Kozleski, & Smith, 2003). Many come from dysfunctional homes and are at risk of being placed in juvenile justice programs. Inevitably, these factors place these students at a high risk for future educational failure. The combination of the prevailing conditions in the urban areas places an almost impenetrable barrier between urban children/youth and academic success. For example, some studies (see Tillman & Johnson, 2003) suggest that as many as one-half of students identified as having emotional/ behavioral disorders are victims of physical or sexual abuse. Substantial numbers of such students have grown up in families involved in alcohol and substance abuse. Nearly 50% are from poor, often single parent homes. The multiple and cumulative needs of poor children with disabilities in the nation’s urban areas present formidable challenges that should be addressed (see Ferguson et al., 2003).

The marginalization of funding urban schools through allocation of resources has been in existence since the Great Depression (Anyon, 1997). Many urban schools in the United States are funded at lower rate than their suburban counterparts in spite of a recent influx of state funds to shore up failing urban systems. Lower levels of funding over an extended period of time have led to increased class size, lack of sufficient books and materials, shortages of certified teachers, and the deterioration of school buildings (Kozol, 1991). The magnitude of these problems should be of great concern taking into account that urban schools comprise 4% of the American school districts but serve more than 44% of the nation’s students (Ferguson et al., 2003).

Research on the principalship suggests that the leadership roles that principals adopt do make a difference in determining students’ outcomes (Hoy & Miskel, 2001; Mukuria, 2002; Seyfarth, 1999). Clearly, the success of any improvement efforts depends on the active leadership of a school administration. In relationship to the improvement of educational programs in any school setting, the superintendent’s willingness and ability to relate with principals, teachers, and community members seem to make a difference in the district’s culture.

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of learning (see Cunningham & Cordeiro, 2006). Since the principal plays the critical roles of setting the tone and establishing school climate and culture, it is critical to understand the complex factors that influence urban schools including the education of learners with special needs. The need to provide services and programs that enable students with special needs to maximize their highest potential is critical because of the nature of problems confronting urban learners (Obiakor, Utley, & Rotatori, 2003; Obiakor & Utley, 2004). It is of paramount importance for administrators and teachers to thoroughly understand these problems so that they can meet the needs of every child including those with special needs because they are the most vulnerable.

Identification and Referrals of Urban Learners: Endemic Problems Confronting Special Education Leadership

There is a popular African adage that “One does not start to climb a tree from the top but from the bottom.” A logical extension is that the critical steps of identification and referral of students greatly influence how special education is perceived and led in urban schools. When identification and referral are poorly and prejudicially done, the other processes of assessment, categorization, labeling, placement, and instruction usually produce prejudicial results (Mukuria & Obiakor, 2004). As it appears, referrals are initiated when a parent, teacher, or other related professionals complete a referral form, which stipulates the magnitude and duration of the problem the child is having (McLoughlin & Lewis, 2005). However, the moment a student is erroneously identified as having a disability, the child receives a stigma, difficult to erase which, to a large measure, ruins the rest of his/her life. This is the main reason why school principals and teachers must be involved in the identification process, educated on multicultural perspectives, and exposed to instructional challenges of learners from culturally and linguistically diverse (CLD) backgrounds. Such an involvement would provide school personnel with a deeper understanding of special needs students and the dynamics that influence how they learn and behave (Hallahan & Kauffman, 2003; Rotatori & Obi, 1999). For instance, Losen (2002) noted that educators should take prerelerral intervention seriously to minimize the flow of inappropriate special education referrals for students from CLD backgrounds. During the prerelerral stage, the teacher assistant or multidisciplinary team meets to discuss general educators’ concerns about a student. The team suggests pertinent strategies that teachers might implement within the general education classroom before the student can be considered for referral for special education services. Parents, principals, and other professionals should play a more proactive role during the prerelerral process. Monitoring of prerelerral success rates, including data collection on race and ethnicity, will keep the principal informed about whether classroom interventions are culturally sensitive and effective for all learners.

It is common knowledge that many teachers and principals do not know how to handle special needs students because of their feeling of incompetence or downright incompetence. Teachers and principals do not get more than one introductory course in special education during preservice preparation. Surprisingly, although some schools of education enroll more than a token number of ethnically diverse students, 95% of the teachers in the United States are European Americans (Cunningham & Cordeiro, 2006). In addition, the numbers of ethnically diverse principals or superintendents are sadly low (Swartz, 2003). It is no surprise that the misidentification of students from ethnically diverse backgrounds has continued to be pervasive and persistent. Teacher preparation, cultural sensitivity, understanding of and exposure to behaviors of diverse cultures can tremendously minimize, if not eliminate, personal bias that is intertwined with misidentification and misreferral. Unless learners are correctly identified, they will be improperly placed, and the instruction they will receive will not be congruent with their educational needs and abilities. While increasing the number of principals from ethnically diverse groups might not be the panacea, one cannot teach what he/she does not know. Shared cultural values might reduce mistrust and motivate professionals to rethink what they do and how they do what they do in urban schools.

