

Ignorance is Not Bliss; It Is the Fastest Way to Litigation: What Principals Need to Know about Special Education

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Abstract

This study investigated the foundational knowledge and skills new building leaders need to navigate special education aspects of their roles. A survey of 104 special education professionals in Minnesota ranked 18 topics related to special education on their importance for principal preparation programs. The top priorities were discipline issues involving students with disabilities, the principal's role in IEP meetings, integrating students with disabilities, and special education law. The findings recommend enhancing principal preparation curricula with comprehensive training on IEP processes, discipline protocols, inclusion strategies, and continuous professional development on special education law. Practicum experiences requiring special education processes are advocated to be included in preparation programs.

Key Words

principal preparation, special education, aspiring leaders, children with disabilities

According to the National Center for Education Statistics (2023), during the 2021-22 school year approximately 15% of all students aged 3 to 21 received services under the Individuals with Disabilities Act. Some states and territories exceed the average with New York and Pennsylvania both reporting 20% of students requiring special education services. Puerto Rico identified over a third of its students as needing special education services (NCES, 2023).

A recent article in AASA's *School Administrator* spoke to "the troubling lack of special education know-how" among practicing principals on addressing special education issues in their buildings (Hughes, 2024). However, this is not new and has continued to be an ongoing concern.

Prior research reported that principals do not have the experience or knowledge to competently lead efforts to create learning environments where students with disabilities can be successful (Katsiyannis, Conderman, & Franks, 1996; Parker & Day, 1997). A 2003 study of principals identified information about and implementing special education as their area of greatest need (Di Paola, Tschannen-Moran, & Walther, 2003). According to Di Paola, Tschannen-Moran, & Walther (2003), many principals lack the necessary coursework and field experience to lead special education programs effectively.

Principals need a solid understanding of disabilities, special education laws (e.g., IDEA and NCLB), and more information on research-based instructional practices to support students with disabilities and special education teachers. A study by Praisner (2003) focused on elementary-level principals and similarly reported that special education issues were only considered within a small portion of the curricula within administrative preparation

programs. Sun & Xin (2019) found in their study of principals' preparedness to address special education issues that those principals surveyed "didn't have enough knowledge of special education and haven't been fully engaged in special education" (p. 110).

The Minnesota Administrators for Special Education (MASE) presented to the Minnesota Board of School Administrators (BOSA), the state organization responsible for licensing school administrators, in October 2021 to encourage BOSA to put more emphasis on the needs of children with special needs during the principal preparation process.

The MASE presentation identified several reasons for why principal preparation programs need more special education content including that many difficult decisions principals face are related to special education or Section 504 accommodations. (Klaber, et al., 2021). Horrocks, et al. (2008) seem to have raised a similar concern that special education is not included in preparation programs as it is not required.

The lack of preparation appears to not be limited to the United States. Garner and Forbes (2013) reported that professional development programs for school leaders do not include emphasis on inclusive education and that lack of preparation leads school leaders to avoid crucial special education decisions. Sider, et al., (2017) conclude that there was a lack of special education support in preparation programs via a small qualitative study of 15 principals and five other educational stakeholders including a parent and a student. Sider, et al. (2017) felt additional pre-licensure and ongoing professional development in dealing with students with special needs was needed by school administrators. One of the few outliers was Wakeman, et al., (2006), in their study of 362 members of the NASSP, they found that

principals reported being “well informed in fundamental [special education] issues” p. 153.

Background

In the past twenty years, there has been little scholarly review of the needs of aspiring principals regarding students with special needs. There is little in the literature specifically on point about what aspiring principals need to know about special education as they prepare for building leadership. Goor, Schwen, and Boyer (1997) wrote that principals should be able to address four areas of concern regarding special education students: classroom management and discipline, effective and frequent instructional feedback, use instructional materials with low error rates and high correct response rates, and allowing students some control over their learning environment.

They suggested including ten specific items within case studies for aspiring leaders including the specific needs of parents in IEP meetings, eligibility requirements for services, and concerns from general education student’s parents about service delivery in the classroom (Goor, Schwen, & Boyer, 1997). In 2002, *Principal* magazine included several articles about the need for the principalship to be reworked considering the changes being brought about due to No Child Left Behind (NCLB). Unfortunately, none of those articles addressed working with students with special needs (Kennedy, 2002; Quinn, 2002, Murphy, 2002).

