



*Equity, Opportunity and Inclusion for People
with Disabilities since 1975.*

INCLUSIVE EDUCATION AND IMPLICATIONS FOR POLICY: THE STATE OF THE ART AND THE PROMISE

WHAT THE STATE STATISTICS SAY ABOUT INCLUSIVE EDUCATION

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The No Child Left Behind (NCLB) and the Individuals with Disabilities Education Act (IDEA) represent the two most important laws for the six million students with disabilities in the United States. Both laws provide two important avenues for student with disabilities; NCLB strives to improve the education of students with disabilities in our nation's schools, and IDEA requires specialized services for students with disabilities so that they benefit from their education.

When NCLB was signed into law in 2002, it required states to increase the quality and effectiveness of all elementary and secondary schools and raising the achievement level of all students, in particular students with disabilities. NCLB has four principles:

- Accountability;
- Teaching based on scientific research;
- Parental involvement;
- Expanded local control and flexibility.

In 2004 the IDEA was amended to include several key provisions from NCLB, designed to ensure that students with disabilities are provided with high expectations and access to the general education curriculum to the maximum extent possible. The most important aspect, according to the Commission on No Child Left Behind (2007), of NCLB has been the introduction of the premise that students with disabilities can learn. Furthermore, the accountability requirements in NCLB have made it imperative that students with disabilities gain and receive access to the general education curriculum. The requirements of NCLB underscore the fallacy that the placement of students with disabilities in segregated settings without access to the general education curriculum is a default placement that we should no longer tolerate.

History of students with disabilities

In 1970, more than 1.75 million students with disabilities were completely excluded from public schools. Those few who were deemed "educable" received their instruction in "special" self-contained classrooms and segregated schools attended only by other students with disabilities. Those who were not deemed "educable" received little or no education at all. It was against this background that a series of "right to education" cases concerning students with disabilities reached the federal courts.

The landmark case of *Pennsylvania Association for Retarded Citizens v. Commonwealth of Pennsylvania (P.A.R.C.)* in 1971 established the right of *all* students with disabilities to a public education. *Mills v. Board of Education* closely followed *P.A.R.C.* in time as well as in result. In both cases, federal district courts enforced the right of students with disabilities to access special education in regular education and special education classes, giving us the first expression and enforcement of the least restrictive environment requirement.

In 1975, in response to the “right to education” cases in the federal courts and the shocking statistics uncovered by a congressional investigation, Congress enacted Public Law 94-142, the *Education for All Handicapped Children Act* (“EAHCA”). Components of the EAHCA were based upon the previously enacted Rehabilitation Act of 1973, a federal statute that guaranteed the civil rights of persons with disabilities. The EAHCA required that states seeking federal funds provide to all students with disabilities **a free appropriate public education in the least restrictive environment**. The goal of this statute was to provide students with disabilities *access* to an appropriate public education designed to meet their unique needs by providing instruction with individualized services. Although amendments to the EAHCA in 1990 changed the statute’s name to the *Individuals with Disabilities Education Act* (“IDEA,” “Act,” or “law”), access to an appropriate public education in the least restrictive environment remained the focus of the law.

Major amendments to the IDEA were enacted in 1997. The amendments reinforced or reiterated the IDEA’s purpose of providing an appropriate public education in the least restrictive environment *and* ensuring that students improve and increase their educational achievements. In 2004 additional changes were added to the IDEA, aligning many aspects with the No Child left Behind Act. More than twenty years after Congress first passed P.L.94-142, they added accountability to the law, expanding the focus of the law to embrace the right of students with disabilities to *quality* education.

A free appropriate public education

The Individuals with Disabilities Education Act confers upon students with disabilities (“students”) the fundamental right to a **free appropriate public education** (“FAPE”). The IDEA describes and defines this right in a series of statutory definitions. First, the Act defines FAPE as “special education and related services, which have been provided at public expense.” Then, special education is defined as “specially designed instruction ... to meet the unique needs of a child with a disability...” The Act next defines “specially designed instruction,” providing further clarification by explaining that such instruction means adapting for an individual student “the content, methodology, or delivery of instruction” in order to “address the unique needs of the student” that result from his or her disability.

The successful provision of FAPE alone is not sufficient to meet the requirements of the law. While FAPE represents a primary entitlement, the IDEA contains a second mandate: educational placements in the **least restrictive environment** (“LRE”). This principle is both imposed upon FAPE and is a component of FAPE. FAPE is only legally sufficient if it is provided in the LRE. The LRE is the setting in which students, to the maximum extent appropriate, receive instruction and the services outlined in their IEP in classes *with students who do not have disabilities*. State education agencies are required to monitor their local educational agencies for compliance with the requirements of IDEA, demonstrating the importance that Congress placed upon FAPE and the LRE mandate.

The specially designed instruction that comprises FAPE is described in a student’s **Individualized Education Program** (“IEP”), a document developed by a team of educators, service providers, and the

student's parents. The course of IEP development is the **IEP process**. The process culminates in the IEP document that in turn becomes the basis for determining educational placement. In order to understand the IEP process and its relationship to obtaining inclusive educational placements, one must begin with and understand the meaning of two fundamental terms: the **IEP** and **Inclusion**.

The IEP

The IEP is the heart of the IDEA entitlement. It encompasses the special education and related services that a local school system must provide to a student with a disability so that the student can:

- a) **benefit** from his or her education,
- b) **progress** in the general curriculum, and
- c) have the opportunity to be **educated alongside students without disabilities**.

A student's IEP is unique and spells out specifically how special education services will be provided to that particular student. The process of developing the IEP is the foundation upon which parents, administrators, and teachers build their understanding of the student so that they can design his or her individualized education.

The IEP can be described as the road map of the student's education, guiding the direction in which the student is expected to move, the route he or she will take, and the destination he or she is expected to reach. It defines a student's special education by providing the components and the specifics of the student's free appropriate public education. Those specifics are expressed in terms of the supports and accommodations that will be provided to enable the student to meet the goals of his or her IEP. The IEP also serves as a management and monitoring tool to determine whether a student is actually receiving the services that the IEP states are required to ensure FAPE and whether a local school system is complying with the IDEA.

While the IEP offers no guarantees that the student will meet the annual goals and objectives in his or her IEP, the local school system is obligated to make good faith efforts to assist the student to do so. And, more importantly, the school system is obligated to provide the services and supports that an IEP team identifies and adopts to help the student meet those goals.

Once an IEP is developed, the educational team – including the parent – determines what services will be provided (for example, special education instruction, speech therapy), how much of the day will require special education services, and who will deliver those services. The placement decision comes last. The law requires that services be delivered in the **least restrictive environment**. When the time comes for making decisions about placement, the law has some specific guidelines. Under the IDEA, schools are required to ensure that students with disabilities are:

... educated with children who are not disabled, and special classes, separate schooling or other removal of children with disabilities from the regular education environment occurs only when the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

IDEA, 20 U.S.C.1412(a)(5)

Since students without disabilities generally attend their neighborhood schools and receive instruction in age-appropriate grades with other students from their local community, that is the environment

considered the least restrictive of all. The “neighborhood” school is considered to be the school that the student would attend if he or she did not have a disability. ***Removal or restriction from attending that school or class is only appropriate if it has been demonstrated that the student’s IEP cannot be satisfactorily implemented in that setting, even with supplementary aids and services.***

The law requires require that students with disabilities participate in the general education curriculum, to the maximum extent appropriate, with their peers without disabilities. The law expects that educators will provide accommodations to enable students to access the general education curriculum and will make modifications to instruction or curriculum content to enable students to meet their unique educational goals in the context of general education instruction.

The IDEA clearly specifies that a student may not be removed from a regular education setting solely because of needed curriculum modifications. It is the services, the supports, the accommodations, and the modifications that constitute the student’s individualized education program and, thus, the free appropriate public education to which the student is entitled.

Inclusion

The term “inclusion” is not mentioned in IDEA or NCLB. It is a term that is used by the educational community to refer to how a student participates in school. It is not only referring to placement in general education classes, but to a sense of belonging to a school community as an equally valued member. In order for a student to be truly included, three components are necessary:

- *physical placement* in the age appropriate general education class with access to the physical environments and routines of the school,
- *social interactions* and relationships with peers that are similar to what peers experience, and
- *meaningful participation in the general education curriculum* with supports and services to make progress in that curriculum and on the goals and objectives of the IEP.

Placement in general education classes is necessary for a student to be considered “included,” but it is insufficient to ensure that the educational experience is meaningful. Without positive social relationships, students are more likely to be bullied or socially isolated; without modifications or accommodations to the curriculum, students are likely to be “islands in the mainstream” making their presence in the classroom a sham.