Leading the Way through Nondiscriminatory Evaluation

That good leaders advocate for nondiscriminatory assessment is one of the basic tenets delineated in the 1997 Individuals with Disability Education Act (IDEA) reauthorized in 2004 as the Individuals with Disabilities Education Improvement Act (IDIEA). Diagnosticians, school psychologists, special and general educators, speech pathologists, and other related service personnel should assess students’ attributes, strengths and weaknesses with an ultimate degree of professionalism. As currently administered, special education leads culturally and linguistically different students to be marginalized, overidentified, and therefore, overrepresented and placed in special education when the actual problem may be differences in culture or language, and not in disabilities (Winzer & Mazurek, 1998). Assessment in special education should be viewed as a multifaceted process that should take place in a number of contexts (Obiakor, 2001).

Much of the controversy surrounding special education in the past has been focused on the use of standardized tests (Halahan & Kauffman, 2003; McLoughlin & Lewis, 2005). There is a plethora of evidence to show that the traditional assessment process is biased against individuals whose gender, race, ethnic background, culture, religion or disability excludes them from receiving services or meaningful education equal to that of the dominant group in the mainstream Anglo-culture (Obiakor, 2001; Obiakor & Schwenn, 1996; Walpole, McDonough, Bauer, Gibson, Kanyi, & Toliver, 2005). Some contentious issues in assessment focus on the technical adequacy of assessment tools. Issues of lack of validity and reliability continue to be problematic for persons from different cultural backgrounds (Obiakor, 2000). Validity addresses whether the test measures what it is designed to measure while reliability shows the consistency of the test. All too often, too much weight is placed on the use of intelligence tests. These tests are broad, and their norms usually represent populations from the upper socioeconomic status, which are predominantly European Americans. These tests fail to measure the strengths and weaknesses of individuals from culturally and linguistically diverse backgrounds. To a large measure, these tests assume that all learners have the same experiences in spite of racial, cultural, learning, behavioral, and economic differences (Mukuria & Obiakor, 2004; Obiakor, 2001; Obiakor & Ford, 2002). Clearly, these tests are biased and discriminatory, and the assumption that all children have similar backgrounds and experiences seems erroneous, misleading, and socially unacceptable. In addition, adolescents with CLD backgrounds who experience social inequality in economic and societal mobilities feel that education will have little relevance to their future lives and occupational pursuits. Structural and educational barriers in American society have led students from CLD backgrounds to
develop oppositional identities around achievement, school, and whatever is perceived to be European American. Because of such oppositional attitudes and behaviors, many students are categorized, labeled, and placed in classrooms for students with emotional/behavioral disorders (Ford, 1992).

IDEIA (2004) requires that assessment considers the dominant language of students. Determining which language is dominant is sometimes difficult: a student may be tested in his or her native language and in English. There are times when a student’s dominant conversational language differs from his/her dominant language (Baca & Cervantes, 1998; Ortiz & Yates, 2001). It is critical for diagnosticians and related professionals to be aware that test items could be more familiar to students in one culture than another and check the reliability and validity ratings of instruments they intend to utilize with CLD students (Obiakor & Schwenn, 1996). Assessment information gathered from multiple sources such as behavioral checklists, observations, student interviews, and parent interviews is susceptible to interviewer bias; teams that make educational decisions must consider this possibility. Gathering different kinds of information (e.g., student work samples and assessments) from multiple sources is a best practice in culturally sensitive assessment (Obiakor, 2001). Using one person or test score for special education eligibility decisions is not only inappropriate but also illegal (see IDEA, 1997).

Using Good Leadership to Build Culturally Responsive Environments

Although IDEA (1997) required school boards to provide each student with a free, appropriate education in the least restrictive environment, it offered little guidance in defining what may be considered appropriate. Many educators interpret least restrictive environment to be the general classroom where special needs students are educated with nondisabled peers to their optimal potential. They may be educated outside the general classroom only when multiple interventions within the general education classroom have been tried for an extended duration without success (Bate-man & Bateman, 2002). The removal of students from the general education classroom is seldom justified irrespective of the severity of disability or how disruptive the student’s behavior is to others (Lipsky & Garner, 1995). Sometimes, CLD urban students are removed from general education classrooms because they look, act, and speak differently (Obiakor, 2001). Educational outcomes improve among these students when educators adapt their practices accordingly (Wilder, Jackson, & Smith, 2002).

