A Parents' Guide to Inclusive Learning
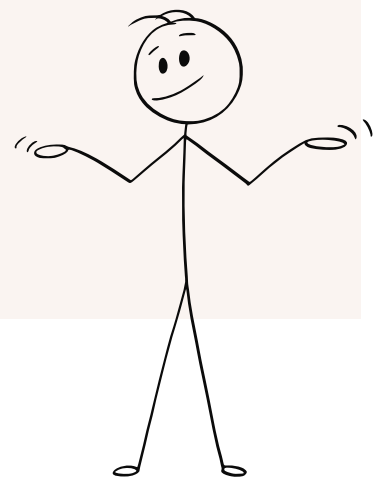

THE MISSING MANUAL

"**They aren't ready for us" and "I wish I had known ..." are statements we hear often.**

If you are part of the disability community, then you know accessible general education isn't a given – especially for students of color with disabilities, and students with intellectual and other developmental disabilities. Inclusive experiences often hinge on how well families navigate the system, and if they even know what to ask for.

This guide covers the "why" of inclusive learning, along with related topics that will help parents in their advocacy. Each section includes a topic overview, resources, and vocabulary list.

A Parent's Guide to Inclusive Learning was produced for the state's Inclusionary Practices Technical Assistance Network (IPTN), a program of Washington state's Office of the Superintendent of Public Instruction. It complements the Supporting Inclusive Learning presentations we recorded in spring 2025 as part of the Family Engagement Collaborative.

This guide adapts curriculum developed for The Arc of King County's Inclusion Academy and updates it to include resources from IPTN partners. The Inclusion Academy launched in 2019 and is grounded in the science of early childhood development and the legal and research basis for inclusive learning.

Dozens of parents and allies of children with disabilities and developmental delays have helped us develop and refine this guidance. We hope it is helpful!

Ramona Hattendorf
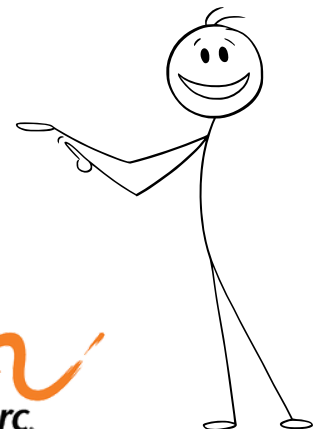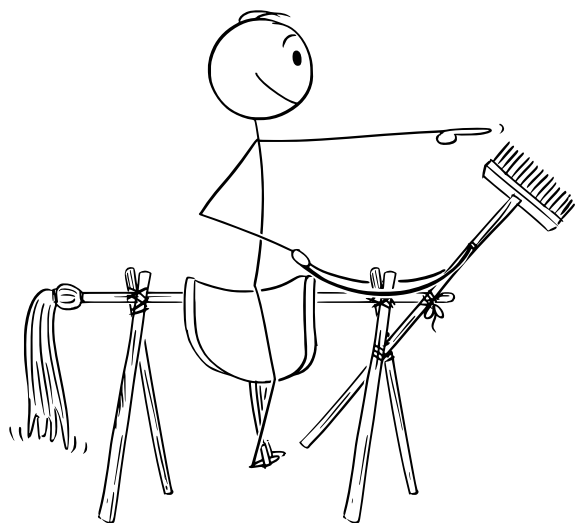Director of Public Policy & Civic Engagment,
The Arc of King County

June 2025

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BELONGING AND WELL-BEING

"Inclusion is a belief system. It begins with the belief that every child has strengths to build upon, interests to share, and experiences to honor."

> -Nicole Eredics, The Inclusive Class

"Everyone wants to be valued and have a sense of belonging in their community … Although belonging is equally important for all students, students with significant cognitive disabilities are less likely to experience a deep sense of belonging."

