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The Road to Inclusion: Special Education in the United States and Mexico

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Certificate of Approval

**The Road to Inclusion:
Special Education in the United States and Mexico**

Elena Hammann
Graduation May 2021

Approved to fulfill the
requirements of HON 437

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Global Languages and Theatre Arts

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**The Road to Inclusion:
Special Education in the United States and Mexico**

SUBMITTED IN PARTIAL FULFILLMENT
OF THE REQUIREMENTS FOR THE
MURRAY STATE UNIVERSITY
HONORS DIPLOMA

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ABSTRACT

This report addresses the laws, views, funding, and school system policies in the United States and Mexico. Children with disabilities are typically subject to misrepresentation, prejudice, and a lack of opportunities. The best chance these children have to succeed is an adequate education. The intention of both countries for the last five decades is to provide an equitable and inclusive education for students with disabilities. Although educational planners and policy makers in each country pass federal legislation and educational policy, there is further work for improvement. The results of current research through a questionnaire shows continued negative social bias towards individuals with disabilities, and also ways in which both countries may advance in regard to this area. The objective of this paper is to bring further awareness into this topic of discussion in order to further dialogue on policy and implementation into all local school systems in the United States and Mexico.

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INTRODUCTION

Disabilities do not discriminate, they cross all racial, ethnic, and socioeconomic classes. Prior to the 1950s in the United States, individuals with disabilities were sent to live in institutions, isolated from society, and legally unable to receive a formal education (Santos 1-3). The fear of negatively influencing non-disabled children typically caused society to isolate and not train or educate people with disabilities. Beliefs and practices also aimed at improving the genetic quality of the human population. This promoted seclusion and forced sterilization of these individuals as they were deemed as “unfit” or “undesirable” to reproduce (Santos 3). These methods created an increased fear and prejudice of being in contact with people with disabilities (Armendáriz 7). In Mexico, pre-1800s, it was standard for the church to care, provide, and protect people with different medical needs. This practice transferred to charities that helped the “needy”, or people with disabilities (Armendáriz 2-4). The civil movement to promote development of the disabled community began in the 1950s in both countries.

In recent years, the United States (U.S.) and Mexican governments passed laws and created programs to help integrate people with disabilities into society. The cultural shift regarding the rights of people with disabilities began legally in 1973 in the U.S. and 1993 in Mexico (Ramos). Since then, both countries have made improvements and great advances with their special education policies. This study will raise awareness to help educate society about the programs that currently exist in both of these countries. Questions that will lead this study are:

What is the legal definition of disability for each country? How does society view and treat people with disabilities in each culture today compared to pre-disability legislation years? What is the timeline of legal policies that protect the rights of the disabled in each country? What are the educational systems: public or private schooling? How are special education programs funded in each type of school structure? What is the age range for students to obtain special education resources in their school?

This study will begin with the history and the evolution of each country's laws to help understand the background of this topic. This document will then provide information on the types of different school systems and how each country provides special education. This paper will also inform about funding methods and regulations of the special education system in the U.S. and Mexico. Results from a conducted research study, primary source data gathering through an Institutional Review Board (IRB) approved questionnaire, will also draw conclusions

on societal viewpoints and special education knowledge from a subject pool of 231 participants. All information is obtained from numerous academic sources from the library database of Murray State University, google scholar, legal government documents, and articles from sources, such as newspapers and other informative media.

EDUCATION AND DISABILITY LAWS

UNITED STATES

Five major judicial and legislative milestones progressed the legal protection for educational inclusion and shaped the societal treatment of people with disabilities in the United States.

Initial Court Cases

In 1971, *Pennsylvania Association for Retarded Children (PARC) v. Commonwealth of Pennsylvania*, PARC sued Pennsylvania for not providing students with intellectual disabilities an education. The ruling in favor of PARC declared that the State had to provide a free education integrated with their non-disabled peers (Santos 4). This case set three major precedents (Zettel 4):

1. All children are educable.
2. Education is not solely academic. It must be seen as a continuous process where students learn to function and succeed in their own environment (i.e. learning to feed and dress oneself independently is achievable for some children through an educational program).
3. The earlier children with disabilities can be educated, the more life experiences and personal growth is predicted.

One year later, *Mills v. Board of Education of District of Columbia* (1972), the United States Supreme Court required the District of Columbia to implement public education for students with disabilities. In this case, eighteen thousand students were not permitted to attend school because of various behavior issues, medical problems, and intellectual and physical disabilities (Santos 4). “More than 46 similar court cases in 28 States have followed the PARC and Mills [court] decisions. The right of a handicapped child to a free and an appropriate

education can no longer be questioned” (Zettel 5). These court cases began a forward movement of litigation to integrate people with disabilities into general education.

Rehabilitation Act of 1973

The Rehabilitation Act of 1973 was the first law created to support people of all ages with disabilities in regard to education, employment, and daily living. According to this law, individuals with special needs are defined as persons with a physical or mental disability that limits one or more important activities of daily life. Section 504 of this act is a civil rights statute against disability discrimination for programs receiving federal assistance (Rothstein 562). Section 504 states that “no otherwise qualified individual with a disability in the United States... shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving [f]ederal financial assistance...” (Russo 34). Therefore, school boards and districts must make reasonable accommodations for all school-aged children, employees and parents. If a federally funded institution is neglectful in affording students with disabilities the appropriate accommodations, the Office of Civil Rights will withdraw their funding (Santos 5). Even though this law was a major steppingstone towards inclusion, it failed to end discrimination against individuals with disabilities (Mainzer 132). This shortcoming led to an invigorated disability rights movement that pushed for further legislation.

Individuals with Disabilities Education Act

The Individuals with Disabilities Education Act (IDEA) is a landmark law that greatly changed the lives and education of people with disabilities in the United States. The IDEA was originally called the Education for All Handicapped Children Act (EAHCA) of 1975 (Public Law 94-142) prior to 1990. The change of the EAHCE to the IDEA was in response to “public perception that a majority of children with disabilities were either...excluded from schools or sitting idly in regular classrooms awaiting the time when they were old enough to ‘drop out’” (Cowin 3). The objective of the IDEA was to provide all students with disabilities a quality education.

There are thirteen disability categories protected by and qualify under the IDEA: “learning disabilities, speech or language impairment, intellectual disability, emotional

disturbance, autism, hearing impairment, visual impairment, deaf-blindness, orthopedic impairment, traumatic brain injury, other health impairment, multiple disabilities, and developmental delay” (Santos 6). All children covered by the IDEA are covered by section 504 of the Rehabilitation Act of 1973, but not all children covered by section 504 are covered by the IDEA because the list of disabilities mentioned in each law may vary (Lipkin e1652). For example, diabetes and asthma are covered by section 504, but may not be covered by the IDEA.

The IDEA mandates that all children with disabilities aged 3-21 years (age limits amended in 1980 from 3-18 years) receive a free, appropriate, public education (FAPE) in the least restrictive environment (LRE) (Zettel 7). The LRE refers to educating children with and without disabilities together to the maximum extent possible in order to promote the tolerance and inclusion of all school-aged children. Additionally, the IDEA follows a “zero reject” policy as schools are required to identify and evaluate all children with disabilities to determine their need for special educational resources. Zero reject also states that no child can be denied an education no matter how severe their disability (Lipkin e1651). IDEA was also amended in 2004 to ensure early intervention for students, greater accountability, and raised the standards and training levels of special education teachers (Mainzer 137). The amendments of the IDEA in 2004 focused on improving the Individualized Education Program (IEP) document since the IDEA requires schools provide individualized or special education for children with qualifying disabilities (Gartin 327). An IEP provides students, families, and schools with certain legal protections.

The IEP is a written statement, plan, and contract between the school and student who participates in special education. “A student’s IEP [is] the vehicle by which the content of FAPE [is] formulated and delivered” (Yell 305). The IEP is developed for each student with a disability and must be reviewed and developed at an assigned meeting annually. The objective of the IEP is to create a student specific program of special education. This meeting includes writing a report and plan with a present level of performance evaluation, goals and short-term objectives and benchmarks, progress and reporting requirements, services to be offered, accommodations, and the amount of general education involvement for each student (Gartin 328). The typical options for a student attending a traditional neighborhood school are “(a) full inclusion in regular classes; (b) inclusion in regular classes with help, such as a teacher’s aide; (c) partial inclusion with an aide plus some time in resource rooms; and (d) self-contained placements in resource

rooms” (Russo 34.) The IDEA also holds the parents accountable, as at least one parent is legally required to be involved and is an equal partner with the school district in the development of their child’s IEP (Yell 307). The amendments of IDEA in 2004 also include parental rights to be protected along with the child, services provided for life skills and independent training, and tools and resources for technology.