Status of Students with disabilities access to general education curriculum

A review of the data compiled by the U.S. Department of Education, Office of Special Education Programs (OSEP) reveals a lack of fidelity to the mandates of placement in the least restrictive environment:

- **The 28th Report to Congress by the US Department of Education shows great variability in placement patterns among states, and a lack of positive change toward more inclusive practices despite the vast amount of literature and research demonstrating the strategies for and outcomes of inclusive education:**
 - Between 1998-2002, **twenty-five states** experienced a **downward trend** in the number of students with disabilities educated in general education classrooms for at least 80% of the day.

- Between 1998-2002, only **eleven** states experienced an **upward trend** in the number of students with disabilities educated in general education classrooms for 80% of the day.
- The percentage of students with disabilities educated in general education classrooms has increased from 43.4% in 1998 to 48.2% in 2002—**an increase of only 4.8%** in four years.
- **In the 2007-2008 school year, students with developmental disabilities** such as autism, intellectual disabilities (mental retardation), and multiple disabilities **were the least likely to be educated in general education classes for most of the school day**. Examples of the percent of students “included” in general education classes at least 80% of the day were:
 - 12.8% of students with multiple disabilities
 - 15.8% of students with mental retardation
 - 34.5% of students with autism

At least 56.5% of students with mental retardation received *all* of their instruction in a special education classroom or separate school.
- **In the 2007-2008 school year, black students were the least likely to be educated in the general education classroom for most of the school day**, compared to students with disabilities from all other racial and ethnic groups: 48% compared to 61% of white students.
- As students become older, they are less likely to be educated in the general education classroom for most of the school day.
- **Only 2%** of students with disabilities in secondary schools are in Advanced Placement or Honors classes.

Figure 1: Percent of children, age 6-21 with disabilities in the US, placed in general education classes at least 80% of the time

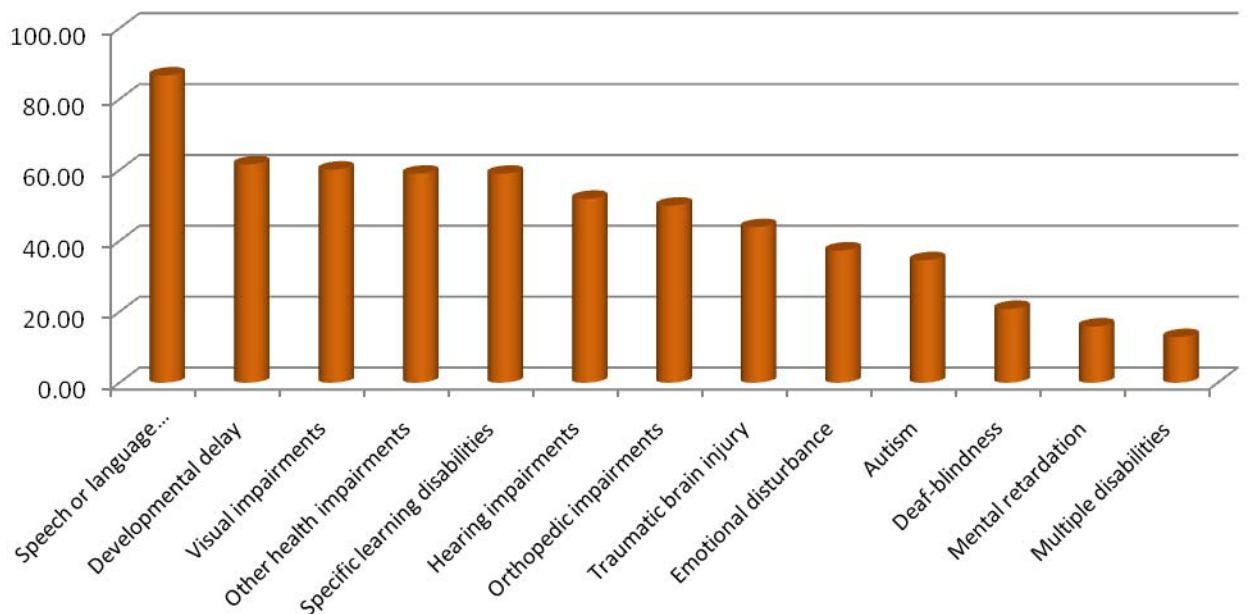


Figure 2: Percent of 3-5 year old children with disabilities placed in general education settings at least 80% of the time in the 2007-2008 school year

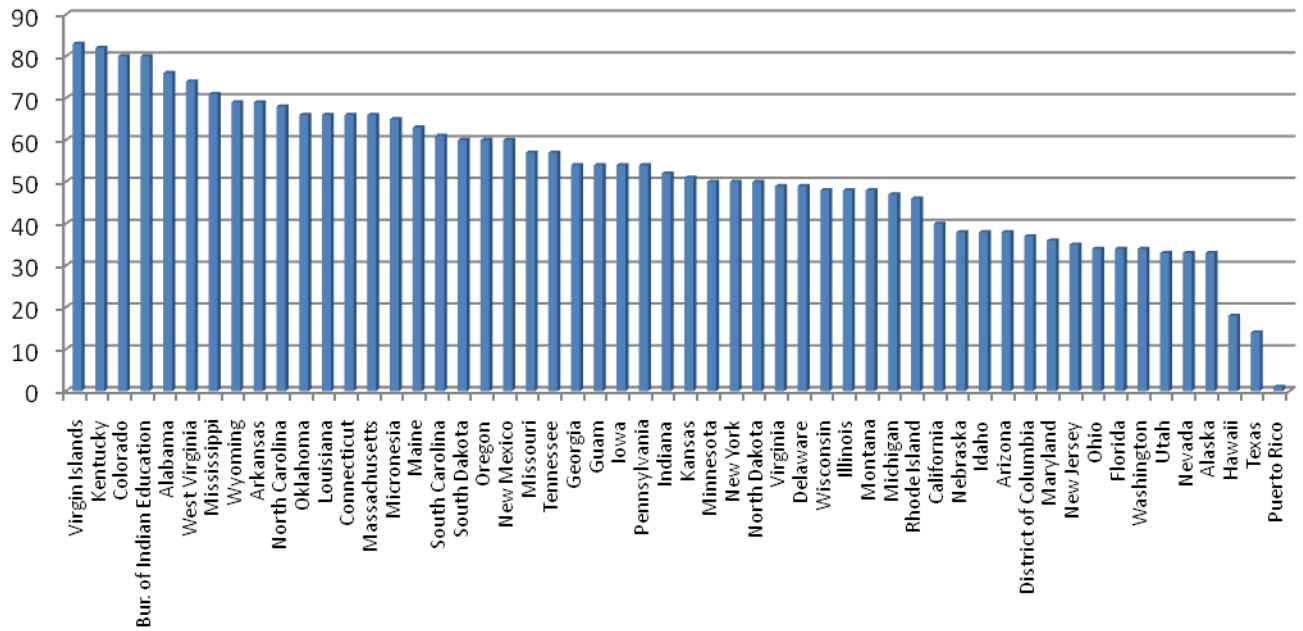
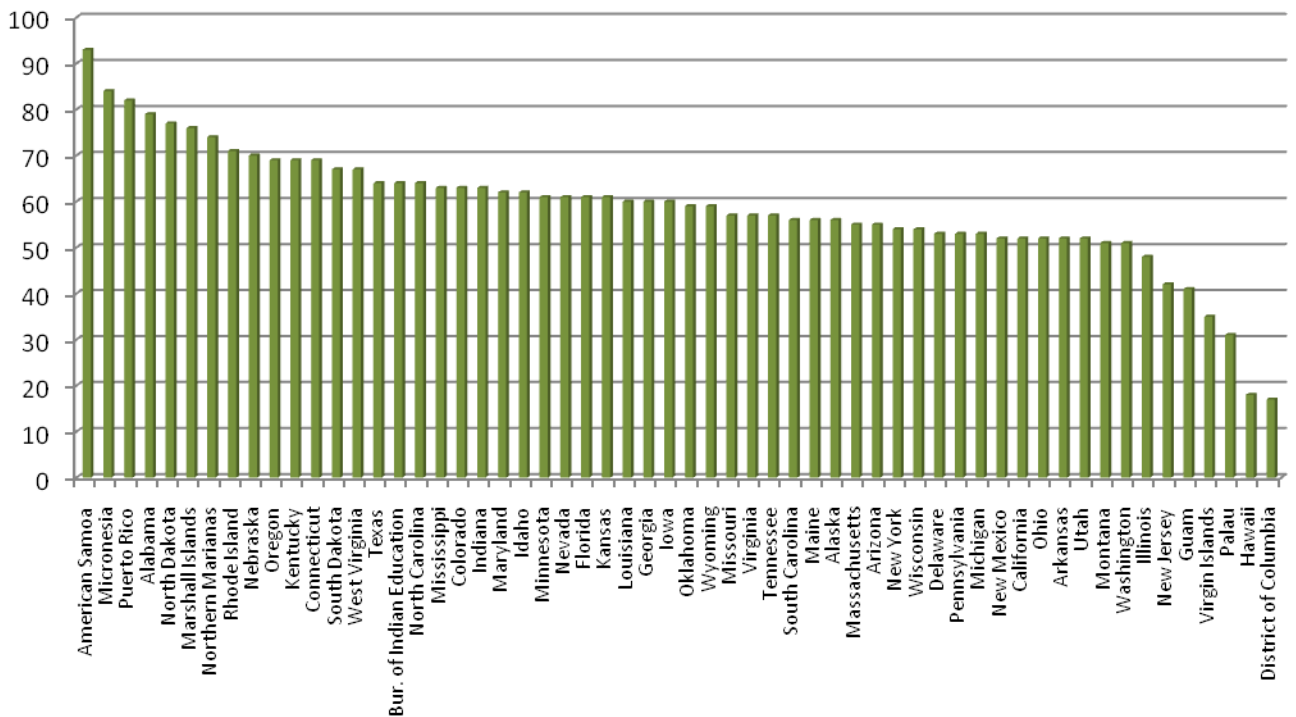