Horrocks, et al., (2008) focused on the needs regarding principals and autistic students. However, their results appear to be generalizable to all students with disabilities. They emphasized the lack of special education related preparation for principals stating it is essential for principals when making placement decisions for children with special needs. They recommended revising certification programs

to require mandatory coursework and practicum experiences in special education particularly focusing on autism and other severe disabilities.

In 2008, *Principal* magazine produced a special issue with a focus on how principals can collaborate with special educators. It included articles on collaborating with special education administrators, working with students on the autism spectrum, and working with students with disabilities (Green, 2008; Reynolds, 2008; & Zirkel, 2008). The article subtitled, “Inclusion shouldn’t be seen as a threat to a school’s learning environment” (Reynolds, 2008) generally supported the need for regular and special education staff to work as a team.

There was an emphasis on the need for collaboration and a view that “organized special education services were an integral part of the school structure” (Green, 2008, p. 14) and not simply an appendage to core programming. While the articles did not provide specific processes to follow to better embrace children with special needs and their support staff, they were generally encouraging.

Cobb (2015) articulated the challenges of principals in special education and the necessity for professional development programs that prepare principals for their multifaceted roles in special education leadership. He raises concerns about outdated coursework, a lack of real-world applicability, and insufficient internships and mentoring related to special education within leadership preparation programs. According to De Matthews, Kotok, & Serafini (2019), many leadership programs lack a strong focus on special education and inclusive practices, leaving principals underprepared to lead inclusive schools effectively. As late as 2016, one new principal preparation program highlighted in literature as a “model for

developing an interdisciplinary program” didn’t even mention students with disabilities or special education issues (Smith & Somers, 2016).

Methodology

The research question then became: *What are the foundational knowledge and skills that new building leaders need to be able to navigate the special education facets of their instructional and managerial roles?* Wakeman, et al., (2006) used five common areas of special education principal knowledge, 1) professional practice, 2) “all teachers teaching all students” (p. 155) or inclusionary practices, 3) Characteristics of disabilities, 4) legislation, and 5) learning differences. These were based on materials primarily from the *Council for Exceptional Children*.

They additionally added current issues or the reaction to innovations in practice. Such a current example would have been the shift to remote learning which occurred during the COVID-19 pandemic. As a Minnesota-based researcher, it seemed practical to use the Minnesota BOSA competencies as a starting point for identifying core topics to ensure they were covered. Those topics were then shared with several collaborators with special education expertise including those connected

to MASE. A list of 18 topics was ultimately identified (See Table 2, page 11). Those topics were then included in a survey sent to all the members of MASE who had an active email address. Participants were asked to rate each topic from Vital (5) to Unimportant (1) on a five-point Likert scale. Additionally, the survey offered participants the chance to add additional topics they felt would be vital (5) or important (4). One final open-ended question asked for any other insights or feedback that would be helpful to revise principal preparation curricula.

Findings

One hundred and four respondents took the survey. The survey began with several demographic questions. The result of previous education experience as a classroom teacher or principal is presented in Table 1 (page 8). Most respondents were current special education directors or in similar roles (85%), eight percent were building principals or assistant principals, three were superintendents, one was an assistant superintendent and one a director of teaching and learning. Two worked for state agencies. The largest group of respondents had been in their role between four and ten years (46%), with 41% having served less than four years. Twelve percent had served more than ten years.

Table 1

Previous Educator Experience

	Served as a PK-12 Teacher	Served as a Building Principal
Yes	79	32
No	23	69

The 18 topics were ranked by the respondents on a five-point Likert Scale ranging from Vital (5) through Important (4), Useful, but not immediately necessary (3), nice to know (2), to Unimportant (1). The topics were generally ranked towards importance with a range from 4.48 to 2.48 with a standard deviation of $SD = .499$.