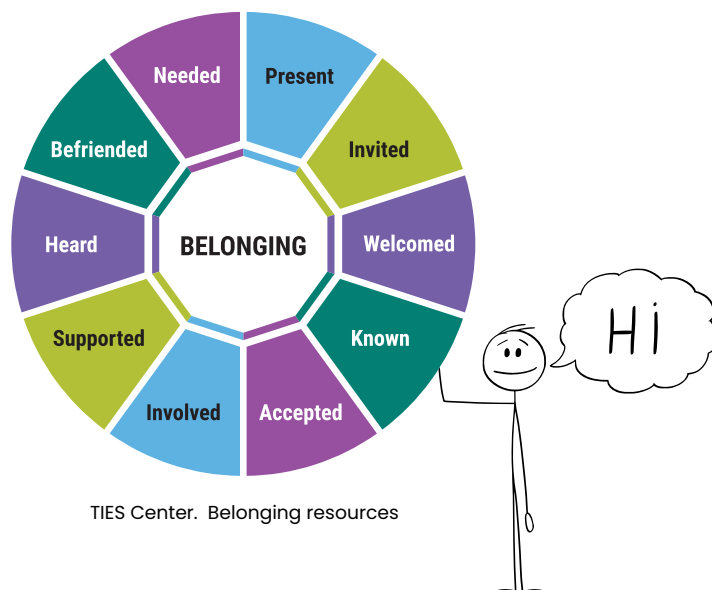> - TIES Center

Inclusion is important from the start.

There are many reasons and rationales behind "why inclusion," but the most basic is because it is good for your child's development. Inclusion is good for the brain. It promotes empathy and helps children learn social skills and develop friendships. It also supports the skills and experiences needed to develop resilience.

Children with developmental delays and disabilities may need extra support with social and emotional learning and regulation. They also are more likely to face major stresses like income, housing and food instability, abuse, and bias. Inclusive learning helps children get what they need developmentally and sets them up for success later.

It helps children:
- Develop responsive relationships with adults and children outside their home
- Develop core skills alongside diverse peers, each with their own gifts

And because inclusive spaces are designed to be accessible and responsive, they minimize environmental stressors some children experience that can cause chronic stress.
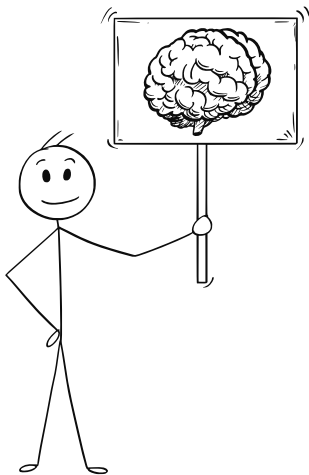

TIES Center. Belonging resources

ABOUT THE BRAIN

The brain is responsive and dynamic. It changes according to what we do and experience. It is super busy making connections when we are young, and later prunes back what it is not using. But the brain never stops being responsive and dynamic.

Experiences, good and bad, make us who we are.

Stress affects the brain. Some stress is fine, good even. Learning to cope with manageable stress helps us develop resilience. Toxic stress can adversely affect healthy development, but all stress can be buffered and mitigated.

And reciprocal relationships are essential to that process.

When children are supported with strong relationships, they are able to develop and practice core coping skills and resilience. They process stress better. By emphasizing qualities of membership and belonging, inclusion promotes the coping skills we all need.

No one is born with these skills, also called executive functioning. We learn them across our lifespan, in the context of relationship.

INCLUSION IS POWERFUL

Children seek to belong and learn to connect socially very early in life. Embedded in inclusion are the concepts of membership, participation, and friendship. All parents want their children to thrive and be welcomed, valued members of their community. Science tells us that unconditional acceptance, connection with others, safety and security, unstructured play and empathy are essential elements for healthy children. But when you have a child with a disability, there can be barriers to those basic elements. And in their absence, children don't flourish.

Inclusion – the deliberate effort to promote accessibility and belonging – gives children a foundation to build from. Early inclusion promotes continued social connection and community. Early isolation predicts longer-term isolation.

Key concepts

(Center on the Developing Child at Harvard University)

- Three Core Concepts in Early Development
- Brain architecture
- Toxic stress

Resources:

- WithinReach Virtual Learning Series: Early Childhood Development (September 16, 2020) Dr. Sarah Lytle, with the Institute of Learning and Brain Science (I-Labs) at the University of Washington, shares a great description of brain development occurring in three phases of blooming, pruning, and thriving, and how nurturing relationships are so valuable to kids as they are building and refining those rapid connections.

- Creating communities of belonging for students with significant cognitive disabilities (TIES Center)

- What is epigenetics? (Center on the Developing Child at Harvard University)

- Guide – Brain architecture (Center on the Developing Child at Harvard University)

- Guide – Executive functioning (Center on the Developing Child at Harvard University)

- Guide – Resilience (Center on the Developing Child at Harvard University)

Vocabulary

ACEs: Adverse Childhood Experiences. ACEs can have a tremendous impact on lifelong health and opportunities.