Figure 3: Percent of children age 6 - 21 with disabilities placed in general education settings at least 80% of the time in the 2007-2008 school year



WHAT INCLUSIVE EDUCATION MEANS FOR OVERALL STUDENT ACHIEVEMENT

Carolyn Teigland, Ph.D.
Superintendent, Cecil County Schools

When we began our journey to create a school system that was completely inclusive, we were far away from realizing our vision.

Vision for Special Education

Our vision is to successfully include 100% of special education students in the regular education setting to the fullest extent possible. All students will receive the services they require in their neighborhood school, allowing them to attend school with their age-appropriate peers. We are committed to providing the professional development, staffing, and resources necessary to realize this vision.

We began our journey toward this vision in **2002. At that time, only 59% of students disabilities were included in general education classes in their neighborhood schools. Now, well over 90% of students with disabilities are included** – we consider this a work in progress – with our vision remaining 100%.

Neighborhood school placement, zero-reject, natural proportions, and full membership are essential components of a successful inclusive school experience – students can't be members of their school communities if they aren't there, they can't build relationships with peers if they don't have a chance to interact with them, and they can't learn the critical content of the general education curriculum if they aren't taught it.

One of the main reasons to include students with disabilities, and one of the mandates of the IDEA and of NCLB, is so they can make "progress in the general education curriculum." **The goal** is not for students with disabilities to sit in the regular classroom doing unrelated work; **it is for them to learn the core concepts of the general curriculum to the greatest extent possible through instruction at their individual level with the accommodations and/or modifications necessary for them to meet with success.**

Learning how to interact with others is one of the most important things that ALL kids, whether or not they have disabilities, learn in school. Including kids in the regular classroom so they have opportunities to interact with peers is a critical first step, but isn't always enough. Adult support and assistance is sometimes needed for both the student with disabilities and the peers to help these relationships get started.

No one person can develop or implement these plans by themselves. The collective wisdom and effort of a whole team – general educator, special educator, related service providers, administrators, paraprofessionals, families, and others all contribute.

Leadership must start at the top – the Superintendent and Board of Education must support the vision for inclusion. When done correctly, inclusion takes fiscal and human resources, comprehensive professional development, and strategic planning. These things cannot occur unless system leadership provides full and unwavering support.

Outcomes of Inclusive Education

As a result of this collective effort, we have seen significant achievement gains within our special education population. A few examples include a comparison of state assessment scores from 2004 to 2008:

- Elementary Reading for Special Education students improved by 31.7 percentage points.
- Elementary Mathematics for Special Education students improved by 23.9 percentage points.
- Middle School Reading for Special Education students improved by 13.8 percentage points.
- Middle School Mathematics for Special Education students improved by 12.5 percentage points.

Our state assessment results demonstrate the greatest growth at the elementary level (where inclusion has been in place for the longest period of time). We believe that the increased performance of special education students is a direct result of inclusion. When students are exposed to the essential curriculum and participate in classroom instruction with their age appropriate peers they meet and exceed our expectations!

Our results are supported by research. Research over the past 30 years has found conclusively that:

- **Students with disabilities show dramatically improved academic performance when included in the general education classroom**

When reviewing data from more than 50 studies comparing the academic performance of included and segregated students with mild disabilities, the mean academic growth of the integrated group was in the 80th percentile, while the segregated students was in the 50th percentile (Weiner, R., *Impact on Schools*. Capitol Publications, 1985). Results of studies on students' academic outcomes revealed that **students with severe disabilities have higher levels of academic responses and lower levels of competing behaviors when they are in general education classroom settings** compared with the special education setting: Dawson, H., Delquadri, J., Greenwood, C., Hamilton, S., Ledford, D., Mortweet, S., Reddy, S., Utley, C., & Walker, D. (1999) *Class-wide Peer Tutoring: Teaching Students with Mild Retardation in Inclusive Classrooms*: The Council for Exceptional Children (pp.524-536).

- **Students without disabilities, including highly talented students, show improved academic performance when taught in an inclusive education classroom**

In a review of research on inclusion at both the elementary and secondary levels, Salend and Duhaney (1999) report that academic performance is equal to or better in inclusive settings for general education students, including high achievers. In addition, Staub and Peck (1995) found that the presence of children with disabilities had no effect on either the time allocated to instruction or the levels of interruption. Other studies have obtained similar results.

Furthermore, a 2001 study funded by the Indiana Department of Education, Division of Special Education, revealed that inclusive settings have benefit for the achievement of students without disabilities and assert that inclusive settings do not adversely affect students with disabilities. In fact, students *without* disabilities showed significantly greater progress in math (as measured by the BASS) than students who were not educated in inclusive settings. **There is ample evidence that the**

placement of students with disabilities in typical or inclusive classrooms benefits not only students with disabilities but also those without disabilities.

- **Students with and without disabilities benefit socially and emotionally in inclusive classrooms**

Kochhar, West, and Taymans (2000) draw from the research to conclude that students with disabilities benefit because inclusion:

- facilitates more appropriate social behavior because of higher expectations in the general education classroom;
- offers a wide circle of support, including social support from classmates without disabilities; and
- improves the ability of students and teachers to adapt to different teaching and learning styles.

The authors further contend that general education students also benefit from inclusion. For these students, inclusion:

- leads to greater acceptance of students with disabilities;
- facilitates understanding that students with disabilities are not always easily identified; and
- promotes better understanding of the similarities among students with and without disabilities.

Conclusion

When we first started the inclusive practices project a teacher, who had previously been resistant, stated “I never would have believed that it could work, but I am amazed by how much growth the students that I am working with have made by being in an inclusive setting.” She added “It sure takes a lot of work, though!”

I responded by saying, “I never said that it was easy or that it would not take work...” “All I said is that it IS possible and it IS the right thing to do for our students.”

**We believe that it is NEVER okay to segregate.
We don't care if it is complicated, confusing, expensive, or takes a lot of work...
it is what we must do for the students that we serve.**

THE METHODS – BEST PRACTICES IN TAKING INCLUSIVE EDUCATION TO SCALE

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From the passage of 94-142 in 1975 through the language in NCLB and IDEA in 2004, Congress has supported inclusive practices in the requirements for schools to provide an education in the “least restrictive environment” and to ensure that all students have “access to the general education curriculum.” We share with you a vision that ALL students, including students with disabilities, attend their neighborhood schools, participate in the general education curriculum, become successful and contributing members of their communities, and acquire the skills to be employed in areas of their interests and talents.

Along with Congressional action, the Department of Education has attempted a number of special education initiatives over this same time period to encourage the engagement of general education with students who have disabilities. In each case, the Department proposed initiatives that were structural and instructional, but did not directly address the responsibility of general education to serve all students. And so the outcome remains separate and unequal education.

ISSUE 1: Specialization and Fragmentation of Service

It is our contention that the law and regulations have perpetuated “a dance of irresponsibility” by all parties regarding the education of students with disabilities. Historically, below average performance in the content areas of math and reading were felt to be deficiencies in learning. It has been thought that specialists with extraordinary knowledge and experience in learning styles and supports were needed in order for students with disabilities to learn. In addition, resources were allocated on the basis of diagnosis, such as autism spectrum disorder or cerebral palsy or intellectual disability. **General education schools and staff were and are not required to accept and share responsibility for the success of ALL students.**

Adding to a lack of responsibility by general educators and a culture of “pass it along to the specialists,” is dysfunction in the educational structure itself caused by multiple parallel systems of support, rather than one integrated cohesive system. These parallel structures each have with their own rules and insular programs based upon specialization of discipline, knowledge, skill sets and function. **The result has been fragmented services** delivered by educators and therapists who are territorial and uninformed about the relationship of their interventions to others’.

Unless the larger culture of schools and their communities in our nation take responsibility for the success of ALL of their students and integrate all of the resources within their schools and communities, we will continue to perpetuate an un-equal education leading to un-equal post-school outcomes.