Americans with Disabilities Act

The United States government passed the Americans with Disabilities Act of 1990 (ADA) to address the failure of Section 504 of the Rehabilitation Act of 1973 to help eliminate discrimination toward people with disabilities. Similar to Section 504, the ADA applies to all ages and also lists major life activities that may be affected by a disability (Lipkin e1652). The ADA further protects against disability discrimination by making it illegal to discriminate against individuals in all areas of public life: employment, education, transportation and access programs (Watson 4). The ADA also applies to state and local government funded programs and institutions, not only federal funding as in Section 504 (Mainzer 133). Until the ADA passed in 1990, individuals with disabilities only had civil rights provided through federally funded programs, otherwise, their civil rights were limited (Harris 9). The definition of “Disability” under the ADA is as follows (a student must meet one of the three definitions to qualify): (1) The student must have a physical or mental impairment that substantially limits one or more major life activities of that individual; (2) the student must have a record or document of such an impairment; (3) The student must be regarded as having such an impairment (Santos 6). The ADA’s basic provisions regarding education regulations include providing aids and services to students. Some of these aids and services include providing qualified interpreters, additional time for exams, modification to equipment or devices, extension of time for credit completion, and etc. (Rothstein 10). The ADA was also amended in 2008 to strengthen its antidiscrimination provisions (Santos 6). The goal of Congress to promote contact between people with and without disabilities to negate prejudice is expressed through the ADA.

MEXICO

Four major legislative milestones also progressed the legal protection for educational inclusion and shaped the societal treatment of people with disabilities in Mexico. These reforms were important advances because it was the first time students with special needs had legal educational rights. Also, these laws shaped the beginning of ideas, programs and regulations of special education in Mexico.

General Law of Education

The General Law of Education (*Ley General de Educación*) was revised in 1993 to include provisions on the rights of persons with disabilities. This was the first law in Mexico that required Mexican states to educate all children with disabilities (Sanchez 2). One of the main focuses of this law is educational integration in order to promote social equality. Article 3 of the law addresses equity in education and Article 39 stipulates that general, special, and adult education all encompass the Mexican national education system. Article 41 mandates the integration of children with disabilities to have an appropriate education through mainstream classes. This article also requires the involvement of parents or guardians, educators, and special-education personnel to be involved in the process of developing the child-specific special education plan (Russo 33).

Article 33 authorizes the establishment of additional support services that facilitate the integration of students with disabilities into the national education system whenever possible. From this article, support teams known as Units of Support Services to Regular Education (USAER; *Unidades de Servicios de Apoyo a la Educación Regular*) and facilities called Centers for Multiple Attention (CAM; *Centros de Atención Múltiple*) are created. USAER enter schools to support and guide students with disabilities and their teachers within the typical classroom. They also provide information to parents and school staff.

CAM are centers for children who are incapable of succeeding in the regular school setting. The centers provide resources that are unavailable in regular schools, and vocational education for students ages 15–22 (in addition to primary and secondary levels of education) who have more severe levels of physical or mental disabilities (Russo 34). These centers segregate certain students in hopes of providing additional services to prepare them for future integration into regular classrooms if possible (Reich-Erdmann 137). Once evaluated, students

with Special Educational Needs (SEN) can be placed in CAM, general schools that have support of USAER, or general schools without USAER support (García-Cedillo (2014) 77). This law emphasizes the protections of their rights to education without discrimination of all school-aged adolescents with disabilities and their guardians.

General Law for the Inclusion of Individuals with Disabilities

The General Law for the Inclusion of Individuals with Disabilities (GLIID; *Ley General para la Inclusión de las Personas con Discapacidad*) was modified and renamed from the original 2005 General Law for People with Disabilities (García-Cedillo (2014) 149). In 2011, GLIID was signed and ratified and mandates the promotion and protection of all human and civil rights of all people with disabilities. The objective is to ensure full inclusion into society with equity and equal opportunities (Armendáriz 7). This law defines a disability as “the presence of a deficiency or limitation in a person, which by interacting with the barriers imposed by the social environment, can prevent the full and effective inclusion of individuals with disabilities in society and on equal terms with others who do not have disabilities” (Sanchez 3). The four formally recognized disabilities are (1) sensory, (2) physical, (3) mental, and (4) intellectual (García-Cedillo (2015) 149). These four categories are very general in defining a disability; therefore, it is up to the school to determine where a student belongs.

Four titles, which are each divided into several chapters, encompass this law and protect the rights of people with disabilities in all areas from health and social care, communication and transportation, to education. Many similarities exist between GLIID and the ADA mentioned above in this report (Armendáriz 9). Chapter III under Title II of the GLIID focuses on the Ministry of Public Education and the education of students with special needs by directing the participation of specific institutions to support the needs of children with disabilities. These institutions include “the Office of the Federal Services for the Support of Education, the National Institute for the Educational Physical Infrastructure, the National System of Formation, Actualization, and Training of Primary Education Teachers, the National Technical Counsel in Education, the Program for the Strengthening of Special Education and Educational Integration, the National Commission of Free Textbooks, the National Council for Science and Technology, and the National Libraries System” (Russo 33). These institutions are crucial in supporting each student in all aspects of education.

Law of the National Institute for the Evaluation of Education

In 2013, the Law of the National Institute for the Evaluation of Education (*Ley del Instituto Nacional para la Evaluación de la Educación*) developed requirements for states to follow a procedure to evaluate students to increase their quality of education. The National Program for Strengthening Special Education and Educational Integration approved and established that every Mexican child with a disability must have a multidisciplinary evaluation, an educational profile, and their own educational plan in 2002 (Ramos 47). However, this did not have legal protections until it was established in the Law of National Institute for the Evaluation of Education in 2013.

This evaluation includes socio-economic, regional groups, cultural minorities, and people with disabilities (Sanchez 3). This law also includes stipulations regarding specialized training and professional development strategies for teachers. Even though this law formally addressed more training for instructors, the teacher-training curriculum adopted an integration and inclusive perspective in 2004. This is also “over ten years after the General education Law mandated the integration of students in special education in general education schools and classrooms” (García-Cedillo (2014) 81). The evaluation involves three processes: Diagnosis, Academic Planning, and Evaluation.

At the beginning of each school year, teachers produce student profiles through initial tests to help identify which students may need additional attention, special accommodations, or external intervention. Support groups also may test students from a psychopedagogy perspective to make a diagnosis. The detailed results will be reported to teachers and parents. Teachers will then modify lesson plans in order to promote the inclusion of all students in the learning process when possible. Support personnel from USAER may also help with this process to offer additional reinforcement. The student’s progress will be monitored and evaluated in order to keep track of development and create future educational plans. Unlike IDEA, there are no detailed timeframes for this process to take place (Russo 35). Therefore, it requires motivated instructors to complete the entire evaluation on their own schedule.

General Law for the Protection of the Rights of Girls, Boys, and Adolescents

In 2014, the General Law for the Protection of the Rights of Girls, Boys, and Adolescents (GLPRGBA; *Ley General de los Derechos de Niñas, Niños y Adolescentes*) was signed as a federal human rights law to prohibit discrimination and establish educational rights of individuals with disabilities for all levels of the National Education System. The right to education is a human right and the objective of this law is to reduce prejudices and promote tolerant schools (Sanchez 2). Specifically, Chapter 9 of the GLPRGBA details the rights of students with disabilities. Article 31 describes the responsibility of the federal and local governments to provide families of students with disabilities the necessary educational support to achieve the goals of the specific child's development. "Under the GLPRGBA, students with disabilities have the right to free early education programs, health services, rehabilitation programs, play time, and vocational training. If those services and centers are unavailable, the federal and local governments are responsible for their creation" (Russo 33). Article 53-57 establishes that individuals with disabilities have the same rights as their "typically developing" peers, and mentions that the right to education, participation in sports, recreational and cultural activities cannot be denied based on disability if originally offered at an institution (Sanchez 3). This law ensures that the federal and local governments are both held accountable to create services for all students with disabilities.