There is a reciprocal interaction between good academic performance and good behavior. Cartledge and Milburn (1995) indicated that academic and social behaviors are linked; they do not occur in isolation in the classroom. Principals are supposed to be instructional leaders (Seyfarth, 1999). This calls for an understanding of the curriculum and effective teaching techniques that would address educational needs of all learners. In order for teaching and learning to take place, the school environment must be conducive to learning and safe for all. Principals should set the tone by word and deed and by articulating the school mission and expectations (Hoy & Miskel, 2001). Because of the diverse composition of student populations in urban schools, school administrators should be cognizant of the fact that in order to adequately address the educational needs of all students, instruction should be delivered using divergent techniques that focus on problem-solving. The instructional methods should be congruent with the learning styles of individual students and their interests. School leaders should make sure that teaching focuses on courses that address multidimensional problems that confront atypical students and enable them to challenge learners in their classrooms, irrespective of their linguistic, cultural, and ethnic backgrounds (Obi & Obiakor, 2001; Sinha, Payne, & Cook, 2005). Since every learner is unique, teachers must learn how to vary and modify their teaching methods. Unless urban administrators and their teachers are aware of this fact, schools in urban areas will continue to be chaotic.

It is important to know that the school principal is at the very heart of school improvement (Cunningham & Cordiero, 2006; Donaldson, 2001; Lunenberg and Omstein 2004). However, there appears to be a yawning gap between what principals are expected to do and how they are actually trained. One cannot implement what he or she does not know or give what he or she does not have! Swartz (2003) reiterated that over 90% of teachers in the United States are European Americans. When most of the European Americans enter urban schools for fieldwork and later for paid positions, they have little or no awareness of multicultural perspectives because many of them have been educated in schools that are monocultural and monolingual in character. In turn, this situation creates a disconnect between ethnically diverse students and teachers. Many of these teachers find themselves teaching in unfamiliar territories of urban schools and communities. Their perceptions of these communities are largely media-based and exogenous: they typically have low expectations and may have conscious or unconscious racist assumptions about the supposed deficiencies of ethnically diverse urban children. In this frame of mind, “success” and “urban schools” are oxymoronic, with success perceived as a deraced phenomenon achieved through meritocracy that says “if only individuals would try harder to do better!” The result of this perspective is that failure may evoke a “blame the victim” response.

For many in urban schools, sometimes language is not an issue, but culture is. For instance, if an ethnically diverse student with an emotional disorder is involved in a gang, the culture of the gang will directly clash with the school culture. In such a case, the student is likely to be disciplined and unsuccessful in school unless a social worker or organized gang prevention or removal program is initiated for the student. In addition, poverty may impede a student’s educational progress if the student lacks school supplies or access to technology. Poverty can negatively affect the life of any student, regardless of race or ethnicity (Hodgkinson, 1995). Also, the culture taught at home, and the culture valued at school may not be congruent. Principals and school personnel should be aware of the conflicts between the student’s home teachings and those of the school and include social skills and the work environment (for secondary school level students) into the Individualized Education Plan (IEP). For example, Hispanic students tend to be more comfortable with a cooperative interaction style than with the more prevalent competitive style of classroom interactions (Carraquillo, 1991). They may feel more comfortable in close physical contact with others, experiencing frequent emotional expressions, and may interpret a lack of such contact as a rejection by the teacher (Lynch & Hanson, 1992). On the other hand, some learners from CLD backgrounds are taught to avoid direct eye contact with adults as a sign of respect; this is sometimes problematic for mainstream teachers and principals. For some students, punctuality to classes or appointments is not an issue, which puts them at a disadvantage in a school environment where being
on time is greatly valued and constantly reinforced while a relaxed concept of time is punished. Inevitably, this attitude may also affect the ethnically diverse students’ performance on assessments because many standardized tests and school exercises have time limits. Principals and other school personnel must be aware of cultural factors that impinge upon learning and involve diverse urban learners when developing IEPs. Their goal must be to educate all learners (Obiakor, Grant, & Dooley, 2002). There is an urgent need for school leaders to develop multidimensional pedagogical and curricular approaches that open up students’ perspectives to critical thinking, knowledge, creativity, and self-awareness. Providing caring environments and using diverse cultural variables to address learning communities as represented in urban populations are critical ingredients that should never be overlooked.

