

# Board of education v. amy rowley case study examples

[Sociology](#), [Communication](#)



## **Abstract**

The Individuals with Disabilities Education Act (IDEA) is a Clause statute. Its main aim is to guarantee that all children with a disability access free and appropriate public education. Each district is given the mandate to create a specialised education program for each child with a disability. An individual and a county have to satisfy certain requirements to obtain funds from the Education for all Handicapped Children board. The petitioner Amy Rowley demanded this hearing after being denied a sign interpreter in her regular classrooms in Furnace Woods.

Keywords: Individuals with Disabilities Education Act, special education, disability, individualised education program

## **The Background of the Case**

At the heart of this case is the Education for All Handicapped Children Act. It was enacted in 1975 and it is aimed at providing federal funds to state and local agencies for educating handicapped children. An extensive list of requirements must be fulfilled if the agencies are to be proven worth of these funds. It sheds light on statutory interpretation (Herring, 2004).

The Individuals with Disabilities Education Act (IDEA) is found in act 84 Statute 175. It is a Spending Clause statute and its main aim is to make sure that children with disabilities ( both learning and physical) have access to free appropriate education. Most of the disabled children at the time had no specialised education programs. As such, they were totally alienated, and it was almost impossible to access public education (Board Of Education Versus Amy Rowley 458 U. S. 176, 1982). Schools in all districts were given

the mandate to create an individualized education program (IEP) that will cater especially to each child with a disability.

The respondent in this case is Amy Rowley, a student with special needs together with her parents. The petitioner is the board of education of Hendrick Hudson Central School District. The respondent suffers from a hearing problem. Her parents insisted that she be provided with a trained sign interpreter which was necessary for her education past kindergarten (Herring, 2004).

After excelling in her kindergarten education, the respondent was taken to regular classes. Here, her parents believed that she should be provided with a sign interpreter. However, evidence showed that she excelled exceptionally in her classes and that there was no need for such. On the other hand, the parents argued that she was not receiving a suited education as required by Individuals with Disabilities Education Act. The case was heard before Justice Rehnquist.

## **The Case**

In the case, the court and hearing officers were given the mandate to give meaning to the phrase “ free and appropriate education”. This is found in the 1975 act of Education for All Handicapped Children Act. At the District Court, it was concluded that Amy was well adjusted to the regular classes without an interpreter (458 U. S. 176, 1982). Evidence was based on the fact that she excelled in her academics and communication skills. The pertinent question was whether she would have been capable of performing so well in these crucial fields if she could not hear.

The court ruled in favor of Amy insisting that she did not receive ' free and appropriate public education'. It was argued that there existed a disparity between her potential and her achievement. If she had been provided with a sign interpreter, maybe she would be capable of performing better than she was. According to the court, appropriate education in this case involved " an opportunity to achieve full potential commensurate with the opportunity provided to other children." (id., at 534 as cited in 458 U. S. 176, 1982). The parents appealed the decision of the lower courts. The district courts of appeal could not agree on a single ruling. Two questions arose from the disparity in the performance of Amy Rowley. First; the interpretation of the phrase ' free and appropriate education' and how it applied in this case. Secondly, the role of the state in the interpretation of this phrase as found in the disability act.

### **The Issues of the case**

The first issue of the case was based on the argument on the interpretation of the disability act. One of the definitions found within the Act is that " free appropriate public education" entails access to specially designed educational instruction. This is specific to each and every child's needs. The child is expected to benefit from this so that they feel like any other normal child. This is what determines the adequacy provided by this act (458 U. S. 176, 1982).

Moreover, the instructions to be provided in this sense have to be under public supervision. They also have to be catered for by the public. They have to meet all the standards of education and be in conformation with the

individualized educational program (IEP). This implies that the child has to benefit from the instruction. The issue in the case was whether or not this phrase had been satisfied in this manner. It was apparent that free and appropriate education was missing in this case. The clause did not call for assessing the student's academic performance like the school administrators had done.

At some point it was argued that there was no substantive prescription of the level of education to be satisfied. This worked in favor of the school administration, a fact that was dismissed at the court of appeal. The history of the act was expounded upon with an aim of further understanding the statutory definitions of this act. This proved to be one successful and standard way of interpreting 'free and appropriate education'. Basically, the arguments were centered on this interpretation. It seems that the interpretation determined the final ruling and thus it was of concern to ensure that it was correct.

## **The Ruling of the Case**

Initially, the ruling was in favor of the Board of Directors of Education, Furnace Woods and others. However, the district court of appeals was forced to review the evidence and the definition of the phrase as found in the Disability Act. The case was then ruled in favor of the respondents. This was after the realization that the evidence was counter balanced and the definition of free and appropriate education was not complete. Needless to say, the hearing officers and other amicus curiae believed that the evidence provided explicitly showed that the phrase had not been fully interpreted

(458 U. S. 176, 1982). As such, it was necessary to review the case and strengthen it with historical interpretations of the clause.

## **The Impact of the Ruling**

The respondent together with her parents were fully compensated by being provided with a sign language interpreter. Progress of Amy Rowley would then be monitored for any improvements. This would be used for or against the maintenance of the sign language interpreter. By passing the Act, the congress made education available to all handicapped children in a manner that they would be capable of exploiting their potentials to the maximum. The process where history was used to translate the meaning of appropriate education set certain precedence for such cases. This provided a measure of reference in case the court was at loggerheads on the translation of the phrase. Moreover, the difficult journey in reaching the interpretation of this phrase meant that there was need to develop a standard measure of interpretation.

## **Supporting and Precedence Case Law**

There have been various cases where the statute interpretation has been inferred upon. In this case, it was the discretion of the judges and the court to decide on the interpretation of the phrase as found in that act. For instance; in 1971, the case on Pennsylvania Association for Retarded Children versus Commonwealth of Pennsylvania (PARC), 334 F. Supp. 1257 and in 1972, case number 343 F. Supp. 279 (ED PA). These two cases inferred on the interpretation of free and appropriate education. The other case was Mills versus Board of Education of the District of Columbia, 343 F.

Supp. 866 (DC 1972). This was a case against the exclusion of handicapped children from accessing public education. In all these cases, it was argued that there was need to provide all handicapped children with free public education. There should also be a way of enabling them to explore their potentialities.

## **Closing Thoughts**

The Court's opinion on the interpretation and enactment of this act relies heavily on how it is stated. Initially, American children had been alienated from the public school system. The ones who had access to it were receiving inappropriate education. After the act was enacted in a gazette, it was possible for these children to access education just like any normal child. However, the way this act is stated brings a lot of problems in its interpretation. There is need to correct this and generate a standard way of interpreting this act. This is for purposes of simplifying these types of cases, and allowing children with disability to have access to the education they require.

## **References**

Board Of Education Of The Hendrick Hudson Central School District, Westchester County, Et Al., Versus Amy Rowley, By Her Parents, Rowley Et Al. (1982). 458 U. S. 176.

Herring, J. (2004). Criminal Law: Texts, Cases and Materials. Oxford: Oxford UP.