UNITED NATIONS

The United Nations (UN) Convention of the Rights of Persons with Disabilities (CRPD) is the first international treaty that is specifically created to protect people with disabilities, people rarely referred to in previous legislation. This treaty clarifies the obligation of every country to protect individuals with disabilities. This landmark decree is one of the nine core human rights treaties of the UN (Szmukler 245). The CRPD was passed in 2006, signed and ratified in Mexico in 2007, took effect in 2008, and signed by the United States in 2009 (García 153). However, the US Senate failed to ratify the CRPD in 2012. The CRPD protects all human rights of individuals with disabilities. Some of the protected rights include:

“[R]ights to life (Article 10), equal recognition before the law (Article 12), access to justice (Article 13), liberty and security of the person (Article 14), privacy (Article 22), respect for home and the family (Article 23), education (Article 24), health (Article 25),

work and employment (Article 27), adequate standard of living (Article 28), participation in political, public, and social life (Articles 29 and 30), along with freedom from torture or cruel, inhuman or degrading treatment (Article 15), and freedom of movement (Article 18)” (Bartlett 2).

The CRPD focus on the main issue of discrimination to ensure all rights are on an equal level with the “typically developing” individual (Bartlett 2). The CRPD recognizes the right of all children with disabilities to be included in the general education systems and to receive the individual support they require (Officer 205). This is to ensure they are not excluded from mainstream educational opportunities.

EDUCATION SYSTEM

UNITED STATES

This section focuses on the Public and Private education systems of the United States. The statistics, funding, and structure of each institution will be discussed in detail below.

Public

Over 75% of schools in the U.S. are public and financed by the federal and local governments through taxation (OECD). Public school systems are usually per district, and permanent residency in a specific location assigns the child to a specific district’s school. Public school enrollment in 2017 from pre-k to 12th grade was about 50.7 million students. In 2018-2019 it was reported that 7.1 million students in public school aged 3-21 received special education services. This amounts to about 14.1% of total students. The total public school funding amounted to \$736.1 billion in 2016-2017 by federal, state, and local governments (Hussar). These statistics show how critical the public school system in the U.S. is in providing the main resources for students with disabilities.

Special education programs in the U.S. have significantly improved in each district because they adhere to all the laws mentioned for the United States in this report. Specifically, since the IDEA provides funding to all public institutions, public schools are legally required to have special education programs in accordance with the regulations of the IDEA.

Private

The U.S. also has private school systems funded through tuition and financed through a student's family or external sources. Private school enrollment in 2017 was about 5.7 million or 10.1% of all students (Hussar). If a student attends and pays for private school instruction, the families still are required to pay taxes to the public school in their residential district. There can be a mixture of special needs programs in the private school system and are specific or unique per school.

Private schools are not regulated by the government; therefore, they can set their own standards with respect to the curriculum. The ADA does apply to private schools, but when parents enroll their children in a private school, they waive the rights of special education guidelines set forth in the IDEA. Private schools do not receive government funding, and therefore are not required to provide a FAPE or an IEP (Watson 2). Overall, there are no requirements for private schools to provide special education services to children with disabilities.

Under the ADA, a private school must accommodate any person who has a physical or mental impairment, which includes both students and staff. For example, a private school must make a reasonable accommodation for a hearing-impaired student. The "reasonable" accommodation, however, is open to interpretation and depends on the situation and environment of the school and student (Watson 2). They may not discriminate by excluding a student with a disability from participating in any school activity. For example, if the independent school does not usually provide transportation to students, they are not required to provide transportation to students with disabilities and vice versa (Watson 21). Private schools have funding deficiencies in regard to special education; therefore, it is more difficult for private schools to successfully make appropriate accommodations for students with disabilities in comparison to public schools (Cowin 10). The unique institutional structures and alternative curriculum methods of each private school also make it difficult to set a standard of special education across private institutions.

MEXICO

About 7.5% of the Mexican population is disabled with only 15% of the disabled population receiving a secondary education (“Disability”). A total of 23.1% of the Mexican population with disabilities greater than fifteen years of age lack access to formal education (Sandoval 430). Only children aged 3-15 are legally required to attend a public or private school until they complete primary education requirements (Gill 3). One of Mexico’s major challenges is implementing the printed legislation in the real world (García-Cedillo (2015) 153). This section will inform about the different types of school structure for people with disabilities in Mexico.

Public

In the Mexican education system, approximately 91% percent of schools are public (García, 147). The Federal Government provides the majority of funds for education services (Gill 4). 67% of the cost of special education is covered by federal funds and the states provide the remaining 33% (Russo 35). Public schools are "free and inexpensive" in the sense that parents do not have to pay tuition to enroll their children at school, but parents usually need to give donations or pay expenses and fees to cover the cost to improve school facilities. The parents may also have to find transportation to help children to attend school and pay for lunches (García-Cedillo (2015) 148). These services and expenses are not covered by the state; therefore, public schools may have a lower quality of education to offer overall.

There are two services for education in Mexico operated by the Ministry of Public Education as mentioned previously: CAM and USAER (García, 150). Currently, there are 2,400 CAM and 3,700 USAER which serve approximately 28,000 schools (García-Cedillo (2015) 146). A USAER team usually consists of a director, one support teacher, a psychologist, a communication teacher, and a social worker per school (García-Cedillo (2015) 148). The USAER is more segregated because students with disabilities attend school in a private or segregated classroom and learn alone or in groups with other students with special needs. Overall, many schools will accept students with disabilities even without the support of USAER because of the increasing positive attitudes toward inclusion.

Although the legislation has advanced the capacities of institutions, school resources are still insufficient. Instructors still do not have adequate special education training. For example,

primary school teachers, for children between the ages of 5 and 10, participate only in a two-course training program on inclusive education (García, 151). With insufficient training, teachers are incapable or are limited in their ability to instruct students with special needs to have a quality education.

Private

Similar to the United States, the Federal Government does not finance private schools and families have to pay a tuition to provide all resources. There is also no financial program to provide support to parents to send their children to private schools (García-Cedillo (2015) 146). Therefore, there seems to be minimal special education programs, as none were found in this research effort, in private schools in Mexico. Private schools mainly include middle and high school students, as all are tuition-based and the majority of the population is unable to afford them.

RESEARCH

METHODS

The IRB of Murray State University approved the Human Subject Level I Protocol (I.D. – IRB # 20-092) of this research project. After review and consideration, the IRB determined that the research was conducted in compliance with Murray State University guidelines for the protection of human participants. The stated data collection period was from December 2, 2019 to December 1, 2020.

A Google Form questionnaire was sent via email and included and focused on people who attended primary or secondary school in the U.S. or Mexico. Subjects were identified by the first question of the survey, which had them choose the country in which they attended school: U.S., Mexico, or other. The subjects who participated in the interviews were adults and possibly parents of students with disabilities attending schools in each country. All volunteers were over eighteen years of age and could read and respond in either English or Spanish, as the questionnaire and instructions were written in both languages. They were interviewed with the objective of obtaining different points of view to compare special education systems and social bias in the United States and Mexico. The questionnaire asked participants if they were aware of

special education programs in their schools, their perspectives, and opinions of students with disabilities. The purpose was to understand the cultural perspective and perceive the differences, similarities, or both between the two countries. The goal was to discover if there is a difference with social inclusion in regard to the pre-legislation years versus present day.

The completion of the questionnaire was strictly voluntary. The subjects did not have to answer any question they did not wish to, and they were able to finish the survey at any time by clicking the submit button located at the bottom of the survey. The questionnaire did not request names or other identifiable information of the volunteers. The responses were anonymous with all information used only in such a manner that is ethical and legal. An email address of the facilitator was provided at the top of the questionnaire for purposes of follow-up questions from the volunteers. The questionnaire was a Google Form and all questions are provided for reference in Appendix A.

As the laws, awareness, and programs developed in each country, this paper predicts that the cultural or societal view of people and students with disabilities has improved over time. The results of the interviews should show that there is a difference from present day compared to the generation from 20 to nearly 50 years ago; the generations before and after the laws. Also, it is predicted that the U.S. has less societal bias than Mexico based solely on the fact that the first education and disability legislation in the U.S. preceded Mexico's by twenty years. The responses will also inform opinions and ideas for improvements regarding special education and programs still needed for those students.