And, there is no definitive research that shows that inclusive practices are more costly. Interestingly enough, at least one study found that the *cost* of educating students in segregated programs was double

that for educating them in integrated programs. (Piuma, Mary F., *Benefits and Costs of Integrating Students with Severe Disabilities into Public School Programs: A Study Summary of Money Well Spent*. San Francisco: San Francisco State University, 1989.) A study from the University of Maryland, College Park, "Snapshots of Reform, Synthesis of Findings Across 5 Case Studies", (1997), did not find a definitive answer to the costs and in fact, postulated that there would be a savings on transportation costs.

Issue 2: Restrictive and Abusive Practices

Now a shocking report has surfaced from GAO documenting large scale abusive practices directed to students with disabilities, particularly including **seclusion and restraint. These practices are nearly always associated with congregate settings**, such as special education classrooms, special schools, and even in some states, special school districts. Considering that these "special" settings require a great deal of special funding to sustain them, one would hope that research would indicate successful social and educational outcomes for that service delivery model. But it does not. The developing research on universal design of instruction and school wide positive behavioral supports offer schools a set of transformational strategies to serve all students in an integrated fashion, helping each student navigate the classroom and the school academically *and* socially with more success.

The Change that is Needed

What is required now is to pull the pieces back together into an organized whole and fully integrate all available systems and supports to enhance learning for all students.

Tinkering around administrative structures and focusing on instructional interventions that are separate from the general curriculum will only result in perpetuating poor outcomes. We now know that students fall below grade level benchmarks in math, reading and other content areas for a variety of reasons - many of which are environmental rather than within the student. The failure of students to progress at grade level can result from poor teaching; low expectations for student performance; racial discrimination; neighborhood blight; dysfunctional family; primary spoken language; poor curricula; as well as physical, emotional, or cognitive conditions that are part of the makeup of the student. ***New policy is sorely needed that will match supports and services to identified student need, without removing students from grade level general education.*** There will be major policy implications for ESEA programs as well as programs under IDEA.

The place to begin is with a clear focus on the purpose of education and valuing the individual within a social learning environment. Student learning in K-12 must ultimately be focused on post-school success: further education; democratic citizenship; foundational knowledge and skills; and gainful employment. Multiple goals, multiple pathways, and multiple assessments to measure progress are needed for a diverse student body public.

New policy is needed directed to the community school agenda. Broken communities have led to broken schools. Instead of vouchers to enable families to take children out of broken schools, we need vouchers to attract high quality professionals into broken schools. A splendid negative example can be found in the Milwaukee law suit which held that students with disabilities when included or in segregated classes went fifteen years without ever having a certified teacher.

New policy is badly needed to link all available support and service systems to measured student needs in order for a system designed for ALL students to succeed in school and participate in the

general curriculum. Just as the medical model of diagnosis and referral out of society and into institutions has not worked for people, their families or for communities, referring students out of the general education classroom and into special classes or special schools doesn't work either. ***The attitude and practice of removal needs to be replaced by a school-wide, problem solving response to intervention model that brings useful supports and services into grade level classrooms.***

Services and supports need to be integrated and coordinated such that all students can benefit from their application. This includes special education, ESL, Title I, and designated instructional services. Specialized teachers need to be brought into collaborative arrangements with grade level teachers. Family partnerships as well as partnerships with community businesses and support systems need to be a part of the culture of the school. A new integrated instructional and behavioral support system for all students under the umbrella of general education is what we are recommending.

Inclusive education is really holistic education. Moving it to scale in the larger unit of the school district requires a significant transformation from business as usual. The Ravenswood City School District in East Palo Alto, California offers a useful case study. The transformation is six years in the making and continuing. It is the only fully integrated system in the State that matches instructional resources to measured individual student need for all students, and then monitors their progress frequently to determine if more intensive instructional interventions are warranted. There are no special classes: collaborative instruction enhances academic and social outcomes for all students, whether they have disabilities, are homeless or otherwise living in poverty, have experienced trauma as children, are growing up in abusive households, do not speak English fluently – or are not challenged by any of these circumstances. This bears repeating – ***collaborative instruction enhances academic and social outcomes for ALL students.*** Whether it can sustain systems change and continue to evolve will likely depend upon alignment of state and federal policies supportive of such a non-traditional configuration.

Available research using rigorous methods concludes that integrated educational service models are consistently associated with more positive social and academic outcomes for students with disabilities. There is even a growing body of scientific evidence suggesting that integrated service models for students with disabilities (all disabilities) enhances educational outcome for all students. We can now replace remedial and segregated instruction with a model of universal design to include all students and match interventions based on measured instructional need. We can replace abusive practices such as seclusion and restraint with tertiary-level interventions using evidence-based practices under school-wide applications of Response to Intervention (RtI).

Recommendations:

We recommend that the occasion of reauthorization of the Elementary and Secondary Education Act (ESEA) be a time to take bold policy steps. Include new language to:

- 1) reintegrate all special education programs based on category of disability or level of need back into general education so that students with disabilities can be educated with their siblings and neighbors, and so all students can benefit from all services and supports;
- 2) re-conceptualize the educational theory of change to move away from diagnosis, referral and categorization for failure to learn (the medical model) and toward a system of matching specialized instructional and structural supports to measured student need consistent with a school-wide response to intervention logic model;

- 3) require states to track individual student progress (all students) and use growth modeling to estimate adequate yearly progress toward multiple outcomes that accommodate differences in students interests, achievements, and aspirations; and
- 4) set national standards for teacher certification that requires all elementary teachers to be grade-level classroom teachers *first*, who can teach reading and mathematics *first and foremost* and then have the option of adding specializations through continuing education and certification programs. Secondary school teachers need to receive training that prepares them to use integrated curriculum models like project-based learning within much smaller diverse learning communities where both students and teachers are known.
- 5) require states to set standards for all teacher training programs to ensure that new teachers are skilled with alternatives to seclusion and restraint such as those available through school-wide RTI including positive behavior support and trauma-informed de-escalation techniques.

The Methods – Best Practices in Taking Inclusive Education to Scale

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Inclusive education has become a global movement that emerged as a response to significant equity concerns in education regarding students viewed as *different* by educational systems. In this construction of difference (Minow, 1990), access to learning has advantaged students from dominant cultures, while disadvantaging others. Unfortunately, disparities in learning performance have been constructed in many nations as an achievement gap due to cultural mismatches and the poverty of cultures that are associated broadly with marginalized groups. School reform efforts based on this deficit explanation have had little or no impact on changing outcomes for minority groups (Lee, 2007). Special education through IDEA 2004 and its predecessors has been a major factor in both opening the door for public education for students with disabilities and created some of special education's unintended consequences. While the overall rate of inclusive education as measured by the percentage of students with disabilities who access and receive instruction in general education classrooms has increased over the last 10 years to about 57% of all students with disabilities, for students with more severe disabilities such as students identified by school systems as having mental retardation (MR), the rate of improvement has not increased substantially and hovers still around 18% based on data collected by the Office of Special Education programs.

Differences in *where* students with severe disabilities are educated cannot be explained by their disability category since students with severe disabilities are served in general education settings as much as 94% of the time in some states and as little as 17% in other states or territories. And when students' race and ethnicity is analyzed along with placement, the data show variance by race. The push towards inclusive education will remain an ideal, not a reality, if we fail to ignore histories of ethnic oppression and stratification (Artiles & Kozleski, 2006). In order to achieve inclusive education, policy makers must understand the moral, political and intellectual challenges they face in improving the outcomes of mainstream educational communities that reify social inequalities through incomplete and inadequately contested educational, psychological, and cognitive theories and research.

The promises of inclusive education remain unfulfilled in many nations. The US is not exempt from this critique. **In the United States, for instance, African American, Hispanic, and Native American students are more likely to be placed in special education and be educated in more segregated educational environments than White peers who have the same disability.** Further, there are regional differences in the ways in which African American students are identified for special education services that vary across region by disability category and the restrictiveness of placements. These variations are troubling on several counts.