Belonging: Being accepted as a valued member of a group, feeling connected and supported. See also: Dimensions of belonging, TIES Center

Inclusion: The action or state of including or of being included within a group or structure. It is intentional and mindful of supports and accessibility.

Membership: The state or status of being a member; participating in a group.

Stress: A feeling of emotional or physical tension. It can come from any event or thought that makes you feel frustrated, angry, or nervous. Stress is your body's reaction to a challenge or demand. In short bursts, stress can be positive, such as when it helps you avoid danger or meet a deadline. When it is intense and prolonged, it can be toxic and affect lifelong health and well-being.

Resilience: The capacity to recover from difficulties.

Responsive: Reacting quickly and positively. Active engagement.

INCLUSION

"When a flower doesn't bloom, you fix the environment in which it grows, not the flower."
> - Alexander den Heijer, author

"Structurally, we create programs that segregate children based on what we think they need, probably forever."
> - Dr. Debra ren-Etta Sullivan, Seattle Black Child Development

"Inclusion is about creating a better world for everyone."
> - Diane Richler, past president of Inclusion International

Inclusion does not "just happen." It is a choice. It relies on presumed competence and a willingness to adjust practices or strategies

It also means different things to different people. For many, it is a human rights issue. Inclusive communities start with inclusive schools. When children see peers with disabilities sent to the portables, it teaches them that some people must be kept apart. They grow up with a distorted sense of humanity.

Under federal law, it is also a civil rights matter. General education – WITH the appropriate aids, services, accommodations and modification provided – is always the first setting for students with disabilities. When we fail to design and resource our general education setting to be accessible and responsive to

to students with disabilities, we deny them access and opportunities that are given to their nondisabled peers. Compounding this: In Washington state, Black students with disabilities are more likely to be placed in special education classrooms than their White peers with disabilities, even when they have similar academic performance and behavior.

Inclusion presumes competence

Segregation	Inclusion
When we segregate children according to perceived ability, we set a singular expectation of success or failure – we cut off social connections and narrow learning opportunities.	In an inclusive class, children are given access to varied learning opportunities and the space to develop a strong sense of self: their skills, their individual needs, how they learn best and belong within their community.

In the educational context, inclusion means learning environments are designed to support all students in age-appropriate classes, alongside their peers with and without disabilities. It is intentional and supported. It anticipates diverse needs. In an early learning setting, emphasis may be placed on membership, relationships, and early skill development. In a K-12 setting, access to high quality instruction aligned to state standards is layered in.

Inclusive schools have a collaborative and respectful culture where students with disabilities, students experiencing trauma, and students with cultural and linguistic backgrounds are presumed to be competent, develop positive social relationships with peers, and are fully participating members of the school community. Inclusive education occurs best when there is ongoing advocacy, planning, support, leadership, and commitment.

What does the research say?

- It works
- It is not more expensive
- Students with and without disabilities do better academically and socially when they learn together in classrooms designed to be inclusive
- Early inclusion promotes continued social connection and community; early isolation predicts longer-term isolation

Historically, Washington has been one of the most segregated when it comes to including students with disabilities in general education, ranking in the bottom 5 to 10 among states. That started turning around in 2020 after the state launched its inclusionary practices initiative. In addition to separate placements, data showed students with disabilities were not doing well. School climate surveys, dropout rates, exclusionary discipline, state test scores, and post high school engagement surveys all showed students with disabilities struggling.

3 questions every IEP team should answer

1 Will the student experience belonging as a member in their school *and* general education classroom(s)?

2 Will the student be actively participating at school across the school day?

3 Will the student be learning the grade-level general education curriculum?

The answer to each of these questions must be **yes** (really!)

Adapted from OSPI's "Comprehensive Inclusive Education in Washington Connecting General Education and Individualized Education Programs (IEPs)

There is no single definitive reason for why segregated students fail to thrive – at least not identified so far. Students may feel isolated within the school. They may not have access to the core curriculum or certain subjects. They may be denied opportunities because others have low expectations for them.

But research shows students learn and thrive when they are valued, visible members of their classroom and school communities and actively participate in general education activities. Inclusionary practices are strategies that teachers use to ensure learning is accessible and responsive.