RESULTS

231 people completed the questionnaire. 106 of the volunteers graduated from secondary school from Mexico, and 125 from the U.S. as shown in Figure 1. The results also show in Figure 2 that 81% of people in the U.S. went to public school and 19% went to private school. Figure 2 also shows that 70% percent of the respondents from Mexico went to public school and 30% percent went to private school. These results from the U.S. are similar with the OECD statistics that about 75% of the schools in the U.S. are public. However, the data pool of subjects from Mexico has a higher percentage than expected of attendees to private school (provided statistics show that only about 9% of schools in Mexico are private).

231 Survey Responses

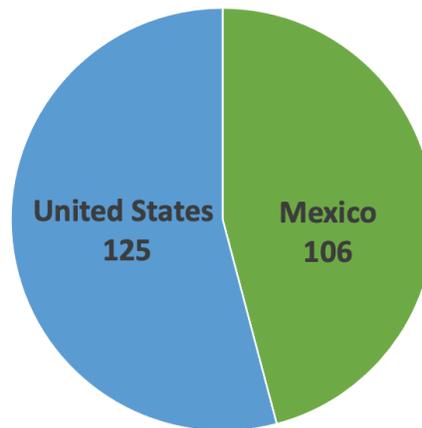
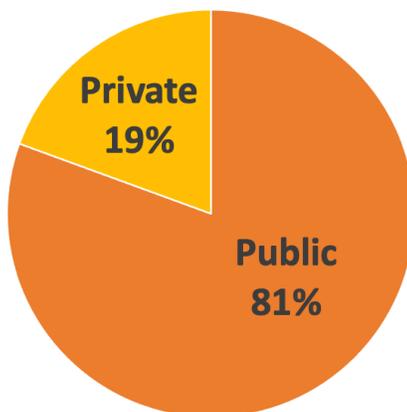


Figure 1. Total amount of survey responses

US School Breakdown



Mexico School Breakdown

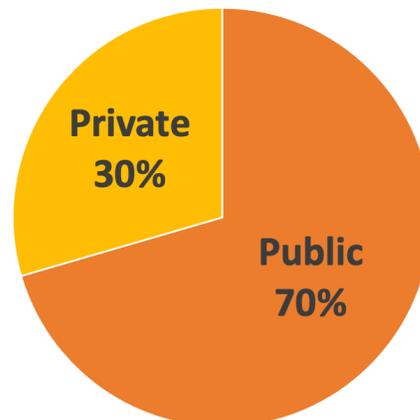


Figure 2. Number of responses that attended public or private schools in the U.S. and Mexico

Responses were obtained from subjects that graduated in the years between 1972 and 2020, making the age distribution of respondents from 18 to about 66 years old (oldest response born around 1954 and youngest 2002). The data pool age demographic is shown in Figure 3. Since the age range of responses were before and after the passing of major legislation for each country, the data pool is confirmed to be a good representation of societal views from both of those time frames. For the 40 respondents who graduated from high school before 1992, no one with disabilities attended their schools in Mexico or the U.S. This information is mostly in accordance with the creation and implementation of the laws in both countries. This result can be generalized for the entire population because through the survey results and the newly created or non-existent laws, it is logical to assume that people with disabilities did not have much or any enforced legal representation in the school systems. Therefore, it confirms that there would be hardly any students with disabilities in schools before 1992.

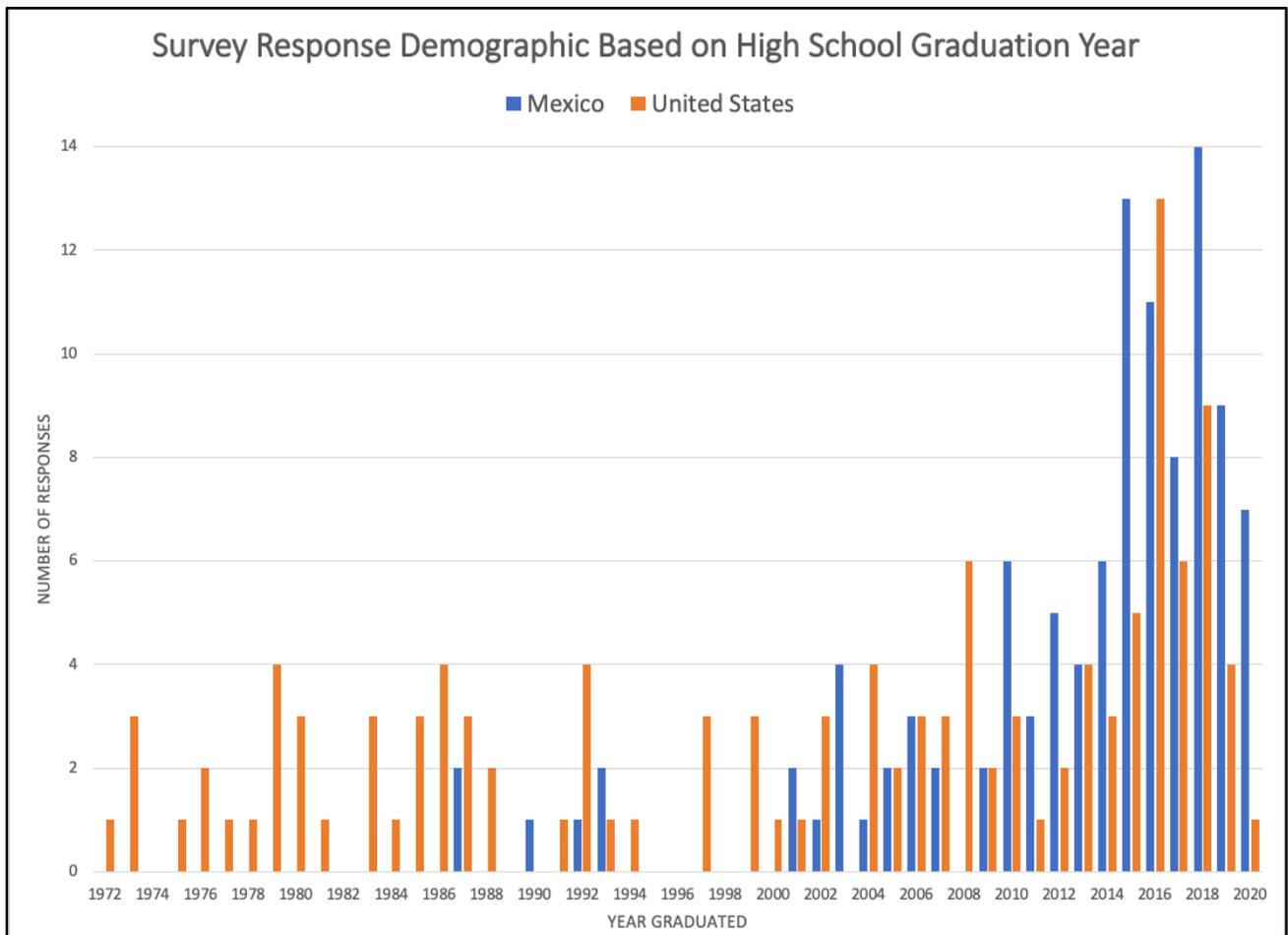


Figure 3. Year each survey respondent graduated high school in the U.S. and Mexico.

In general, for the United States, 87% of the respondents who attended public schools were aware of students with disabilities attending their school, and 79% knew that their public school provided special educational resources. This compares to the 84% and 52% of respondents who attended private schools who did know any students with disabilities that attended their school and that their school did not have special educational resources respectively. This information is shown in Figure 4. This data aligns with the knowledge that the majority private schools in the U.S. do not have the capacity or sufficient funding to allocate enough resources toward an effective special education program.

