



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE SERVICES

THE ASSISTANT SECRETARY

MAR 23 1999

Sally Mernissi Vice President National Board for
Professional Teaching Standards 1730 Rhode Island
Avenue, N.W., #909 Washington, DC 20036 .

Dear Ms. Mernissi:

Thank you for your letter dated January 19, 1999, in which you solicit input from this Office on draft standards developed for physical education teachers by the National Board for Professional Teaching Standards (NBPTS). Although you had requested our input by March 15, 1999, you were kind enough to extend this date to enable us to provide comments at a later time. We hope that you find the following comments and information useful.

Part B of the Individuals with Disabilities Education Act (Part B) is the Federal law that authorizes financial assistance to States, and through them to local school districts, to assist in meeting the special educational services needs of students with disabilities in mandatory age ranges. Part B also contains a strong preference for educating children with disabilities in regular classes with their nondisabled peers with appropriate supplementary aids and-services. Since the original passage into law of Public Law 94-142, the predecessor statute to Part B of IDEA, instruction in physical education has been part of the definition of "special education." See 20 U.S.C. §1401(25). The regulations for the Part B program, since their original publication in 1977, have recognized that many students with disabilities have been improperly excluded from physical education classes, sometimes because of concerns that they could be injured through potentially strenuous activities.

As a practical matter, while physical education is a vital component of education for all children, its relevance to the education of children with disabilities can hardly be debated. Indeed, children with disabilities often develop coping mechanisms and mannerisms to compensate for their disabilities that have profound physiological and

psychological consequences for them. To address these and other issues, appropriate instruction in physical education is key to assisting children with disabilities to develop strong self-esteem and the necessary confidence to combat the many physical and psychological obstacles they face. All too often, individuals with disabilities are mocked or shunned by their peers simply because they look different from others. It is essential for students with disabilities to develop self-confidence to overcome these obstacles. Therefore it is essential that teachers encourage this sense of confidence and mastery in assisting individuals with disabilities to become productive and -contributing members of society.

In determining the type-of instruction in physical education that is appropriate for a particular disabled student, physical education teachers need to have input into the development of each disabled child's Individualized Education Program (IEP). The IEP process is key in determining the content of an individual child's program as well as any accommodations or modifications that are necessary to address the unique needs arising from the student's disability. These decisions must be made on an individual basis and should not be based solely on stereotypes or general concerns about what an individual with a particular type of disability is capable of accomplishing. Keeping this background in mind, our more specific comments of the standards follow.

Standard One concerns physical education teachers' knowledge of their students. This standard contains only two general references to students with disabilities, and we believe that the following additional references could prove useful. For example, on page 7, where relevant factors about a learner are listed, such as the student's cultural; linguistic, and ethnic heritage, we recommend that a reference to disability be added. This reinforces the important principle that "disability is a natural part of the human experience and in no way diminishes the right of individuals to participate in or contribute to society." 20 U.S.C. §1401 (c) (1) . Next, the standard discusses the need to modify and adapt instruction for individual learners as necessary to address students' varying skill levels. Such adaptations and modifications could be critical for individuals with disabilities to address the unique needs arising from their disabilities and to enable them to be involved and progress in the

general curriculum and to participate, as appropriate, in extracurricular and other nonacademic activities with their nondisabled peers. See 20 U.S. C. 51414(d)(1)(A).

Standard Two concerns knowledge of subject matter. The last statement on safety and liability issues, found on page 11, provides a good description of the role of the physical education teacher on the IEP Team. We recommend that this paragraph be moved to a more prominent section of the standards and not simply be addressed in the context of safety and liability issues. We also noted that no references to disability were found in the remainder of Standard 2, and we believe that issues relevant to disability should be addressed in discussion of motor development and motor learning, exercise science, and physical activity and wellness, movement forms and concepts, sociology and psychology of movement, and technology. Specialized equipment could have some very important implications in providing instruction in physical education, particularly to students with certain kinds of mobility impairments.

Standard Three concerns sound teaching practices. The fourth paragraph on page 13 identifies some particular instructional adjustments that would need to be made to accommodate the needs of children with particular disabilities. While we agree that there may be situations in which it is necessary to make instructional adjustments so as not to cause potential harm to children with particular disabilities, we believe it is equally, if not more important, to stress what positive and creative measures can be taken to accommodate the needs of these disabled students in order to ensure their full participation.

The third paragraph on page 14 discusses physical setting and specialized equipment. Specialized equipment often can be utilized to assist students with disabilities to attain heightened degrees of independence and self-mastery. It would be helpful for teachers of physical education to be able to work with disabled students whose physical development could be enhanced by the use of specialized equipment. In addition, teachers of physical education should be aware of and sensitive to physical setting, and, where appropriate, should take necessary steps to remove barriers.

Page 4 - Sally Mernissi

The last paragraph on the first column on page 14 addresses privacy concerns. It also should be noted that it is a violation of Part B of IDEA and the Family Educational Rights and Privacy Act (FERPA) to disclose personally identifiable information in education records without prior informed parent consent, unless the disclosure is specifically authorized under one of the exceptions to the consent requirement. With this in mind, teachers of physical education must ensure that information about a student's disability status is not improperly disclosed unless the disclosure is consensual or otherwise authorized.

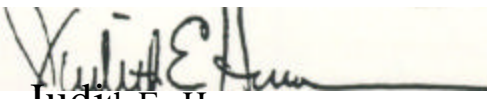
Standard 6 addresses the learning environment. The fourth paragraph on page 21 contains a very positive statement about learning environment. It might be helpful to also incorporate in that paragraph language underscoring the importance of ensuring that all students regardless of abilities are appropriately integrated, including the importance of providing appropriate supplementary aids and services to ensure that this happens.

Standard 8 concerns assessments. Physical education teachers could play an important role in assessing suspected disabilities or continued eligibility of previously identified disabled students. As appropriate, school district personnel may wish to consult with physical educators in gaining information about potential disabilities.

Standard 9 concerns equity, fairness, and diversity. To ensure that issues related to students with disabilities are appropriately addressed, specific comments are noted on the attached page.

We hope that you find these comments useful. If you would like further assistance, please contact Greg March of my staff at (202)205-8441, or Rhonda Weiss of the Office of Special Education Programs at (202)205-9053.

Sincerely,



JUDITH E. HEUMANN