Washington has been promoting and supporting inclusionary practices for several years now. There have been successes, but not for everyone. In response, In 2025 the state focused on two areas:

- Including Black/African American students with disabilities in general education. In 2024, 53% of Black students in Washington spent at least 80% of the school day in the general education setting. For White students that was 68%. There is a racial component to segregated settings.

- Including students with intellectual and developmental disabilities (IDD) in general education. In 2024, just 9% of students with IDD spent 80% or more of the school day in the general education setting. For some schools that was just 3%. Myths persist that students with extensive support needs require a separate setting. The reality is services can be pushed into the general education setting. Specially designed instruction (SDI) can be provided by any teacher or educational staff member as long as the SDI is designed and supervised by special education licensed staff.

To support more inclusion of Black students and students with IDD, the state Office of the Superintendent of Public Education (OSPI) created a new tool, Comprehensive Inclusive Education.

It calls on the team to affirm a plan for belonging, active participation, and access to grade-level standards – for the student as a member of the school, and as part of their grade-level, general education classroom.

When students with different support needs learn together, they experience better academic and behavioral outcomes, social relationships, high school graduation rates, and post-school success. Inclusive education is an evidence-based practice for educating all children and preparing them for life after school.

Resources - Tools

- Comprehensive Inclusive Education in Washington - A step-by-step process to develop inclusive IEPs and promote equitable learning opportunities and post-school outcomes for students eligible for special education services. (See also: Comprehensive Inclusive Education web page. OSPI, 2025)

- Extended Myths & Facts About Inclusionary Practices in Washington (OSPI, TIES Center. 2024). Good to share with the IEP team. Facts and research is provided, along with strategies to dispel the myth. Myth 1: Costs of Inclusion. Myth 2: Who can Provide Specially Designed Instruction? Myth 3: Readiness for Instruction in General Education. Myth 4: IEP and General Education Standards. Myth 5: Parents and Inclusion. Myth 6: Disability Category and Placement. Myth 7: Cognitive Assessments and Academics. Myth 8: Race/Ethnicity and Disproportionate Placement. Myth 9: Access to Universal Behavior Supports. Myth 10: Multilingual Learners with Disabilities

- Achieving Inclusion: What Every Parent Should Know When Advocating for Their Child (Pearl Centre. Causton-Theoharis & Kasa, 2012)

- Creating communities of belonging for students with significant cognitive disabilities (TIES Center). "Belonging is experienced when students are present, invited, welcomed, known, accepted, involved, supported, heard, befriended, and needed. When each of these areas is addressed well, schools become learning environments in which students with disabilities thrive and are seen as valued and indispensable members of the school community. We present this framework for belonging as a helpful guide for schools that want to press even further on this important journey."

- TIES Center: a simple reflection tool (Word document will download)

- For reflection: The Language of Us and Them (a poem)

- Inclusionary Practices Technical Assistance Network (IPTN). IPTN is a statewide initiative to collectively prevent exclusionary practices and provide all Washington state students with choice and opportunity. Site explains why the state is doing this and links to resources developed to support school communities.

Resources – The research

- WithinReach Virtual Learning Series: Early Childhood Development (September 16, 2020). Dr. Debra Ren-Etta Sullivan, with the Seattle Black Child Development Institute, speaks to the intersection of race and inclusion and how professionals can set pathways very early on that are difficult for children to leave.

- 5 Moore Minutes with Shelley Moore – A collection of videos dedicated to empowering schools and classrooms to support ALL learners

- A Summary of the Evidence on Inclusive Education (Instituto Alana, 2016) Policy Statement on Inclusion of Children with Disabilities in Early Childhood Programs (US Departments of Health and Human Services and US Department of Education. 2015) This document lays out the research and legal foundation for inclusion and offers policy recommendations.