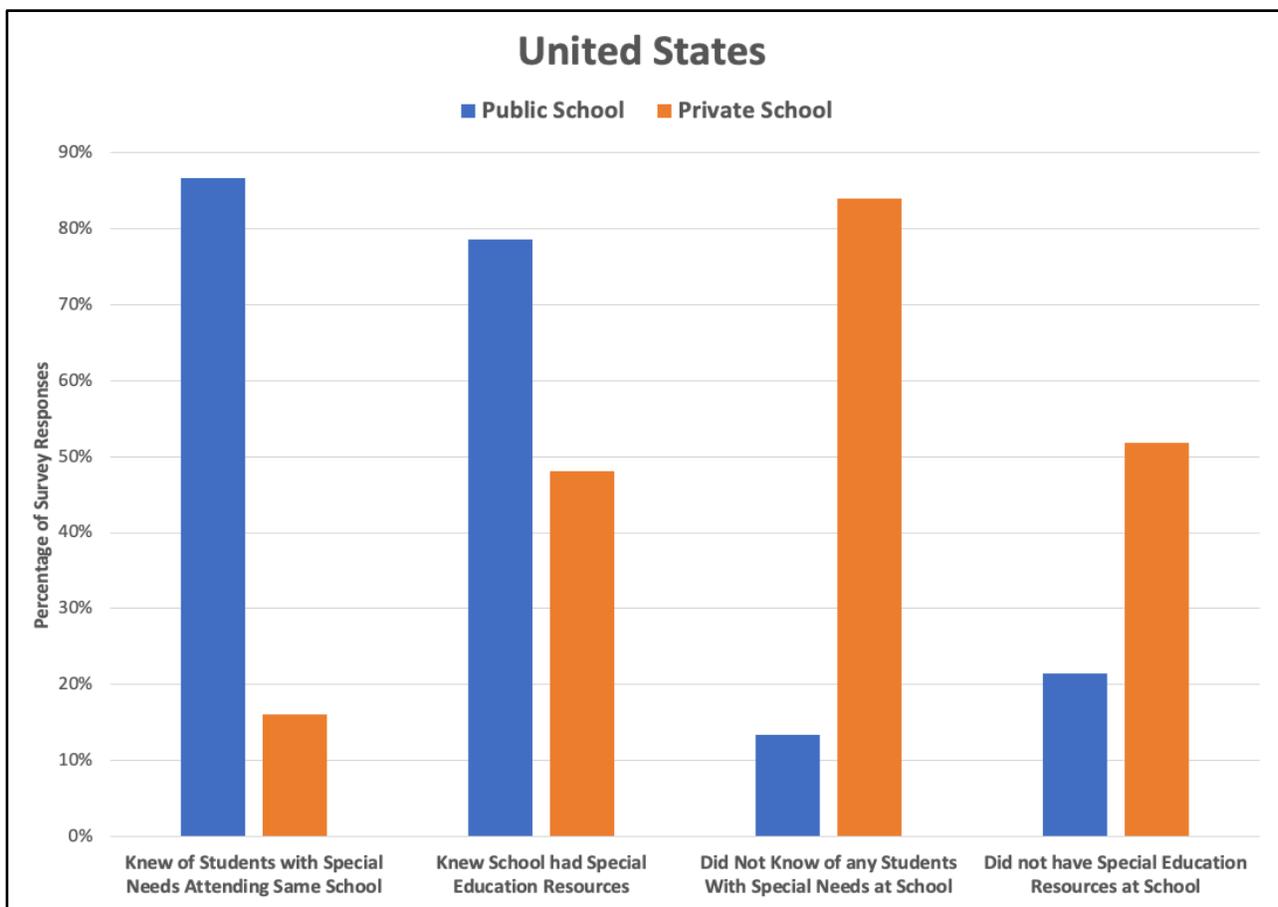


Figure 4. Percentage of respondent's knowledge of people with disabilities at their same school in the United States. Also informs if they knew that their school had special education programs.

Overall for Mexico, only 36% of the responses who attended public schools were aware of students with disabilities attending their school, and only 29% knew that their public school provided special educational resources. This compares to the 22% and 25% of responses of people who attended private schools who also knew of students with disabilities that attended their school and that their school did have special educational resources respectively. This information is shown in Figure 5. This data is unexpected as it does not align with the knowledge that the special education programs are mainly in the public system. It was expected for the awareness of these programs to be higher for public school, and almost zero for private because the literature review findings did not discover much information about these programs in private schools.

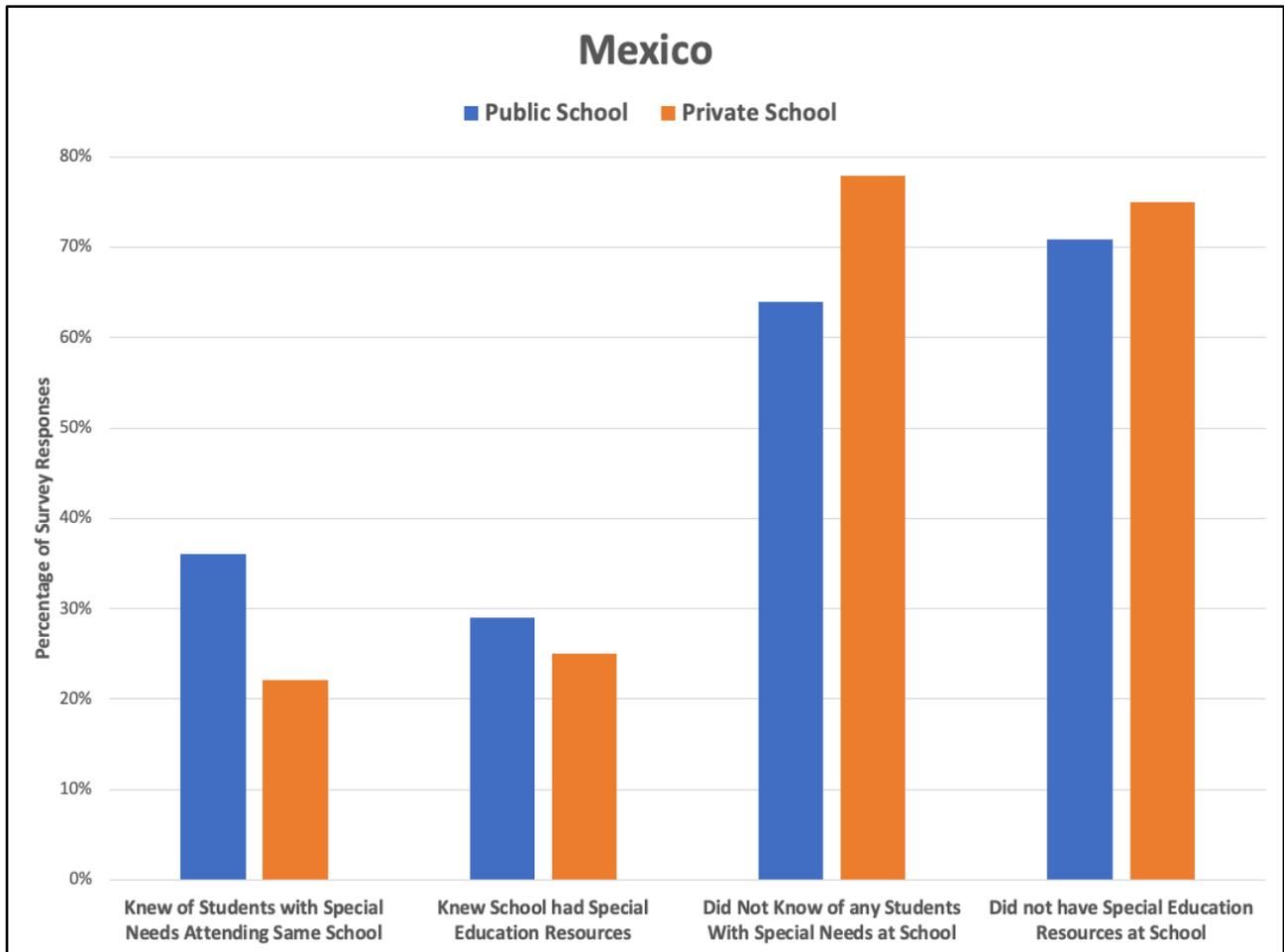


Figure 5. Percentage of respondent's knowledge of people with disabilities at their same school in Mexico. Also informs if they knew that their school had special education programs.

The most unexpected trend gathered from the data shows the societal view of individuals with disabilities pre-legislation versus current day in both countries. These two questions, 5 and 17 respectively, were compared to identify a trend in how individuals with disabilities are viewed in society:

- 1) How did society view or treat individuals with disabilities in comparison to the typically functioning individual **during your time in school**?
- 2) How does society **currently view** or treat individuals with disabilities in comparison to the typically functioning individual?