Among the topics, *Discipline issues for children with special needs & Manifestation Determination* was considered the most important topic with 82% of the respondents identifying it as a vital (5) topic and all others identifying it as important (4). It had a Likert score of 4.48 out of a possible 5.0. It was the highest rated item by those who had served as a principal (4.17) or those who served as a classroom teacher (4.38). It was the only topic scored overall as two standard deviations about the mean. It was the only item rated 4 or higher by all respondents. The second most important topic was identified as the *Principal's role in the IEP process. How to integrate students with typically developing peers* and *Special education law* completed the top four topics among all respondents as well as those who had

previous experience as a classroom teacher and or as a principal. These four topics were ranked more than one standard deviation about the mean by all respondents as well as those with classroom teaching experience. They were the four highest rated topics by those with principal experience as well.

The most important topic elicited 25 comments. Many included the terms “crucial,” “very important,” or “vital” within their response. The key issues included the need to work around the ten-day suspension rule, the need to fully understand the concept of manifest determination relating to their disability, and the need to work collaboratively with special education staff. One person wrote that it was important to remember that “discipline is a consequence and not a punishment.” Several comments throughout the survey, and not simply related to this topic, commented on the need for principals to specifically understand the needs of students with emotionally and behaviorally disturbed (EBD) students and that their behaviors were due to medical or emotional issues and not a simple desire to act out.

The topic of the *Principal's role in the IEP process* saw 29 comments from participants. Those comments can be summarized in the following: Principals play a crucial role in the IEP process by understanding IEP components, legal requirements, and their responsibilities as district representatives. They need to support and advocate for students with disabilities, ensuring that general education teachers follow IEPs and provide necessary accommodations. Effective collaboration with special education staff and active participation in meetings are essential for creating tailored plans for student success. Understanding financial resources, such as funding and Medicaid billing, and how these influence special education services is vital. Ultimately, principals must create an inclusive environment, valuing teamwork and parent engagement while maintaining awareness of due process and timelines.

How to integrate students with typically developing peers received 24 comments. Overwhelmingly, they focused on the need for principals to understand the concept of “least restrictive environment: and having the ability and desire to support such placements. One respondent wrote “Advocating and supporting special education teachers is integral to upholding Least Restrictive Environment standards. Having ideas to support this is very helpful.” Others wrote that principals need to support the benefits of inclusion and integration of students with special needs into regular programming. One response was “[principals] Don't need to know all the specifics of how but need to create a culture that doesn't tolerate ableism.”

Special education staffing elicited 33 comments. The comments were grouped under five themes. The first was the need for principals to understand what constitutes a high-quality special educator; they also need to fully understand how licensing works within

special education. Caseloads and staffing models were another issue specifically mentioned. Particularly how low-incidence disabilities can impact caseloads. A fourth issue was collaborating with district administrators to effectively utilize staff and other resources was another theme mentioned regarding staffing. Under additional topics to cover, several comments were made that spoke specifically for the need for principals to understand effective ways of using paraprofessionals and when they were appropriate to be provided within the scope of effective practice. One comment read “Paras are over utilized and a tremendous drain on resources in most traditional school buildings. Other than to support medical needs or assist level 3 or higher students to mainstream, paras waste district resources.”

The topic of *Special education law* attracted a wide range of comments. The related topic, *Current legal issues and litigation regarding special education*, ranked 10th overall. Overall, 25 special comments were left regarding *Special education law*. Twenty-six addressed current litigation. One respondent wrote that “Ignorance is not bliss; it is the fastest way to litigation.” Understanding that the law constantly changes and the need to rely on directors of special education to keep principals informed was a common thread. The need for regular updates for principals on changes in special education law and regulations was articulated in several places throughout the survey. Several comments specifically addressed the concepts of direct service minutes, compensatory services, and extended school year (ESY) services.

The relationship between 504 plans and IEPs, Curriculum modifications and adaptations, Continuum of alternative placement, and Transition services filled out places six, seven, eight, and nine in the overall ranking of topics. These topics received 15, 18,

17, and 23 comments respectively. The comments regarding 504 plans and IEPs focused on the fact that principals need a broad understanding of 504 plans, recognizing them as legally binding documents akin to IEPs. They should understand the differences and similarities between 504 plans and IEPs, supporting their implementation and ensuring compliance. Further comments suggest relying on the expertise of school counselors and special education teams is crucial. The need for principals to be cognizant of changing laws and qualification requirements was reinforced as well.