- Inclusion for Young Children with Disabilities: A Quarter Century of Research Perspectives (Samuel L. Odom, et al. Journal of Early Intervention, 2011

- Inclusion: An overview (Early Childhood Technical Assistance Center)

Resources - Stories & examples
- Inclusionary Practices (OSPI. Short video, featuring voices from demonstration sites)
- Wide Open Spaces: Maggie's Story
- From Isolation to Inclusion: Anne's Journey
- Ruby Bridges Deep Dive (You can find webinars from other inclusion demonstration sites here: https://ippdemosites.org/demonstration-sites/)

Where to find data:

School districts must report least restrictive environment (LRE) and other data tracked under IDEA to the state Office of the Superintendent of Public Instruction (OSPI). The state then reports statewide data to the federal government.
- You can find district-level data here, Special Education Data Collection. Click on "Washington State Annual Performance Report (APR) LEA District Profiles. Then you can choose the year. It will download a large excel spreadsheet.
- You can find the Annual Report to Congress on the Individuals with Disabilities Education Act (IDEA) here. (As of June 2025).

Vocabulary

Access: Approaching, entering, exiting, communicating with, or making use of.

Accessibility: The degree to which a product, device, service, or environment is available to as many people as possible. Accessibility can be viewed as the ability to access and benefit from a system, service, or environment.

Accommodations: An alteration of environment, curriculum format, or equipment that allows an individual with a disability to gain access to content and/or complete assigned tasks. They allow students with disabilities to pursue a regular course of study.

ADA: The Americans with Disabilities Act is a civil rights law that prohibits discrimination against individuals with disabilities in all areas of public life, including jobs, schools, transportation, and all public and private places that are open to the general public. It covers public and private settings, but not religious settings.

Belonging: Being accepted as a member or part of a group.

Co-teaching: The practice of pairing teachers together in a classroom to share the responsibilities of planning, instructing, and assessing students. Co-teaching is often implemented with general and special education teachers paired together as part of an initiative to create a more inclusive classroom.

Exclusion: Being barred. Prior to 1975, students with disabilities could be, and were, denied entry to public schools.

IDEA: Individuals with Disabilities Education Act, the law that guarantees eligible children a free appropriate public education. Children must have a qualifying disability and must require specialized instruction.

Inclusion: Intentionally building a community in which each individual is recognized, has access, and participates and belongs as a valued member.

Individualized Education Program: An IEP is the legal document that outlines the special education and related services a student with a disability will receive.

Integration: Placing students with disabilities in mainstream education without also considering ways to change general education to be accessible, flexible and responsive to all learners.

Learning modifications: Changes made to the curriculum or learning expectations. Unlike accommodations, which adjust how a student learns or demonstrates knowledge, modifications alter the content, level of difficulty, or quantity of work required, potentially leading to different learning outcomes.

Presumed competence: The assumption that everyone has the capacity to learn, think, and understand, regardless of diagnosis or disability.

Segregation: Students with disabilities are educated in separate settings from typical students.

Section 504: The section of the Rehabilitation Act of 1973 that prohibits discrimination based on disability. It applies to any entity that receives federal funding. A "504 plan" in education details what accommodations a student with a disability requires to access their education. Any student with a disability in a public school is covered by Section 504.

Special education: A collection of services, not a place.

Specially designed instruction: Adapting the content or delivery of instruction to meet the unique needs of a student, as outlined in their Individualized Education Program (IEP).

Supplementary aids and services: Supports that are provided in regular education classes, other education-related settings, and in extracurricular and nonacademic settings, to enable children with disabilities to be educated with nondisabled children to the maximum extent appropriate.

Universal Design for Learning: UDL is a framework to improve and optimize teaching and learning for all people. The UDL framework starts with the belief that every student is different and that's the norm. In UDL, variability is embraced. When students face barriers to learning, it's the curriculum that's disabled, not the students. All students have assets and strengths and goals and interests. In a UDL classroom, educators offer students options and choices to create personalized pathways to meet rigorous goals.

DISABILTY IS DIVERSTIY: RIGHTS & JUSTICE

"Disability is a natural part of the human experience that does not diminish the right of individuals with developmental disabilities to enjoy the opportunity to live independently, enjoy self-determination, make choices, contribute to society, and experience full integration and inclusion in the economic, political, social, cultural and educational mainstream of American society."

-The Developmental Disabilities Assistance and Bill of Rights Act

Identity-first language is founded upon the idea of the social model of disability. In a nutshell, the social model says that though our impairments (our diagnostic, medical conditions) may limit us in some ways, it is the inaccessibility of society that actually disables us and renders us unable to function. The most basic example is wheelchair accessibility. If I am using my wheelchair and I can't go to a restaurant because it doesn't have a ramp, am I disabled by my cerebral palsy or am I disabled by the inaccessibility of the restaurant?