Future Perspectives: Leading Beyond Narrow Confines

Because of the intensive nature of problems that confront urban learners, urban schools need visionary leaders who can lead beyond their narrow confines. These schools need special education administrators and teachers who can constantly design and implement instructional activities at higher levels in all subject areas. For students to be critical thinkers, teachers and administrators need to model thinking that is critical. Clearly, culture plays a role in how one thinks or acts. There is a popular adage in the African Kiswahili language, which translates: He who ignores his culture is enslaved indeed. Self-knowledge is a necessary ingredient in life, and becoming aware of self is an ongoing and essential journey for teachers and service providers (Goodwin, 1999). Knowing who one is individually and culturally helps one to consciously design interactions with students. When principals and teachers are consciously thoughtful about their attitudes and expectations for working with parents and families, they tend to collaboratively craft the type of visionary partnership that enhances students’ learning (Christine, Leland & Harste, 2005).

Urban schools need innovative administrators and teachers who think of themselves as producers of knowledge, who are aware of diverse backgrounds from which their students come, and avoid dependency on the often monocultural productions of lessons (Obiakor & Wilder, 2003). Such leaders frequently get away from the traditional, mechanical way of teaching and instead use creativity to develop critical instructional questions, along with a wide range of assessments, while constructing materials that are congruent with the student-centered, culturally responsive emancipatory pedagogy (Freire, 2000; Obiakor, 2001). Pedagogies that are emancipatory and student-centered, and that build on what students know, are question-driven, use active learning, draw on multiple epistemologies, and use students’ own “voices to create curriculum.” Curricula used with emancipatory pedagogy is inclusive, culturally sensitive, indigenously voiced and relevant. All these practices call for special education teachers and administrators who are creative planners and learners (Noguera, 2003; Obiakor & Wilder, 2003).

Teachers and administrators of urban schools need to be aware that teaching and learning are inextricably linked. Continuous learning occurs when there is openness to new ideas and experiences (Cooper & Jordan, 2003; Obiakor & Wilder, 2003). Being a teacher or an administrator means being a learner. There are many dynamics that drive learning. New ideas and methods of teaching and learning keep on emerging, and administrators should keep abreast with emerging changes. In addition to expanding core foundational and methodological knowledge, teachers and administrators need to engage in ongoing learning about students’ cultures and other group identities. While this is true for all students and for all schools, ongoing learning is more critical in urban schools where the composition of the student population is diverse and continually changing as ethnic compositions of the neighborhood change. An understanding of research on ontological and epistemological variations, world-wide perspectives, and realities can greatly help urban school administrators and teachers develop pedagogies congruent to student identities (Gay, 2001; Nobles, 1986; Swartz, 2003). For instance, individualistic orientation of the dominant culture is prevalent in conventional classrooms where there are serialized turn-taking, extensive teacher talk, one-way transmission of content, and rote responding through recall. A group-based recall, reflecting the ontologies and epistemologies of Latino and African American cultures, can be seen in family-centered or people-centered classrooms (see Gay, 2001; Ladson-Billings, 2000).

Clearly, there are multidimensional ways of communication, mini-mized teacher talk, critical questioning, active rather than passive learning, and relevant activities such as drama reading, small group cooperative learning, and student-led discussion; all of which require and draw on students’ sense of collective responsibility. Administrators and teachers in urban schools must be willing to try new experiences and new methods of teaching. To meet the ever-emerging challenges in urban schools, they must be open-minded to get away from the traditional instructional methods of teaching to meet the diverse educational needs of urban learners. Administrators and other school personnel must endeavor to create an atmosphere where knowledge exists as something that is both individually owned and community-owned at the same time. Surely, the two feed off each other. A particular student’s own knowledge contributes to the body of knowledge that exists in a classroom as a whole. In this manner, the conceptualization of ideas and topics presented are interrelated and interdependent rather than isolated and independent. In addition, engaging students in ongoing conversations about difficult social and academic issues can make a difference in how learners see themselves and how they judge their ability to succeed (Christine et al., 2005).

It is important for urban school leaders to understand that true wisdom begins when an individual realizes how much he/she does not know. This truism brings to mind the many uninformed and ill-prepared school administrators who are not well-versed with current “best practices,” or who are otherwise “behind the times.” There is a great need for principals and teachers to have professional development by attending conferences and seminars. Improving principals’ and teachers’ knowledge is addressed through district or school sponsored professional development sessions and graduate continuing education, for which there is often ample opportunity. Sometimes, statewide professional organizations that provide conferences for building principals offer special education content through workshops or conferences. During such conferences, instruction is rarely offered in a systematic way that is need-based. Valesky and Hirth (1992) lamented that special education is kept in the periphery when compared to other areas in education. Courses that are offered by professional organizations for a day or two often touch special education issues on the surface, especially on legal issues, and then the rest of the time is spent on other matters pertaining to general
education. Moreover, special education is treated inadequately, if at all, in the majority of principal preparation programs (Sirotnik & Kimball, 1994). While opportunities like those provided during workshops and by professional organizations are certainly helpful, more content and time are critical to providing effective leadership in special education in urban schools.