Relating to the modification, placement, and transition topics, respondents commented that principals must understand and enforce the implementation of accommodations and modifications by regular education teachers. Holding regular education teachers accountable while fostering a supportive culture for diverse learners was a primary concern. As instructional leaders, they should guide teachers through differentiated instruction and collaborate closely with curriculum and special education departments to ensure effective practices. Principals also need a solid grasp of the process and requirements for moving students to more restrictive settings, ensuring decisions are data-driven and support-focused and are not emotional or based upon staff or parent pressures. They repeated the desire for collaboration with special education experts and leadership. Several mentioned that transition was only a topic needed for high school principals.

The item ranked as 11 was *Understanding the grief cycle some parents of children with special needs experience*. This seems low considering it was a key point of the MASE presentation to BOSA in October 2021 (MASE, 2021). The 14 comments related to this topic were somewhat bifurcated. Overall, 50% of the respondents identified this topic as

important (4), while 16% found it vital (5) and 13% identified it as nice to know (2). The majority of comments emphasized the importance and benefits of understanding the grief cycle particularly as it related to building positive relationships with parents. Some comments felt that a basic understanding of empathy and social skills would serve principals just as well. One special education director wrote “I’ve been in the field of special ed for 38 yrs. I’m not sure I understand the grief cycle, it’s so different for each individual.” Another comment was that they felt this was a more important issue for early childhood administrators who are dealing with parents who may still be adjusting to their child’s issues.

Types of disabilities under the law and Related services (OT, PT, SLP, etc.) were ranked as 12 & 13. *Types of disabilities* only generated nine comments among the respondents. *Related services* gathered 21 comments. The comments under *Types of disabilities* were summed up by this comment, “Need exposure to the frequently identified categories and a broad understanding of qualification.” *Related services* comments generally identified that principals could rely on special educators to support these services but that they should understand the basics of the types of services offered. As most such providers are itinerant, moving between multiple buildings, it was mentioned that principals need to make these service providers feel welcome and part of the staff.

The topics ranked as least important overall were *Understanding and being able to calculate maintenance of effort needs*, *Assistive technology services*, *Understanding special education funding*, *Engaging with external resources for parents and families*, and *Sources of funding, federal, state, and local*. Those with principal experience rated understanding *Assistive technology services* several places

higher than all respondents or those with classroom experience. With the current explosion of generative AI-based tools, it seems like assistive technologies should be on the radar of aspiring principals as well as all educators. Another place where those with principal and classroom experience differed was in rating Transition services.

Overall, *Transition services* was rated as the 9th most important item, but those with principal or classroom experience both ranked it lower at 12th. The low ranking of the finance items is, in the researcher’s opinion, as principals rarely make most of the related financial decisions. It should not be assumed that the low values assigned to those topics are

due to financial abundance in special education programming. Pulkkinen & Jahnukainen (2016) identified that 78% of principals in their survey said that special education needs were much greater or somewhat greater than available resources. Lieberman’s article in a 2023 issue of *Education Week* found that the federal government is having difficulty meeting its mandatory 40% of funding for special education programming due to the increase of students identified as having special needs. Lengreo (2022) found that the special education funding system is “fundamentally broken.” Leaving administrative preparation programs to make sure aspiring principals understand how to work within the current financial system.

Table 2

Rankings of Topics by Respondent Groups

<u>Topic</u>	<u>All</u>	<u>Rank</u>	<u>Rank by</u>			<u>Rank by those who Taught</u>
			<u>Those who served as Principals</u>	<u>those who served as Principal</u>	<u>Those who Taught</u>	
Discipline issues for children with special needs & Manifestation Determination	4.4	1	4.17	1	4.38	1
Principal's role in the IEP process	4.1	2	3.81	4	4.05	2
How to integrate students with typically developing peers	4.1	3	3.89	2	4.01	4

Special Education Law	4.0	4	3.83	3	4.02	3
	7					
Special Education Staffing	3.7	5	3.56	6	3.74	5
	8					
The relationship between 504 plans and IEPs	3.6	6	3.61	5	3.55	6
	2					
Curriculum modifications and adaptations	3.5	7	3.42	8	3.51	7
	9					
Continuum of alternative placements	3.4	8	3.50	7	3.46	8
	9					
Transition services	3.3	9	3.11	12	3.24	12
	4					
Current legal issues and litigation regarding special education	3.3	10	3.33	9	3.28	9
	1					
Understanding the grief cycle some parents of children with special needs experience.	3.3	11	3.31	10	3.27	10
	0					
Types of disabilities under the law	3.2	12	3.19	11	3.24	11
	6					