If that restaurant has a ramp, I am able to function perfectly within that situation. I am able to go in, sit at a table, order my food, eat it, and pay, just like everyone else. My wheelchair is not the problem. The inaccessibility of the restaurant is. Saying that I am disabled more accurately highlights the complex biosocial reality of disability. I am not merely a person existing with a label; I am constantly disabled and enabled by the interplay of my body and the environment. - Cara Liebowitz, I am Disabled: On People First vs. Identity First Language

- Cara Liebowitz, from "I am Disabled: On People First vs. Identity First Language"

"Disability is natural" is a paradigm shift in thinking. In much of the world, people view disability as a problem to be fixed. But disability is a type of diversity. People with disabilities have always existed and have always been part of the fabric of community.

About 1 in 4 adults and 1 in 6 children have a disability.

In Washington, just 1 percent of children age 4 and under are identified as having a disability. School districts have a responsibility to find and assess students with disabilities, and in the K-12 years, prevalence increases to 15 to 20 percent. By the time a person reaches age 75 in our state, more than half of their peers will have a disability.

The spectrum includes physical, cognitive, or sensory conditions, as well as specific learning disabilities like dyslexia.

People with disabilities are the largest and most diverse minority, representing all abilities, ages, races, ethnicity, religions and socioeconomic backgrounds. Whether a person is born with a disability or whether they acquire one during their life, they need to be an active participant in the world and their voices need to be heard.

CHALLENGES

But participation in community life remains a challenge. People with disabilities face physical and social barriers including inaccessible environments, lack of appropriate assistive technology, negative societal attitudes, and public policies that don't consider their needs.

In 2024, the employment rate for working-age adults (16-64) with disabilities was just 37.4 percent, according to the Bureau of Labor Statistics. For non-disabled people it is 66 percent. Disability is a key factor in homelessness rates and food insecurity. Research also shows widespread bias and discrimination in the healthcare field against people with disabilities.

The promise of inclusive learning is not just to better prepare youth with disabilities to participate in community life, but to help nondisabled people understand the need for accessible communities. When we segregate youth, we isolate adults.

NOTHING ABOUT US, WITHOUT US

Section 504 of the Rehabilitation Act passed in 1973, after being vetoed twice. It took 4 years of activism – including a 28-day sit-in – before regulations were signed in 1977. It took another 13 years to pass the Americans with Disabilities Act.

But the activists prevailed, and civil rights were expanded to include people with disabilities. Key moments include:

- 1973 - Rehabilitation Act passes
- 1975 - The Individuals with Disabilities Education Act (IDEA), originally passed as the Education for All Handicapped Children Act; and
- 1977 - Section 504 regulations signed
- 1990 – Capitol Crawl and passage of the Americans with Disabilities Act
- 1999 - Olmstead v L.C., a landmark US Supreme Court ruling that established that the unjustified segregation of people with disabilities is a form of discrimination under the Americans with Disabilities Act (ADA)

The disability rights movement says people with lived experience must participate in decisions that affect them. "Nothing about us, without us" is its rallying cry.
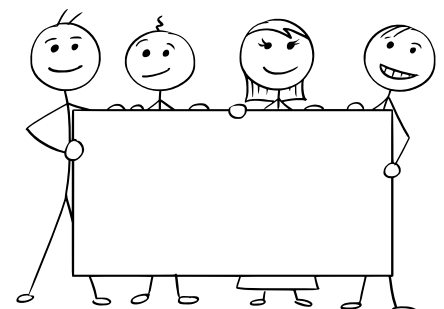
THE MODELS

Activists started challenging perspectives about disabilities in the 1980s, starting with the medical model, which focuses on disability as something to be fixed. They questioned whether disability was a personal limitation or a failure of society to design and provide appropriate spaces and supports. The models captured ways people viewed disability and challenged people to question assumptions. Advocating for a social model approach (eliminate the barriers and make things accessible) helped pass the ADA. That, in turn, launched the disability pride movement. The pride movement promotes acceptance and self-affirmation and seeks to change

Common models of disability

Medical model	Disability is a disease to be cured or eradicated. A problem to be fixed so a person can be restored.
Moral model	Disability as spiritual or moral failure. Alternatively, disability is inspiring or a gift.
Charity model	Disability as victim hood that should be pitied
Social model	Disability is not an individual's impairment, but is the result of societal barriers and attitudes.