The generalization in the answer to the question, “How does society currently view or treat individuals with disabilities in comparison to the typically functioning individual?”, is that respondents thought disabled people were treated with less respect in the current day than when they attended school.

One possible answer to this discrepancy is that the majority of respondents had more exposure to people with disabilities while in school than in higher education or the workforce. The lack of exposure could cause discomfort and increased bias around and towards people different than oneself. Another qualitative study supports this statement after it concluded that one in five adults aged 18-34 admits to having intentionally avoided talking to a person with disabilities due to uncertainty about how to communicate (Harris 2). One subject’s open response reveals that they “have hope for when students with and without disabilities become friends, friendship does not leave after or outside of school”.

Unfortunately, the data reveals that although new legislation for education laws and the focus on inclusion has been created and somewhat implemented in the U.S. and Mexico, the cultural vision still needs improvement. This discovery was unanticipated because one might expect societal prejudices to align and develop with legislation, however, this data disagrees with that concept. The comparison for the United States is shown in Figure 6 and Figure 7, and the comparison for Mexico is shown in Figure 8 and Figure 9.

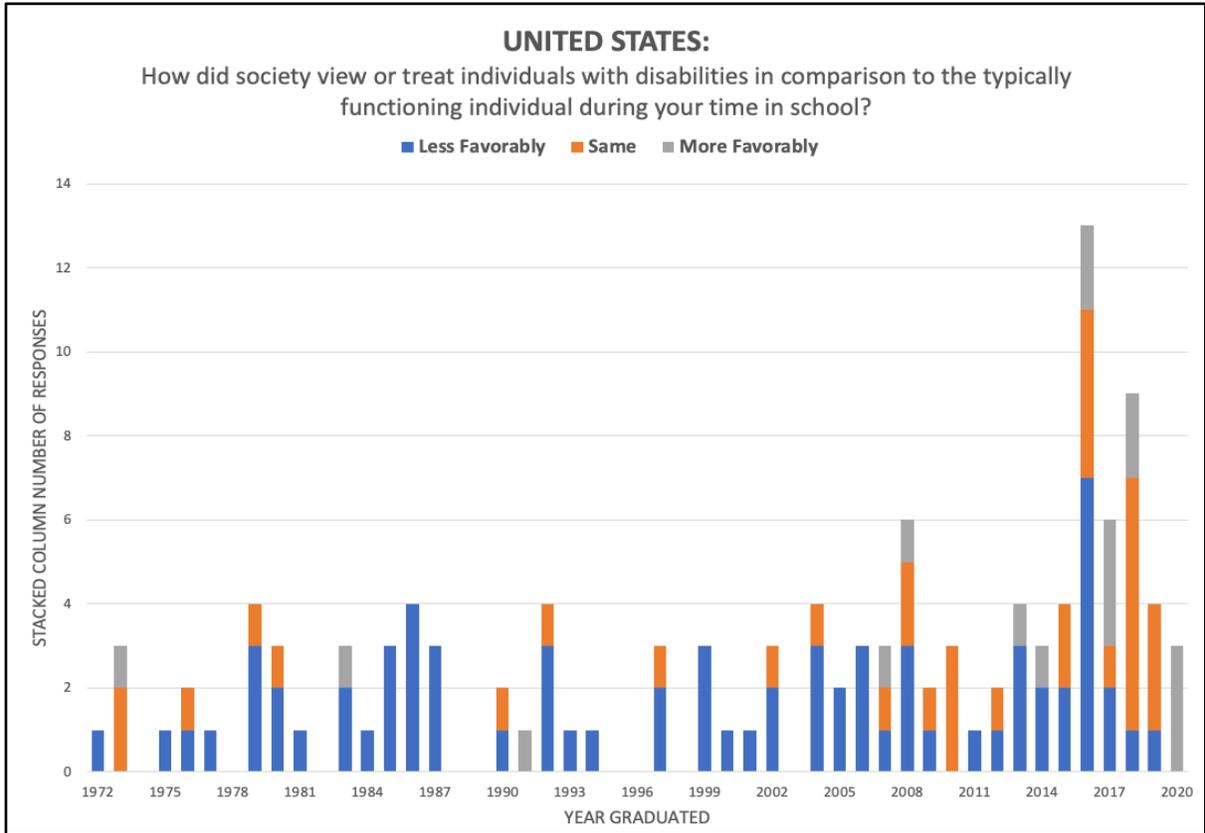


Figure 6. Opinion on how society viewed individuals with disabilities prior to respondent's graduation year in the United States.

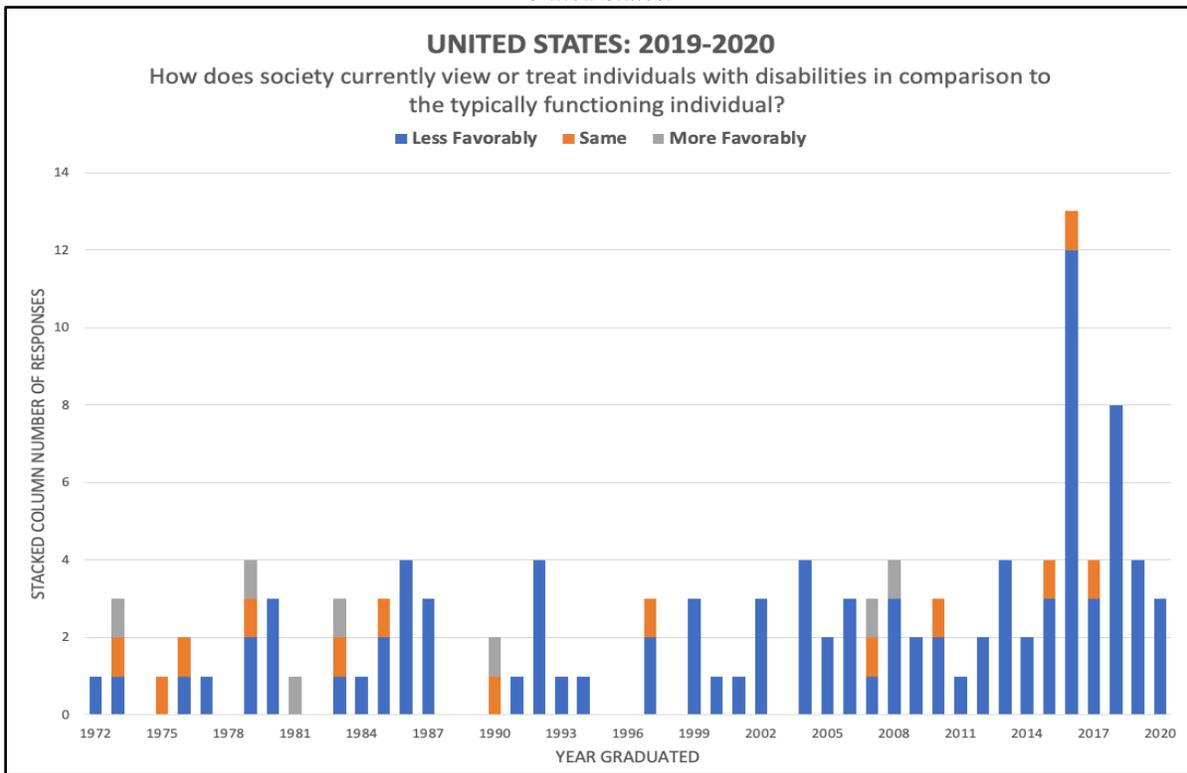


Figure 7. Opinion on how society viewed individuals with disabilities present day in the United States.