First, it suggests that the **categories used to identify students for special education lack stability across settings**, calling into question the function and utility of such labels for offering individualized educational services to students who need them since both false positives (identifying students for

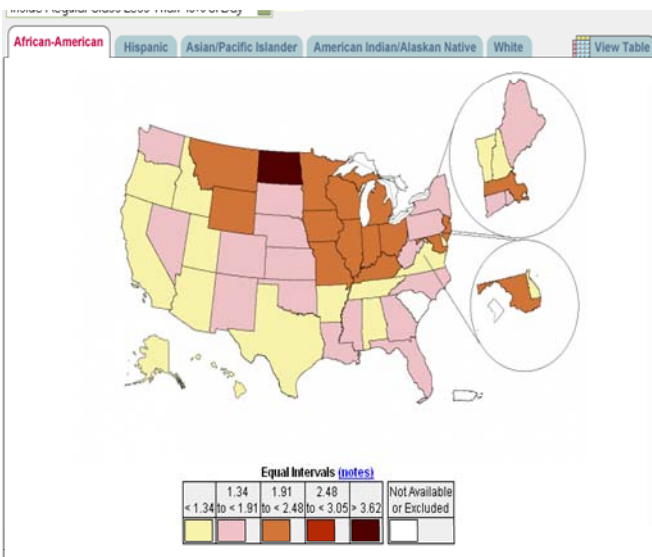
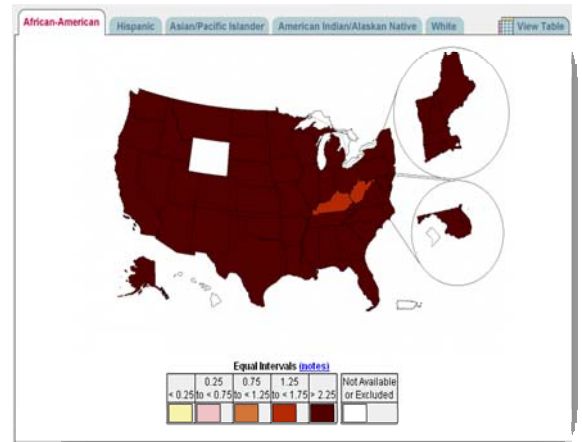
¹ All opinions expressed herein are based on research. They do not necessarily reflect the opinions or positions of Arizona State University.

special education services who do not have disabilities) and false negatives (failing to provide specialized services to students who are not identified) are troubling.

Second, since students seem to be identified at different *rates* based on ethnicity, race, and possibly their ability to use academic English (for English Language Learners), **the intersection between troubling biases about groups of children, particular kinds of assessments, and interpretations of those assessments raises more concern about the function and utility of identification – and for whose benefit.**

Third, the **differential placement of students by disability category into general education, resource room, special day classes, and specialized schools also covaries by ethnicity.**

Figure 1 shows the risk for Black students identified for special education in the category of “MR”; the preferred terminology, intellectual disabilities, is not yet part of the IDEA lexicon. The dark states have the highest disproportionality, using a measure of risk that is a ratio of two ratios. The numerator is the number of students from a particular ethnic group in special education over all the students enrolled from that particular group. The denominator is a ratio of all of the students in special education over all the students enrolled in that system (Skiba et al, 2008). With Wyoming as an outlier, the map shows that **students who are African American are 2.25**

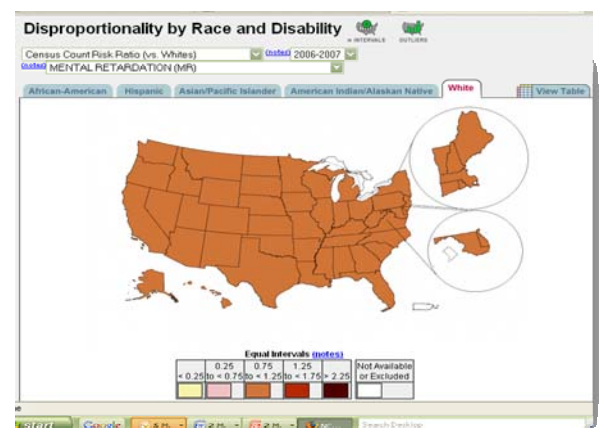


African American and identified in the category of “MR” are 1 and a half times or more likely to be placed in the most restrictive setting in 14 states and in another 19 states more than twice as likely.

times or more as likely to be identified for special education services in almost every state in the category of “MR.” And in some states, this can be more than 4 times as likely.

In contrast, **Figure 2** shows that White students are identified for the same category at about what might be expected, given their numbers in the general student population.

Figure 3 illustrates that **students who are**



Regional variations are noticeable and, if we looked at multiple displays of the variation in categories used by race and ethnicity, you would begin to understand the powerful differences in how students are identified and served across states. As the analysis of state performance plans reveals, the **range of placement in general education is vast: from 17.37% of the special education population in one state to 94.2% in another state.** Cross analysis of student performance and placement are difficult to compare with any validity since methods of assessing student performance varies greatly as well.

It is imperative that states do a better job including students in general education because of the compelling improvement in achieving important adult outcomes shared earlier by my colleagues Wayne Sailor and Leonard Burello.

States that provide more opportunities for students with severe disabilities to be educated in general education do the following:

- Collect and publish disaggregated special education data by school districts
- Set high LRE targets by disability group
- Provide focused technical assistance
- Incentivize change
- Blend schoolwide improvements for general and special education into a *UNIFIED system* of educational excellence
- Insure that local schools include all students with disabilities in their accountability reports

It is vital that students with severe disabilities remain part of the national assessment process in order to understand the ways in which regional variations in placement impact student performance data.

This kind of performance assessment will offer educators the best way forward in influencing local practice, elevating the opportunities to learn that are afforded students with the most significant needs, and ensure that local public or charter cannot refuse to serve students or that disability labels do not become proxies for discrimination based on race, ethnicity, religion, and language.

SOLUTIONS

1. **Strengthen Early Intervening Provisions in General Education Classrooms** to Support and Develop Academic Learning Skills.
2. **Use the Individualized Approaches for Early Intervening such as Universal Designs for Learning and Response to Intervention to Improve outcomes for All students in General Education.**
3. These technologies will increase the capacity of the general education classroom environment to improve the ways in which individualized and personalized instruction can be designed and implemented in the classroom, increasing the capacity of general education environments to support the learning needs of students with more severe disabilities.
4. **Insist on keeping students with severe disabilities in state accountability systems and focus on the robustness of accountability measures so that educators can evaluate the impact of their educational choices on the outcomes of students with severe disabilities.**
5. **Make it clear to SEAs and to LEAs that how students are assessed shall have no relationship with classroom placement decisions,** reversing a trend to segregate students in order that they not be included in state accountability systems.

6. Include and define Least Restrictive Environment in NCLB with the same weight and importance currently in IDEA.

An important question is to what degree have the features of IDEA 2004:

- (a) transformed opportunities to learn,*
- (b) mobilized movement between social and economic strata within the US, and*
- (c) destabilized notions of dominant and marginalized groups and membership within those groups.*

If such agendas are to have national traction across the 90,000 public schools in the United States, mediating the process of implementation so that transformational change can occur is critical. **Inclusive education agendas must not focus only on students with disabilities, but rather on the access, participation, and outcomes for *all* students who are marginalized in educational systems due to gender, cast, ethnic identity, socioeconomic status, language, and ability level.**

Consequentially, teacher preparation programs for inclusive educational systems must support the development of teachers who have the skills, contextual awareness, and critical sensibilities to teach a wide variety of students that are being denied full participation in society. Preparing teachers to address these issues means that teacher education programs need to address issues of power that are historically situated in the globalization era. However, teacher education has become an increasingly technical endeavor in which a skill oriented curriculum is anchored by student teaching experiences that focus on the performance of these skills. Little attention is paid to the context in which teaching and learning occur so that teachers develop an understanding of the everyday cultural experiences of their students.

In addition, two other obstacles inhibit the preparation of inclusive teachers. On one hand, preservice education programs tend to compartmentalize special and general education creating barriers between these two fields. On the other hand, special education has a tradition of focusing on students' differences from a remediation perspective, resulting in teacher preparation programs that focus on skills and technicalities, which are important but not sufficient.

Teachers, special and general, must make six key shifts in their practice:

- 1. From how do I teach to how do my students LEARN**
- 2. From what services will I provide to what SUPPORTS do my students need**
- 3. From the "lone arranger" of the classroom to GROUP PRACTICE**
- 4. From disciplining behavior to facilitating the development of PROSOCIAL classroom environments through teaching and encouraging the development of knowledge, skills, and responsibility for the common good**
- 5. From reform to CONTINUOUS, DATA DRIVEN, IMPROVEMENT and RENEWAL**

6. From parent involvement to PARTNERSHIP with families and communities

Schools differ because the assets of their staffs and their leadership differ. The mix of novice and experienced teachers, their own socio-cultural histories, their educational backgrounds both personal and professional, and the leadership and mentoring provided with a school create different contexts and experiences. So, the work of school and district leadership is to ensure that rich variance doesn't prevent individual children from achieving their maximum potential because of interpretations of policy, technical skills, or the context in which an individual school operates. **A focus on school leaders who understand and can lead their teachers to make key shifts is critical.**

SOLUTIONS:

State personnel credentialing systems must require:

- a common platform of knowledge, skills, and dispositions for every educator that ensures that students at the margins as well as at the middle will have teachers who have the skill sets to design their classrooms and instruction for UNIVERSAL ACCESS, understand and use curriculum based measures to assess and improve student learning, and tailor instruction to student need.
- that School Leaders have in depth knowledge of Universal Design for Learning (UDL), early intervening, data-based instructional decision making, leadership for teacher learning, and can coach teachers to improve instructional outcomes in their classrooms.