The way people view disability impacts how people with disabilities are treated.

society's views about people with disabilities.

In 2005, a new movement started: disability justice. It focuses on building societies that work for all of us. It centers on how our different identities (sexual orientation, gender, race, disability, etc) intersect and calls out how different types of oppression amplify and reinforce each other.

Threaded throughout this history are concepts of dignity of risk, self-determination, and presumed competence. As perceptions of disability changed, we started to see a shift in how students were supported.

Resources:

- LISTEN A short movie in which nonspeaking autistic people talk about how non speakers are represented in books, theatre, and film.

- Sins Invalid, 10 Principles of Disability Justice

- One out of 5: Disability History and Pride (Education Ombuds)

- The historical shift from disability rights to disability justice

- EveryBody: An Artifact History of Disability in America (Smithsonian)

- Community living and Olmstead

- Disability Guide Toolkit and Resource Guide

- Issues in the Lives of People with Intellectual and Developmental Disabilities (SARTAC, resources developed by people with IDD for people with IDD)

- Models of Disability: Types and Definitions (Ian C. Langtree, Disabled World)

- Rooted in Rights - Disability Stories for Disabled People

- Not Special Needs, a short video

- I am Not Your Inspiration (Stella Young, TED Talk)

Vocabulary

Ableism: Discrimination against people with disabilities. Also: a set of beliefs or practices that devalue and discriminate against people with disabilities and often rests on the assumption that disabled people need to be "fixed."

Accessibility: The practice of making information, activities, and environments easily usable by people with disabilities.

Dignity of risk: The idea that individuals, regardless of their abilities or circumstances, have the right to make choices, even if those choices involve potential risks.

Disability, ADA definition: A person who has a physical or mental impairment that substantially limits one or more major life activity.

Disability, social model: How society turns differences in people's bodies and minds into a problem.

Discrimination: When people are targeted based on their beliefs, identity, or perceived differences. Discrimination can happen between two people, groups of people, or within larger systems.

Intersectionality: Multiple aspects of our identities impact who we are and the way that we are seen and treated by others.

Identity: Who a person is and what makes them that way.

Impairment: When a specific part of someone's body or mind functions in a different way than most people

Language, identity-first: Identity-first language places the disability-related word first in a phrase. People who prefer identity-first language for themselves often argue that their disability is an important part of who they are, or that they wouldn't be the same person without their disability. (Example: I am autistic)

Language: people-first: A language preference that recognizes the person first and foremost as the primary reference and not his or her disability. (Example: I am a person with Down syndrome, or I have Down syndrome)

Self-advocacy: Self-advocacy is learning how to speak up for yourself, make decisions about your life, and get information so that you can understand things that are of interest to you.

Self-determination: The process of making choices, solving problems, and taking control of your life. Historically, youth and adults with intellectual or other developmental disabilities have been denied their right to self-determination. Components include: goal setting; problem-solving; decision-making; self-advocacy; self-awareness; and self-management

Social identity: How we are defined by social group. Some examples include race, religion, gender, sexual orientation, disability, and age. Intersectionality is how our different social identities impact our lives.

Universal design: The concept of designing spaces, products, and services to be usable by all people, to the greatest extent possible, without the need for adaptation or specialized design.

The Language of Us and Them

By Mayer Shevin, 1987

We like things.
They fixate on objects.

We try to make friends.
They display attention-seeking behaviors.

We take a break.
They display off-task behavior.

We stand up for ourselves.
They are non-compliant.

We have hobbies.
They self-stim.

We choose our friends wisely.
They display poor peer socialization.

We persevere.
They perseverate.

We love people.
They have dependencies on people.

We go for walks.
They run away.

We insist.
They tantrum.

We change our minds.
They are disoriented and have short attention spans.

We are talented.
They have splinter skills.

We are human.
They are...?

Dignity of Risk

Linda Stengle, Laying Community Foundations for Your
Child with a Disability (1996)

WHAT IF …

What if you never got to make a mistake?

What if your money was always kept in an envelope where you couldn't get it?

What if you were never given a chance to do well at something?

What if your only chance to be with people different from you was with your own family?

What if the job you did was not useful?

What if you never got to make a decision?

What if the only risky thing you could do was act out?

What if you couldn't go outside because the last time you went it rained?