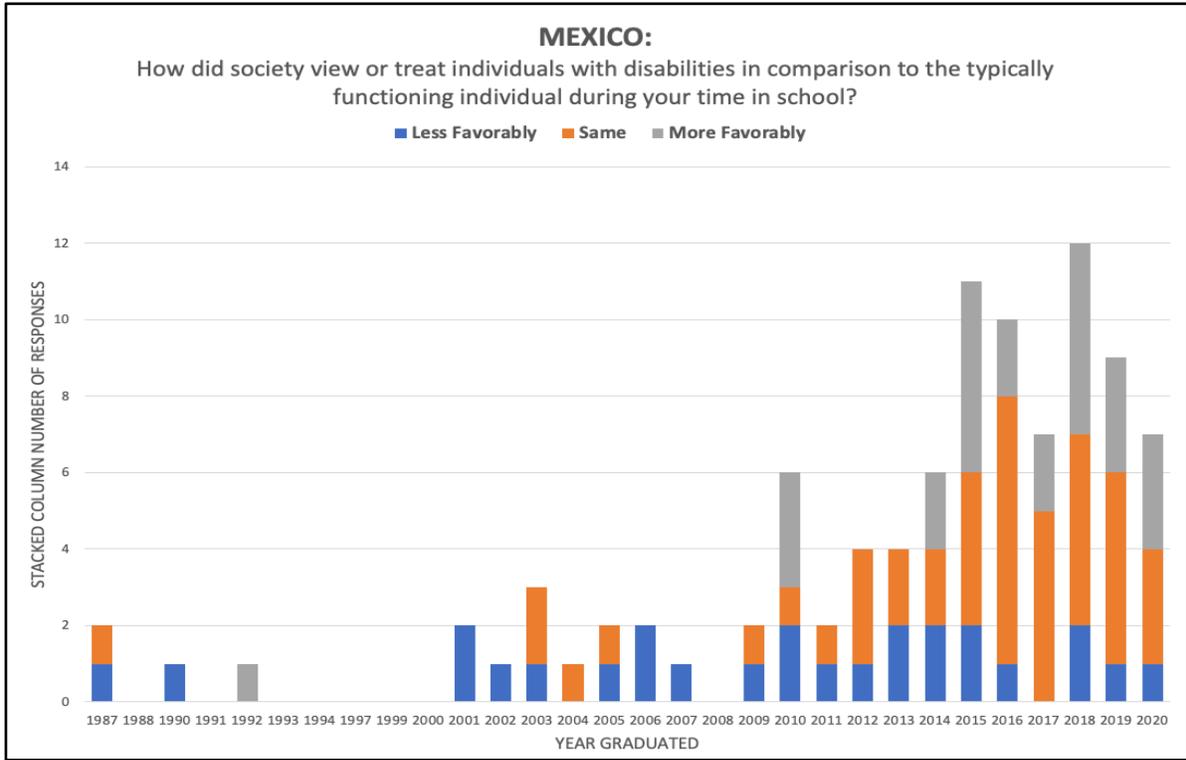


Figure 8. Opinion on how society viewed individuals with disabilities prior to respondent's graduation year in Mexico.

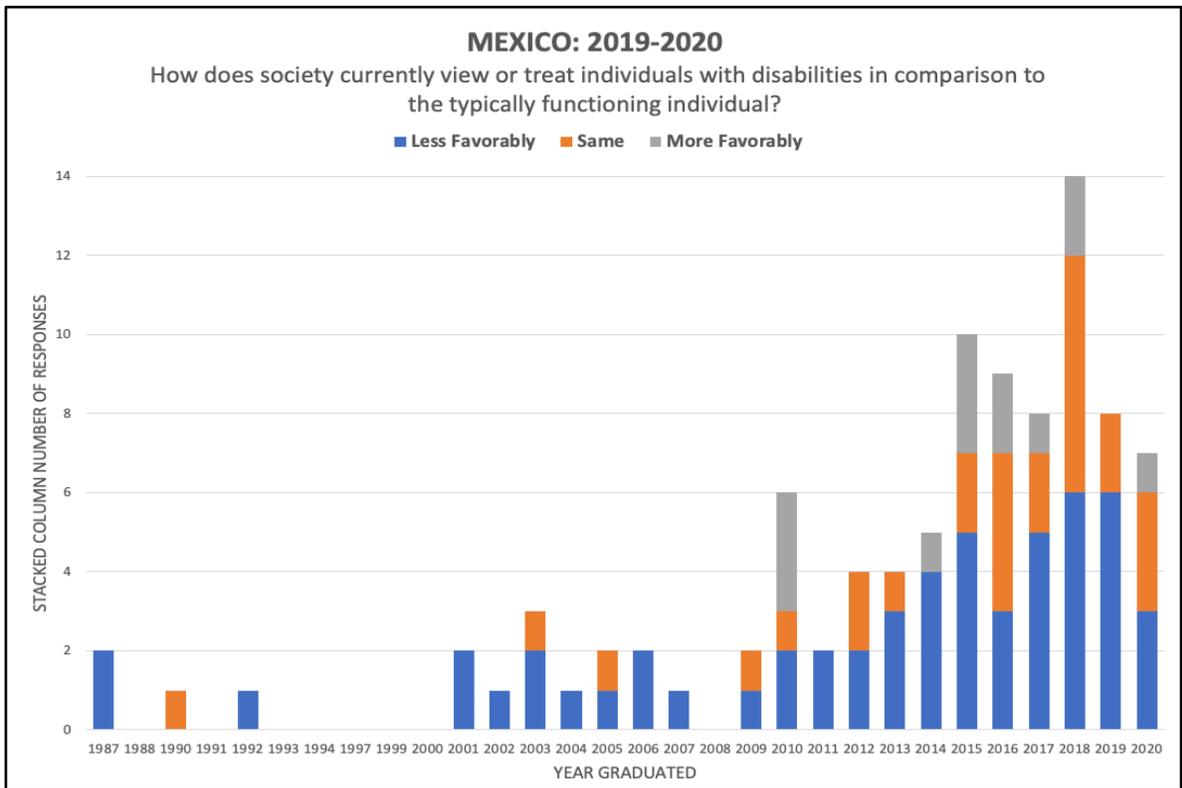


Figure 9. Opinion on how society viewed individuals with disabilities present day in Mexico.

Questions also probed into respondents that have a child who currently or has used special education resources. According to the results of the questionnaire, 22 of the volunteers have children who use or have used special education programs in their schools in both countries. These parents were also asked to share a positive and negative aspect of their child's program. The majority were satisfied, rather satisfied, or very satisfied with the resources of special education. Some thought the programs to be successful because their children had support in their classes in order to reach their academic potential. Overall, they thought special education programs are positive because not only does the program help students with disabilities, it promotes all students in school to be more open, tolerant, and understanding of diversity. On the other hand, they believed that a negative aspect of the special education program is that there is still a level of segregation of certain students with disabilities. Sometimes, they are isolated from the other students within the school for a large part of the day and there are not as many extracurricular programs for students with disabilities as the other students.

Question 16 in the questionnaire encompasses opinions about the improvements that may effectively be executed in special education programs. The majority stated that they believe that special education needs more funding in both countries. This includes additional specialized education offerings in universities to educate people with instructing students with disabilities. A summary of concerns and areas in need of improvement for both countries gathered through responses is listed below:

- Teachers may be intimidating towards parents during meetings (i.e. an IEP meeting). Parents may feel confused and are afraid to ask questions or are unsure of which questions to ask. The whole process is beneficial in concept for the children; however, communication can be improved between the school, doctors, and family.
- Communication improvement to advocate for services to help the child's growth and development.
- Improved representation of all people with disabilities in mainstream entertainment, literature, advertisements, and media. This can improve the societal view of people with disabilities and teach others to value each person's capabilities.
- Improved teacher development to set high expectations and show compassion towards students with disabilities. The special education program can depend on the type of

teacher (i.e. one may view the student as a burden, while another may go above and beyond to help the student succeed).

- Adapt existing or create extracurricular programs and social opportunities within the school for students with disabilities. This will help negate the social stigma and peer isolation still experienced in schools today.

LIMITATIONS AND FURTHER RESEARCH

After completion of this research survey, several limitations and areas recommended for further research were identified. These consist of considerations of including people with disabilities to be involved in the participant demographic and recognizing different factors that may have influenced or skewed the research results.

Question 7 and 8 of the questionnaire inquired if the subjects used special education resources in order to obtain perspectives from people with disabilities. However, the number of responses were negligible and insufficient to analyze the data. A more in depth questionnaire tailored specifically for individuals with disabilities to learn about their experience in special education programs is an area for future study. Furthermore, individuals with cognitive disorders may be limited in their abilities to comprehend the questions; therefore, the survey would have to be completed by their guardian. This challenge complicates the process and may require further approval from the IRB in order to involve a specific minority group of human participants.