THE RESULTS – A PARENT PERSPECTIVE

Stephanie Yates, Parent
Reno, Nevada

I am Stephanie Yates; parent of two children a daughter 18 and a son 17 who has Autism. I appreciate the opportunity to appear before you to speak to you on the importance of inclusive education. Accessing inclusive education can often be difficult for families of children with disabilities. Our family has learned this many times over because we have a son with Autism who is non-verbal and uses communication technology to speak.

During the early years we had great support, the teachers were accepting and the programs involved the families. We worked together to create opportunities to help my son. There were early intervention options, and supports and services were provided, and community outings were encouraged. The pre-school program he attended were wonderful, they encouraged inclusive classrooms, cooperative learning and socialization. He was thriving, making gains and very happy.

As the preschool years ended, we then moved to another state due to a company transfer. The nightmare began as our son was ready to enter Kindergarten and his sister, who is one-year-older, was ready to begin first grade. I brought them to our neighborhood school for registration. While in the office I was pulled aside by a teacher whom I had never met before. The teacher said that she had heard my son had Autism. I didn't know what to say other than "Yes, he does." **She then told me I could register my daughter but I could not register my son because he would not be allowed to attend this school. They had another school for children like my son.** My daughter started to cry "Why can't Stevie go to school with me?" she asked. I did not have an answer. They had been in early learning programs together since they were very little.

We had always believed our children would go to their neighborhood school together. This was the first time we were faced with the fact that our daughter and son might not go to the same school. This was our first experience with segregation and we didn't know what to do. The district did not give us any options for Stevie. Apparently after reviewing his records from the previous school district, **someone from central office made his school placement decision based on his label of Autism.** They had never even met Stevie much less developed an IEP. The district had a program that was called "Severe and Profound" and that was where children with Autism were sent.

We then requested to see the "Severe and Profound" classroom; we were told by school site office staff that we could not. Upon hearing this, we got legal advice and then informed the district that we would not consider this program unless we could visit the classroom. The day we visited the classroom, we were shocked by what we had observed. In contrast to our daughter's Kindergarten classroom, the scene was much different. The teacher had not eaten or gone to the bathroom all day and she looked exhausted. Across the room, there were boxes of classroom materials that had never been unpacked. This classroom consisted of 10 children who were non-verbal, a teacher, and a teaching assistant. One child sat poorly positioned in a wheel chair in a drowsy state while another child sat on the floor picking at the carpet. Other children were running in circles around the perimeter of room while others sat just staring into space passively.

We were concerned about the lack of apparent teaching and learning activities in the classroom and inquired about how we could ensure that Stevie would spend time with verbal children in a language rich environment. The teacher responded that she would ask around to see if she could find a teacher who would let her bring all the children from the special program into the regular classroom. If she could, and if the first visit went well, then maybe the children in her class would be allowed to return. We had observed a lot of challenging behaviors during our classroom visit and felt that it was highly unlikely there would ever be any second visit to any regular classroom. We concluded that at best, the teacher in this special class program would be running around all day “putting out fires” and the students would receive little systematic instruction because the class was overcrowded and chaotic. After this visit we were afraid to send Stevie to school in this environment.

Our Journey to Inclusion

This started an intense journey to advocate for inclusion at a public school for our son. The many meetings with school personnel often left us disillusioned and drained as we often heard statements like, “He does not belong” and “If the world were a Utopia, all children would go to the same school.” We were told that if we chose to push for inclusion, Stevie would be dropped from special education and would not receive any services. Despite this advice from the professionals, our daughter wanted to go to school with her brother. We were trying to keep our family intact and trying to understand why there was so much resistance coming from the school system.

We finally found someone to help us when we were required to go to a local pediatrician because the district would not accept a medical report from out of state to document Stevie’s eligibility to receive special education and related services. Fortunately, this local doctor understood Stevie’s developmental needs and he advised us that if we were to put Stevie in the special education program offered, the best we could hope for is that Stevie would maintain what he had learned prior to entering school. The doctor then wrote a letter to the school district supporting inclusive school options for our son. Armed with this letter we advocated for an inclusive Kindergarten option and reluctantly the school agreed that Stevie could go through the kindergarten screening.

Kindergarten screening consisted of a series of activity station tables to assess skills related to pencil and paper tasks, fine motor tasks, puzzles, question and answer assessments administered by four teachers. At this age, Stevie tended to flap his hands when he got excited while he made humming noises. On this particular day he was very excited because everything was new and different. The teacher at the second table looked very uneasy and somewhat afraid. When I asked her if there was a problem, she said, “I have never been around his kind.” When Stevie did not respond verbally to the question and answer portion of the screening, the teacher wrote a big N/A on the testing form and sent him on to the next table. Another teacher appeared distressed and did not want to give him scissors for the fine motor tests.

The testing results were inconclusive and clearly documented what Stevie could not do, but it did not reflect his abilities. The district used these results to discourage us from going forward with inclusion. We responded back saying that the testing was inaccurate and misleading and unfairly administered. Finally after many more meetings and letters Stevie started school in a regular kindergarten classroom.

To help my son, I spent my time on the Internet looking for inclusion information. I went to inclusion conferences in other states. I went to the local University (Special Education Department) to get information and assistance. I found inclusive programs and visited them. I gathered information and

found resources to bring back to the district to help them. **The district special education department was reluctant to accept or consider outside assistance. They had not practiced nor understood inclusion. They had spent all their resources excluding children for years. The district did not encourage or support parent involvement. Parent involvement was seen as meddling.** However with persistence we started to put supports in place. Autism awareness became the focus; I brought information about behavior and communication to the school. I contacted the states PBS (Positive Behavior Supports) project and got information to give to the principal and teachers. I found a state funded project for professional development on “Inclusion and Students with Disabilities for school personnel, and talked the principal into sending a handful of people to the training. Even with all this we had constant battles to keep Stevie’s program intact to support him at school.

Through networking with the university we found a professor in a nearby state that worked with low incidence students and inclusion who was willing to travel to our state to give technical assistance. We, the parents, funded this. The professor worked alongside the teachers providing ideas, strategies and positive support to make them feel they were being successful. The professor gave her home phone to everyone working with Stevie and told everyone they could call her day or night with any questions. The professor had a very positive attitude and would constantly say “there are no problems just questions we have not answered yet.”

However when it came to the school district, support services were difficult to keep and often dropped at district discretion. For example we disagreed at an IEP meeting with Stevie’s Occupational Therapist (OT). One of Stevie’s goals was to write legibly. The OT basically said she would do what she wanted and did not feel it was important for Stevie to learn to write legibly because he could type on a keyboard. **She said if we disagreed she would just drop Stevie from her caseload.** We went to the district special education director for help. She told us there was nothing she could do and basically if we wanted OT services to continue for Stevie we would have to agree with the OT. We did not agree and we found others in the OT field who agreed that if we went along with what the OT was recommending that Stevie’s program would be negatively impacted. We stood our ground to try to keep Stevie’s program intact. The OT got upset and dropped Stevie from her caseload. We spent an endless amount of time trying to get the district to provide OT services to Stevie. There was never another OT assigned to Stevie’s program. When we contacted the district (Special Education Director) the response was we should have worked it out with the first OT (we should have not disagreed with her). Therefore it was our fault Stevie was not receiving services. Our only alternative at the time was Due Process or make sure Stevie got the services he needed at our own expense and that is what we did, we supplemented OT, Speech Therapy, and found a tutor for Stevie.

I would like to share a very positive experience that happened during this time. I was at the school one day and a man walked up to me and asked if I was Stevie’s mother. I said yes with a little apprehension. **He then told me how grateful he was that Stevie was in the same classroom as his daughter.** He went on to say that his daughter had been severely abused and her behavior was out of control at school and she was just about to be kicked out of school right before Stevie had arrived. The man said his daughter had immediately bonded with Stevie and wanted to be his buddy and friend. To be chosen to work with Stevie, the teacher told the girl she would be expected to have good behavior at school. The man said that when his daughter talked about Stevie his daughter laughed and smiled, it had been a long time since she had done either. His daughter could hardly wait to go to school every morning because she wanted to see her friend Stevie. The man looked at me and said, “because of Stevie I have my daughter back, Thank You.”

For the next 2 years we battled the district for supports and services for Stevie. Nothing was ever offered and often we could not get straight answers. We were constantly threatened that Stevie would be removed because first of all he did not belong in a regular classroom. We had many meetings discussing his academic progress and behaviors. I spent many hours at the school volunteering in the classroom with Stevie.

