

# Board of Education v. Rowley, 458 U.S. 176 (1982)

## **PETITIONER**

Board of Education of the Hendrick Hudson Central School District, Westchester County, The  
Commissioner of Education of the State of New York

## **RESPONDENT**

Amy Rowley, by her parents Clifford and Nancy Rowley, and Clifford and Nancy Rowley in their  
own right

# Facts of the case

Furnace Woods School refused to provide deaf student Amy Rowley with a sign language interpreter. Amy was an excellent lip-reader and had a minimal residual hearing. School administrators, along with a sign language expert, determined Amy was able to succeed in school without an interpreter. Amy's parents sued the school on her behalf for violation of the Education of All Handicapped Children Act of 1975. The Act requires all schools that accept federal funds to provide a "free appropriate public education" to all handicapped students. The Act also allows schools discretion in deciding what steps to take to accommodate handicapped students (Oyez, nd).

## Facts of the case cont.

The district court ruled in the Rowleys favor, holding that while Amy was doing better in school than the average hearing student, she was not achieving to her full potential because she was unable to understand as much as she would with a sign language interpreter. The U.S. Court of Appeals for the Second Circuit affirmed (Oyez, nd).

# Procedural History

- Early court decisions set the standard of a FAPE as more than simply providing students access to education but less than the best possible educational program Osborne, 1992 as cited in (Yell, 2019).

# Issues

The high court considered two questions:

(a) What is a FAPE?

(b) What is the role of state and federal courts in reviewing special education decisions (Yell, 2019)?

Rationale (reasons for the holding)

# Dicta

According to Judge Rehnquist, writing for the majority:

FAPE consisted of educational instruction designed to meet the unique needs of a student with disabilities, supported by such services that permitted the student to benefit from education.

Therefore, if individualized instruction allowed the child to benefit from educational services and was provided in conformity with other law requirements, the student was receiving a FAPE.

# Dicta cont.

There was no standard requiring the level of education to give to students with disabilities in the FAHCA.

The ruling was not to be interpreted to mean that every student with a disability who was advancing from grade to grade in a regular school was automatically receiving FAPE.

The FAPE standard can only be arrived at via a multi-factorial evaluation conducted on a case-by-case basis.



# Party's Arguments (each party's opposing argument concerning the ultimate issue)

- The Board of Education contended that the U.S. District Court misinterpreted the term “appropriate education” and the requirements imposed by Congress by which the state receive federal funds. The state was not obligated to maximize the child’s educational benefit.
- The U.S. District Court entered the judgment that Amy was not performing as she would without her handicap. Therefore, it was necessary on the district to assist Amy to achieve her full potential: An equal educational opportunity. The U.S. Circuit Court affirmed this decision.

# Judgment

- The Supreme Court rejected the argument that school districts were required to provide the best possible education to students with disabilities Wenkart, 2000 as cited in (Yell, 2019).
- The Supreme Court also ruled that the special education services provided to a student had to be “sufficient to confer some educational benefit upon the handicapped child” (p. 200) as cited in (Yell, 2019).

# References

Board of Ed. of Hendrick Hudson Central School Dist., Westchester Cty. v. Rowley. (n.d.). *Oyez*.

Retrieved June 3, 2020, from <https://www.oyez.org/cases/1981/80-1002>

Yell, Mitchell L.. *The Law and Special Education* (p. 164). Pearson Education. Kindle Edition.