Finally, collaboration-based leadership is the key ingredient without which very little can be achieved in any school setting. Across the nation, demands for higher and greater accountability for public performance have drawn administrators, teachers, parents, and community organizations into new innovative collaborative networks. The salient target of these partnerships is the improvement in school outcomes for all youths, including those with special needs. The recent trend toward systematic collaboration by the public educational system focuses on concentrated efforts by all shareholders to help ensure excellence in educational programming for all youth (Obiakor et al., 2002). Connections emphasize the bringing together of students, teachers, and communities in the school to enhance meaningful engagements. Coherence, which is closely related to connections, emphasizes the bringing together of a set of interrelated programs that are guided by a common framework for curriculum, instruction, and assessment and that are pursued over a sustained period. Both instructional coherence and school coherence are critical. The former has to do with bringing together in some meaningful way the various components of teaching and learning while the latter has to do with providing necessary structures and programs that support teaching and learning. Clearly, shared decision-making within site-based managed schools and community partnerships is advocated as an important component of restructured schools that optimizes educational service delivery for learners (Banks, 1997; Hatch, 1998).

The web of relationships that stands out in communities is different in kind than those found in corporations, banks, and other formal organizations. They are more special, meaningful, and personalized, and they result from the quality of connectedness that has moral overtones. In addition, because of these overtones, members feel a special sense of obligation to look out for each other. Tomorrow’s administrators and personnel in urban settings must initiate collaborative partnerships with the community to build cohesiveness and eliminate problems of race and class and concentrate on common issues related to safety and learning within the school environment. In sum, there is dire need for a change in the way urban school educators and administrators are prepared if they expect to educate all children.

Conclusion
This article focused on ways to build great special education leadership for ethnically diverse urban learners. We cannot build such leadership without preparation. Clearly, if administrators and teachers are not properly prepared, they cannot deliver instructions to all learners. Therefore, it is imperative that special education administrators in urban schools be adequately prepared to reduce misidentification, miscategorization, misassessment, and misplacement of special needs students. Since many urban students are CLD learners, teacher education programs must expose all their future teachers to multicultural courses and experiences. In addition, more student teachers from ethnically diverse groups must be admitted and retained in these programs. There are very few courses, apart from the “Introduction to Special Education” that are offered to preserve teachers and administrators (Hallahan & Kaufman, 2003). This means that when they graduate, they have no idea of how to deal with special needs students, let alone the urban population. This is a grave concern. While nationally the buzz word is inclusion, the reality of the matter is that teachers and school leaders are ill-equipped to teach special needs students in urban schools. Principals are neither adequately prepared to handle special needs students nor are they aware of the conditions and student populations of urban schools. They find themselves in an unfamiliar territory of a cultural nightmare when they go to urban schools for the first time. Many can be likened to soldiers fighting in unknown territory! Moreover, there are few principals from ethnically diverse groups, a situation that needs to be rectified. An exposure to courses pertaining to special needs learners and multicultural experiences in urban schools could improve knowledge in teaching special needs learners. Moreover, by taking special education courses, administrators could take more positive roles in the assessment process and in the distribution of special education resources. In addition, more informed principals are likely to lobby for more funds for their school and also play the role of advocates for urban schools and students with special needs.

Challenges posed by urban schools call for administrators and teachers who are properly prepared and experienced in dealing with CLD populations. To adequately serve all students, principals should be exposed to and have experiences in multicultural aspects of special education and how they impinge on learning in urban schools. In addition, principals should have a thorough knowledge of identification and referral strategies, nondiscriminatory evaluation, free appropriate education in the least restrictive environment, multidimensional instructional strategies, and professional development collaboration needed to solve problems confronting urban learners. We need new urban school principals and leaders who are creatively ready to meet the diverse needs of urban students with exceptionalities. If we truly want to leave no child behind, drastic actions must be instituted to rectify the way principals and teachers in urban schools are prepared. Otherwise, many urban school learners both in general and special education will be left behind.

References


Individuals with Disabilities Education Improvement Act of 2004, Pub. L. No. 108-446.