Time passed and we made another move to another state and new experiences with Stevie's education. We found a school that had an inclusion program. Our daughter and son could go to the same school. **Half the battle was won-- a district that believed in inclusion!** The next step was supporting inclusion. We have been in this state for 10 years now and in that time we have dealt with many people related to Stevie's education. Some wonderful; others – we wondered how they ever became school personnel. An example would be a few years ago: Stevie was coming home with bruises on both his arms (they looked like handprints). We tried to work with the school administrator but we could not get any answers. **After some investigation we discovered the school had changed programming without our consent.** Stevie had been using a visual schedule throughout the day. The case manager and teacher had decided to stop using Stevie's schedule and his behavior plan (both written in IEP). We also discovered the case manager was having personal problems and on painkillers. This was the person leaving handprint bruises on our son. We then spent a lot of time trying to get the school to follow the IEP, without success. Within the next week Stevie again, came home with hand print bruises. We then took Stevie out of school and told the district he would not go back until the visual schedule and behavior plan were put back in place. We then had a meeting with the special education director and school staff. There was a change in attitude and Stevie's visual schedule and behavior plan were put back in place. Stevie was back on track doing well! And no more bruises.

Moving on to middle school was difficult, because in our district inclusive practices for children with Autism were limited, in fact discouraged, in the middle school environment (even if the child had been fully included in elementary school). **We were told at Stevie's annual IEP meeting, "we don't do inclusion in middle school."** I asked "why not?" After many more meetings with a disability advocate by our side, Stevie continued to get an inclusive education at the middle school. We knew the middle school was in need of professional development. We contacted a national training center funded by the US Department of Education for assistance. The training was extremely helpful. **However, Stevie was often without services even though the services were written in to his IEP.** We were constantly monitoring to make sure his services and supports were in place. Often we would discover Stevie was no longer receiving the services and supports that they were responsible for providing. This was a never-ending battle.

However, even with the constant battles to keep services in place Stevie had amazing opportunities in the middle school, the learning-enriched environment was incredibly beneficial for him, providing educational growth and socialization opportunities (which is extremely important for people living with Autism). I had the chance to visit him during a hip hop dance class. When I walked in Stevie was dancing with a very handsome young man. The young man was very patient and was enjoying showing Stevie the dance moves. At one point a number of the boys dropped to the floor and started break dancing and Stevie was alongside them on the floor. They were all laughing and having a great time. I walked up to the teacher and commented that the young man that had been dancing one on one with Stevie was very nice. The teacher said the only time this boy is good is when he is in dance class dancing with Stevie. Stevie also had the opportunity to work in the student supply store, where he became well known and well liked. **Stevie was very successful in making friends and made incredible growth during the middle school years.**

When we attended Stevie's annual IEP meeting for high school. We were informed, "we don't do inclusion in high school." Additionally, supports and services were going to be discontinued at district discretion. District Administration had made a decision without us (the parents') involvement or consent. We tried very hard to get them to reconsider, with no success. We expressed that Stevie had always been fully included in the general education classrooms with special education supports and services with his friends. We would not agree to segregate him, not now, not ever. We were backed in to a corner. We got legal help AGAIN and filed a Due Process request to protect Stevie. By filing for Due Process, Stevie's last agreed-upon IEP was called a "Stay Put IEP" and had to be implemented. This IEP ensured that Stevie would continue to be in the general education classroom, and would continue to receive appropriate supports and services to be with his friends and peers.

The Due Process hearing was sickening and painful. The school district's attorney was vicious; twisting the facts; he described Stevie to be without any skills or strengths and we, Stevie's parents, had to sit and listen while the school district's attorney said horrible things about Stevie. The school district's attorney used generalities about Autism that falsely described Stevie; he was trying to get a biased decision from the Hearing Officer. We have now been in litigation for three years and Stevie's "Stay Put" IEP has been implemented during this time period. Stevie has been extremely successful due to the "Stay Put" IEP. **He has been fully included in a meaningful way and supports and services have been provided due to the litigation.** Although initially apprehensive, the high school principal and teachers really stepped up to the plate. Stevie has been exposed to and experienced incredible learning opportunities at the high school with his friends, kids he has known since elementary school. **Stevie now enjoys attending general education classes and is in charge of recycling for the school. The teachers look forward to seeing Stevie on his recycling rounds. Additionally, Stevie works in the kitchen in food preparation, which he totally enjoys. Stevie looks forward to going to school every day.**

Inclusion has shaped Stevie in to a well-adjusted young man with great potential. I don't even want to think about what Stevie's life would be like today had it not been for inclusive education. "Life is not a dress rehearsal." All kids need real life experiences to learn to live in the real world. Stevie is now 17, and doing great, he has true friends and has good self esteem. He is accepted at school and in the community. He has volunteered at the local library for three years.

In conclusion, I have been asked many times, what has been the most difficult part of raising a child with a disability. My answer is fighting for so long and so hard for inclusive education for my son. It is the hardest thing I have ever done in my life. My dream is that other families will not have to go through what we have been through and that the education system truly embraces the importance and significance of inclusive education for all children. Although the journey for inclusion has been difficult at times it has been well worth it and we will continue to fight. The rewards are great! We know there are still barriers such as acceptance by adults, and a lack of knowledgeable people to help plan and support an appropriate program. Often times we have had difficulties with supports and services. We also realize we are part of the change process and by working together families and schools can make a big difference in the lives of our children.

Education is a priceless gift.

We can't afford to leave out the important piece of citizenship. Our children are the future with all their strengths and weaknesses, and we need to make sure they have the opportunity to live and work together throughout their lives.

THE RESULTS – A STUDENT’S PERSPECTIVE

Justin Valenti, Student
Montgomery County, Maryland

Good afternoon. My name is Justin Valenti. I am going into 8th grade at Lakelands Park Middle School, in Montgomery County, Maryland. I was diagnosed with a rare genetic disorder, called Cri du Chat Syndrome, when I was three years old. I have also been diagnosed with autism. I would like to tell you about my experiences as a student with a disability and my journey to be included.

When I was in pre-school, my parents learned that a lot of students diagnosed with autism and other disabilities are taught in special education classrooms, instead of being with the kids in regular classrooms. My parents wanted me to be included in regular classes, and have the same opportunities as kids without disabilities. So before I started kindergarten, my mom had a lawyer to go with her to the school meetings to talk about the supports and services I needed, and where I would attend school. The lawyer wanted the teachers and therapists to give me the supports and services I needed to participate in kindergarten, with the rest of the kids in my neighborhood. At first, the school didn’t think this was a good idea, and they wanted me to go to a different school. In the end, they agreed with my mom and the lawyer and I’ve been included in regular classes ever since.

When I was in elementary school, my Mom worked with me at night to help me understand things I was learning at school. Now that I’m in middle school, it isn’t as easy. I have to work harder in class and at home, and I have to go to different classes.

My Mom still helps me, but now she is helping me to develop my independence. She teaches me how to use strategies such as graphic organizers to help me break up large assignments into smaller pieces, and how to prioritize my work so that I finish assignments on time. I’d like to tell you about some of my challenges.

Teacher lectures and spoken directions are difficult for me. It takes me longer to process information. So while I’m thinking about what the teacher just said, she’s already talking about something else. I think I miss a lot of information because of this. Some teachers call on the kids who raise their hands first; but I am not usually one of those kids.

I get distracted easily by noise that most people can ignore such as pencils being sharpened, and kids talking and laughing when the teacher is teaching or when we’re supposed to be doing our work. When I’m distracted, it’s hard for me to re-focus on what I’m supposed to be doing.

Another area that I struggle with because of my disability is keeping my belongings organized. When I started 6th grade, there were so many things I had to keep track of – my binder, class notes, class work, homework, text books, and my calculator. There were paraeducators who wanted to help me stay organized, but I was embarrassed to have them help me in my classes. I was worried that the other kids may not want to be friends with me if they saw the paraeducators helping me. So I tried several other strategies and tools to help me stay organized. The tool that has worked best is a laptop. I keep all of my notes, class work and homework on my computer now, and I don’t have to try to organize papers from all of my classes in a binder. In addition to using it to do my school work, I use it to communicate with teachers every day. I send emails when I have questions or need more information about

homework, class work, missing work, and upcoming activities.

My disability also affects my relationships with peers. An example of this is that when I am at school, I don't talk very much. In the past, kids have made fun of the sound of my voice and how I talk. I don't talk because I don't want them to make fun of the sound of my voice. Some kids don't talk to me because they think I don't want to talk. When I'm working with a group on a project, I usually don't feel comfortable sharing ideas or speaking up. And most times, I get stuck working on a part of the project that I didn't want to do, which is very frustrating. I like being with other students, but sometimes I have trouble knowing what to say or do around them. A lot of kids are surprised when they get to know me because I'm not as quiet as they thought.

I've had some other problems in middle school with other students that made me feel bad. One time I was walking in the hall, with a candy bar from the vending machine and my money in my hands. Several boys that I didn't know were walking towards me. One of the boys asked if he could borrow a dollar. So I said, "Sure" and gave it to him. Then the three other boys in the group asked if they could each have a dollar. I didn't really want to give them each a dollar, but I didn't know what else to do. So I gave them my money. When I got home, I told my parents. They talked with me about some things I can do to prevent this from happening again. They also told me some things I can say and do, if it does happen again. There have been other times that I felt like I was being bullied. I didn't know what to do and I didn't want the kids to keep bullying me, so I emailed the principal and told my parents.