Related services (OT, PT, SLP, etc.)	3.2	13	2.97	15	3.12	13
	2					
Sources of funding: federal, state, and local	3.1	14	2.97	16	3.02	14
	4					
Engaging with external resources for parents and families	3.0	15	2.83	17	2.98	16
	1					
Understanding special education funding	3.0	16	3.00	14	3.01	15
	0					
Assistive technology services	2.9	17	3.03	13	2.88	17
	4					
Understanding and being able to calculate maintenance of effort needs	2.4	18	2.53	18	2.39	18
	8					

Open-ended Results for Additional Vital Issues

Thirty-six respondents responded to the question *Other topics you feel would be “5-vital”* for new principals. Those responses could be grouped into eight categories, building alliances and collaboration, understanding disabilities and student behavior, policies and practices, roles and responsibilities including the use of paraprofessionals and parent and family engagement. Most of these issues were

generally restatements of the articulated topics.

Under the general heading of roles, one special education director commented that principals need to understand, “What THEIR roles are versus what the special ed director's role is (how to stay in their lane and what's IN their lane to know about).” That was supported by comments elsewhere about the need for principals to collaborate with special education administrators.

Another more positive spin on the concept was represented by “The importance of building a strong alliance with their special education coordinator or director. These partnerships protect not only students/families but also the school district.” The need to further understand the role of paraprofessionals came through with a representative comment being “Paraprofessionals. More is not better. Supervision pieces—how to address personnel issues and support staff. ESPECIALLY for special education.”

When asked for additional “important” topics, 18 respondents provided additional topics for consideration. They were more varied with 14 categories among the 18 responses. Those that were not represented among the “vital” topics included billing and transportation issues along with how students qualify for extended school year services (ESY), the importance of progress reporting and relating those to the IEP process, and early childhood education. That response stated, “many principals lack understanding of Early Childhood Special Education, which is typically not covered in administrative licensure programs.”

Recommendations

Administrative preparation programs should emphasize the importance of managing discipline issues and understanding legal frameworks, as these were highly valued across all groups. Given the significance placed on the principal's role in the IEP process, preparation programs should provide comprehensive training on this topic to ensure principals are well-equipped to handle these responsibilities.

Including requirements for practicum students to engage in IEPs seems like a reasonable requirement to ensure aspiring principals are prepared to lead IEP meetings once they secure a leadership position. Training on effective inclusion of students with

disabilities into general education settings should be prioritized as principals learn to understand the full continuum of placement alternatives. Principals need to understand that they are charged with being responsible for all children within their school including all the diverse needs that students bring each day. That needs to be emphasized throughout the licensure process.

The need to collaborate with special education administrators and utilize them as resources needs to be repeatedly pointed out throughout their coursework and practicum experiences. Principals should be required to spend some portion of their practicum working with special education administrators to better understand their roles and responsibilities.

Principals need to understand the role of paraprofessionals and their scope of practice in instruction and other ways of supporting students. Many preparation programs focus on ensuring principals can supervise certified staff, but in many cases, working with clerical, custodial, and paraprofessional staff members is not addressed. Another issue that should be covered is ensuring that principals are prepared to train paraprofessionals, as well as to train regular education and special education teachers to work with paraprofessionals and how to co-teach.

Though only mentioned twice in the survey comments, indeed, most programs do not include exposure to early childhood programming, yet many elementary principals will work in buildings that include some type of early childhood program. Within the practicum experience, aspiring administrators should receive some formal exposure to early childhood and preschool programming.

Continuous professional development on special education law and current legal issues must be provided to keep educators and

administrators updated on the latest developments. Due to the fluid nature of case law and the constant addition of new statutes and regulations, both pre-service institutions and employing districts must emphasize the need to continuously keep up to date with

special education law and regulations. By addressing these topics, preparation programs can better equip administrators to meet the needs of students with disabilities and ensure effective and compliant special education practices.

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