Several factors that may have affected the different attitudes discovered in the results may include a participant's socioeconomic status, location of residency in their country, language proficiency, cultural background, available accessibility resources, educational background, marital status, urban vs. rural lifestyle. These demographics need to be taken into consideration for future research to understand if the attitudes seen in certain questions form a trend for each statistic. Furthermore, additional survey questions to identify this area may investigate the discrepancies of why the private school percentage is almost equivalent to the public school, and why people thought, on average, that individuals with disabilities are treated less favorably in the present compared to when they graduated high school.

Another factor that may have influenced the results was the wording and placement of certain questions in the questionnaire. For example, question 5 and 17 referred to both societies' views of people with disabilities during their time in school and current day. These questions are

very similar yet were placed towards the beginning and end of the survey instead of next to each other. Also the current wording of these two questions could be interpreted in different ways than intended and need to be more precise and condensed for future study. Changing the location and phrasing of questions such as these may enhance analysis of the societal viewpoints of each country.

CONCLUSION

The culture, legislation, and educational systems in Mexico and the U.S. have admittedly advanced in all areas since the 1950s, but there are still needs for improvements. Both countries passed many laws and created programs to educate students with disabilities in their respective school systems. This includes the Rehabilitation Act of 1973, IDEA, ADA, General Law of Education, General Law for the Inclusion of Individuals with Disabilities, GLIID, and the GLPRGBA. The United States began efforts earlier in terms of the years the laws were passed, however, Mexico is following similar footsteps.

Special education programs require more funding and need more qualified and capable teachers to support the specific needs of each student using special education services. The lack of confidence and apprehension among some teachers regarding students with disabilities can be overcome with more exposure and professional development. “A study carried out to compare the attitudes of teachers towards students with disabilities in Haiti and the United States showed that teachers are more likely to change their attitudes towards inclusion if other teachers demonstrate positive attitudes and a supportive school culture exists” (Officer 36).

Inclusive mainstream education is the best way to help change social bias and intolerance and avoids isolating children with disabilities from the world (Officer). Supporting participation of families, communities, teachers, and students with and without disabilities can help develop successful new policies and future access to enhanced educational resources. It is critical for both countries to promote the participation of every individual to be intentional in order to produce successful learning outcomes. Valuing diversity, equity, and inclusion will provide a safe and supportive environment for all students in the United States and Mexico.

APPENDIX A

GOOGLE FORM SURVEY

Special Education in the United States & Mexico / La educación especial en Estados Unidos y México.

ENGLISH:

For this research project, this survey is obtaining viewpoints in order to compare the special educational systems in the United States and Mexico for use in an undergraduate thesis.

Completion of this form and 18 questions is strictly voluntary. You do not have to answer any questions you do not want to and may end this survey at any time by pushing the submission (submit) button at the bottom of the page. The survey will not ask for your name or any other information that could identify you. Responses will be kept confidential and all information will be used only in a manner that is consistent with the University's Institutional Review Board requirements. If you have any questions, the researcher's email is provided. Elena Hammann: ehammann@murraystate.edu

ESPAÑOL:

Para este proyecto de investigación, este cuestionario está obteniendo puntos de vista para comparar los sistemas de educación especial en Estados Unidos y México para uso en una tesis de licenciatura.

Completar el cuestionario de 18 preguntas es voluntario y tomará aproximadamente cinco minutos. No tiene que responder ninguna pregunta que no quiera y puede finalizar el cuestionario cuando quiera al hacer clic en el botón de enviar ("sumbit") en el final de la página. El cuestionario no le pedirá su nombre ni otra información que puede identificarle. Las respuestas son confidenciales y toda la información se usará solo de acuerdo con los requisitos de la comisión revisora de la Universidad. Si tiene unas preguntas, el correo de la investigadora se proporciona a continuación. Elena Hammann: ehammann@murraystate.edu

- 1. Where did you attend primary and secondary school? / ¿Dónde asistía la escuela primaria y preparatoria?**
 - United States / Estados Unidos
 - Mexico / México
 - Other / Otra:
- 2. What year did you graduate high school? / ¿En qué año se graduó de la preparatoria?**
 - Fill in the blank / Rellene el espacio en blanco
- 3. What type of school did you attend? / ¿Qué tipo de escuela asistió?**

- Public / Pública
- Private / Privada
- Both / Las dos
- Other / Otra:

4. Did students with special needs attend your school? / ¿Estudiantes con necesidades especiales asistieron a su escuela?

- Yes / Sí
- No
- Maybe / Quizás

5. In your opinion, how did society view or treat individuals with disabilities or special needs in comparison to the typically functioning individual during your time in school? / En su opinión, ¿cómo trataba la sociedad a las personas con discapacidades o necesidades especiales en comparación con el individuo que normalmente funcionaba durante su tiempo en la escuela?

- Individuals with special needs were treated the same / Las personas con necesidades especiales eran tratadas igualmente
- Individuals with special needs were treated more favorably / Las personas con necesidades especiales eran tratadas más favorablemente
- Individuals with special needs were treated less favorably / Las personas con necesidades especiales eran tratadas menos favorablemente

6. Did your school provide special education resources? / ¿Su escuela proveyó los recursos de educación especial?

- Yes / Sí
- No / No

7. Did you use special education resources while in school? / ¿Durante los años en la escuela, usó los recursos de educación especial?

- Yes / Sí
- No / No

8. If you used these resources in school, were you satisfied? / Si usó los recursos en la escuela, ¿estaba satisfecho?

- Very satisfied / Muy satisfecha

- Satisfied / Satisfecha
- Somewhat satisfied / Poco satisfecha
- Neither satisfied nor dissatisfied / Ni satisfecha ni insatisfecha
- Somewhat dissatisfied / Algo insatisfecha
- Dissatisfied / Insatisfecha
- Very dissatisfied / Muy insatisfecha
- N/A / No se aplica

9. If you have children, what country did or does your child attend school? / Si tiene hijos, ¿en qué país asisten o asistieron a la escuela?

- United States / Estados Unidos
- Mexico / México
- Both / Los dos
- N/A - I do not have children (Skip to question #15) / No se aplica - No tengo hijos (Continúa con la pregunta # 14)

10. What type of school did or does your child attend? / ¿Qué tipo de escuela asisten o asistieron sus hijos?

- Public / Pública
- Private / Privada
- Both / Las dos
- Other / Otra

11. Do students with special needs attend your child's school? / ¿Asisten a la escuela de su hijo las estudiantes con necesidades especiales?

- Yes / Sí
- No / No
- Maybe / Quizás

12. Do you have a child who used or currently uses special education programs? / ¿Su hijo usaba o usa en este momento los recursos de educación especial en la escuela?

- Yes / Sí
- No / No

13. If your child uses or used resources in school were or are you satisfied? / Si su hijo usaba o usa los recursos en la escuela, ¿estaba o está satisfecho?

- Very satisfied / Muy satisfecha
- Satisfied / Satisfecha
- Somewhat satisfied / Poco satisfecha
- Neither satisfied nor dissatisfied / Ni satisfecha ni insatisfecha
- Somewhat dissatisfied / Algo insatisfecha
- Dissatisfied / Insatisfecha
- Very dissatisfied / Muy insatisfecha

14. In your opinion, what is a positive aspect of special education in your country's schools currently? / En su opinión, ¿cuál es un aspecto positivo de educación especial en las escuelas de su país en este momento?

- Comment Box

15. In your opinion, what is a negative aspect of special education in schools currently? / En su opinión, ¿cuál es un aspecto negativo de los programas de educación especiales en las escuelas en este momento?

- Comment Box

16. In your opinion, what are some improvements that could be made to the special education systems in your country? Please explain below. / En su opinión, ¿cuáles son algunas mejoras que podrían hacer se al sistema de educación especial en su país? Por favor, explique.

- Comment box

17. In your opinion, how does society currently view or treat individuals with disabilities or special needs in comparison to individuals without disabilities or special needs? / En su opinión, ¿cómo trata la sociedad a las personas con discapacidades o necesidades especiales en comparación con el individuo sin discapacidades o necesidades especiales en este momento?

- Individuals with special needs are treated the same / Las personas con necesidades especiales son tratadas igualmente
- Individuals with special needs are treated more favorably / Las personas con necesidades especiales son tratadas más favorablemente

- Individuals with special needs are treated less favorably / Las personas con necesidades especiales son tratadas menos favorablemente
- Other / Otra:

18. Any additional comments please answer below. / ¿Más comentarios o pensamientos? Por favor responda a continuación.

- Comment Box

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