Even though I'm included all day, not all of the students with disabilities at my school are included. Some are in special education classes, and they're surrounded by adults. Sometimes I see them in the hallway. At lunch, I've seen adults in the cafeteria buying lunches and taking them back to the classroom for the kids to eat. Some kids in my school make fun of the kids in the special education class. They laugh at them, and call them names, like the "r" word. And the kids in my classes don't want to hang out with the kids in the special education class because they always have adults with them.

I wish everyone would treat the kids in the special education class like people without disabilities. I wish they had more friends to hang out with -- playing video games if they're a boy, and going to the mall if they're a girl. I wish that people without disabilities would stop treating these students with disabilities like they're helpless.

I'm glad that I can go to my neighborhood school and be in classes with kids with and without disabilities. Being included has allowed me to learn and do the same things as the students without disabilities. I get to eat lunch my friends every day. I have also been on some exciting field trips. Two of my favorite field trips so far are the trip to the Medieval Times show in Maryland and the trip to the Smith Center for Outdoor Education, where I stayed in cabins with some other boys for 3 nights and did some really cool things like play games like predator/prey. My favorite class is social studies. I've read about and studied American and world history in school and on my own since 2nd grade. Sometimes I surprise my teachers and students in my class with what I know about history. I like being able to teach people things about history.

Over the past few years, I have been learning how to advocate for myself. I'm comfortable asking teachers for what I need in their classrooms. Sometimes teachers are not aware of my accommodations, or they forget. So I remind them. My parents and teachers invite me to participate in the planning sessions that they have to talk about supporting me in my classes. I tell them which strategies and tools help me and what I'm having trouble with. Then we talk about other strategies that

might work.

I've made friends with kids with and without disabilities. My friends are kids who are interested in some of the same things I'm interested in. Being included allows me to be with kids who I can learn from and who can learn from me. By having me in their class, students without disabilities learn that I want to and can learn the same things they're learning. Being included has given me the chance to learn and do a lot of things that I would not have done in a special education classroom.

Thank you for the opportunity to share my experiences with you.

POLICY RECOMMENDATIONS FOR TAKING BEST PRACTICES TO SCALE

Carol Quirk, Ed.D.
President-Elect, TASH Board of Directors

Students

All students should be able to go to their neighborhood school and attend general education classes with their neighbors and friends. This is a right, not a privilege, defined by IDEA. All students should be taught from the same content standards as their classmates. NCLB requires each state to use the **same** challenging academic **content** standards for all students, and expects all students to become proficient in the same curricular goals as their peers. And while all students should be assessed on their performance in the same curriculum; NCLB provides for a very small number of students to be assessed with **different** academic **achievement** standards. Students with significant disabilities will need their instruction modified to learn and to let their teachers know what they've learned. This would all be easier if teachers created lesson plans from the start that considered the accommodations and needs of every student in the class; not just the average students.

Teachers

Teachers should assume that all of their students can learn; even those with significant disabilities. Teachers must know how to collaborate and be expected to work as part of a team for all students – not segmenting their discussions as “special” education planning vs. whole class planning. They should use a Universal Design for Learning (UDL) framework to create educational environments that enable all students to gain knowledge, skills, and enthusiasm for learning. A UDL approach will simultaneously reduce barriers to the curriculum and provide rich supports for learning that will benefit all learners – not just those with disabilities.

Leaders

School leaders need direction and a vision for school communities where resources are integrated for the success of all students, and responsibility for all students is shared. They need to know the tools to organize their schools differently, such as how to schedule staff and students to maximize the natural distribution of students with disabilities across classrooms and how to provide opportunities for teachers to collaborate. They should consider themselves accountable for the progress and performance of all students, and ensure that assessments are not used to segregate students and influence classroom placement decisions.

Reality

Ms. Almazan told us that the law only allows schools to remove children from general education classes if they have an IEP that can't be implemented there. Even when a student has an IEP goal that requires a separate setting, that should not mean a unilateral placement in a separate class all day, with little to no opportunities to be with students who do not have disabilities. But that is exactly what's happening for over 40% of students with disabilities in this country. More than half of the students who have been identified with mental retardation do not have any classes at all with their nondisabled peers. EVER. Less than 35% of students who have autism are included most of the day; and it is not clear to me why school districts think that it is better to group students who have difficulties with communication and social skills together and isolate them from their peers; they are not going to learn these skills from each other! African American students are more likely to be removed than any other racial or ethnic group.

Dr. Kozleski showed us staggering data that clearly points to racial disparity in special education practices.

The wide variability in state data tells us that the patterns of discriminatory placements is not due to anything inherent in the student or the type or severity of their disability. There is a wide body of literature to guide educators with strategies to include students with the most significant disabilities. And research tells us that these practices offer advantages to students without disabilities as well. School leaders and individual educators must move into the 21st century. Students should learn together.

Parents should not have to hire a lawyer so that their child with a disability can go to the same school as their sisters and brothers. And students should not have to fight to get the accommodations and modifications that are already identified in their IEP. The stories of Mrs. Yates and Mr. Valenti are not unique. They are the everyday fight of many, many families.

Change

The systemic structures of old need to change. Drs. Sailor and Burello describe the way in which our current structures of a separate “special” and “general” education system are no longer working. These structures are a hand-me-down from a time when students with disabilities were not expected to share similar educational outcomes or be an integral part of society. These structures are perpetuated by our teacher preparation programs where the special education department operates in isolation from the elementary and secondary teacher preparation programs.

Outcomes

Dr. Tieglund demonstrates what happens when leadership has a vision. She and her administrators have paid close attention to the qualities of student membership and belonging: fostering school communities where all students are welcome and the adults are expected to model positive social interactions and acceptance of differences.

As a district, they have consciously and systematically adopted qualities that are consistent with the wide body of literature describing best practices, which must become the hallmarks of state and federal policy, such as:

- adopting the “zero reject” principle: that ALL children belong and teachers should plan for them to be meaningful participants of the classroom and school life;
- using a multidisciplinary approach to planning that is child-centered and involves parents, with the expectation that both general and special educators and other support staff share the responsibility and accountability for ALL students;
- holding the general education curriculum as the standard for all learning, even when the achievement of that standard may be different for some students;
- aligning the structure of departments within the educational organization for shared responsibility and accountability;
- adopting a preventive approach to problem behavior;
- providing focused technical assistance to schools that are lagging behind; and
- defining excellence on the basis of general and special education school-wide improvements

The results of these efforts are clear: both special and general education students are demonstrating increased achievement of reading and math skills.

Inclusion works for ALL students.

Recommendations:

1. Teacher Preparation:

University programs must prepare teachers for a wide variety of students, especially those who have been traditionally denied participation with their peers in school, and consequently have experienced less than full participation in society. All teacher preparation programs should ensure that teachers are prepared to employ a UDL framework in the design of lessons and student assessments. A highly qualified teacher must not only know content, but must also know how to apply the principles of universal design for learning to that content. School systems must offer professional development in UDL and preventive Positive Behavior support (PBS) strategies for teachers who did not have this preparation in their university program.

State certification programs must require a common platform of knowledge, skills, and dispositions for all teachers so that they can engage and teach students who are at the margins of society and who have been marginalized by society.

2. Access to the General Education Curriculum and Accountability:

All students must be expected to become proficient in the same curricular content, and participate in assessments of that content. Students with severe disabilities must not be offered a parallel or lesser curriculum: history shows us that this leads to segregation and unnecessary isolation of students because of their disability label.

Ensure that students with severe disabilities are included in all accountability measures to evaluate the impact of educational decisions. Require states to track individual student progress (for ALL students) and use growth models as supplements to the current status models to estimate adequate yearly progress.

3. Least Restrictive Environment:

Ensure the fidelity to the LRE requirement of IDEA by strengthening the language related to placement decisions. It must be clear to school teams that “special” education is really a general education initiative: it is a service that enables students with disabilities to participate IN general education! Make it clear to states and local school systems that the type of statewide assessment a student takes has no bearing on placement decisions. **Include and define the Least Restrictive Environment in NCLB with the same weight and importance currently in IDEA.**

4. Universal Design for Learning:

Incorporate a UDL framework in the language of NCLB and IDEA. The UDL framework should be the base for a Response to Intervention approach. UDL allows ALL students to be supported in general education and provides for a wide variety of students with diverse learning needs, not just those related to identified disabilities.

To repeat the words of Drs. Sailor and Burello:

“Unless the larger culture of schools and their communities in our nation takes responsibility for the success of ALL of their students and integrates all resources within their schools and

communities, we will continue to perpetuate an un-equal education leading to un-equal post-school outcomes.”