What if you took the wrong bus once and now you can't take another one?

What if you got into trouble and were sent away and you couldn't come back because they always remember you're trouble?

What if you worked and got paid $0.46 an hour?

What if you had to wear your winter coat when it rained because it was all you had?
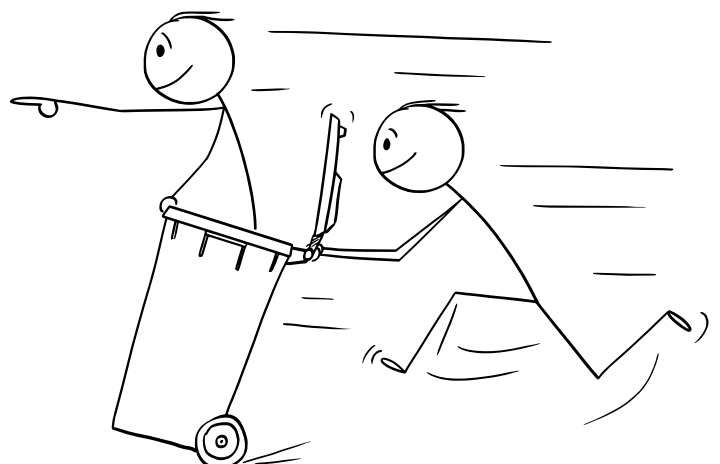
What if you had no privacy?

What if you could do part of the grocery shopping but weren't allowed because you couldn't do all of the shopping?

What if you spent three hours every day just waiting?

What if you grew old and never knew adulthood?

What if you never got a chance?

LEGAL BASIS FOR INCLUSION

"Inclusion is a right, not a privilege for a select few."
 -Judge Geary, Oberti v. Board of Education (DNJ 1992)

*"Removal of a child with disabilities from the regular education class may occur **ONLY** if the child cannot be satisfactorily educated in the regular educational environment **WITH** the use of supplementary aids and services."*

 - Center for Parent Resources and Information

Public education needs to work for all students. That is not an aspirational comment. It is a legal one.
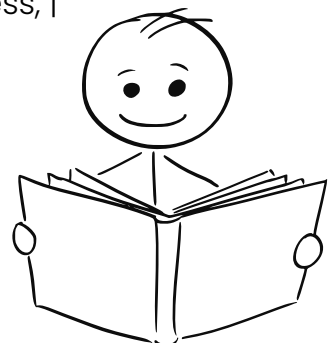
Civil rights for students with disabilities includes:
- Equal opportunity to benefit
- Equal access
- Most integrated settings appropriate
- Presumed support in the natural setting / general education classroom
- Schools can't discriminate or deny access to students with disabilities, or require them to be educated separately because they have a disability

The term "inclusion" is not in the law. But there is a legal foundation for inclusive learning. It comes from 3 laws working together that affirm:
- Public services need to be accessible to people with disabilities in a meaningful way.
- People with disabilities should be supported alongside people without disabilities. Removal should not happen unless it must, based on the needs of the individual.

Until 50 years ago, public schools DID exclude and segregate children with disabilities. Even when schools granted these children access, | they limited what children with disabilities could learn.

And then we passed state and federal legislation to end that.

WHEN EDUCATION WAS ONLY FOR SOME

Most students do not have to prove they can learn or make the case that they belong in community, or that their peers don't only include other disabled children.

Legally, neither should Black students with disabilities nor children with intellectual and developmental disabilities. But both groups continue to feel the aftereffects of sanctioned segregation and exclusion. They continue to be separated out at much higher rates than other students with disabilities.

Into the 1970s, students were assessed for presumed potential and classified:

- Educable – able to learn simple academics
- Trainable – able to learn some daily care, or manual skills
- Custodial – untrainable; require long-term care

The buckets were tied to IQ scores and subjective views about whether a child had potential. Schools could, and did, refuse to educate students, or only offered them limited opportunities.

It is important to understand this context. Laws were passed to affirm equal opportunity and access. They built on civil rights legislation of the 1960s that outlawed discrimination based on race, color, religion, sex, or national origin.

Today, students with disabilities do not have to earn their way into general education. They have a right to learn alongside their peers with and without disabilities – and they have the right to the support to make that setting accessible.

If, even with needed support, that general education setting is not working, students with disabilities can be served in alternative settings to ensure they receive a free and appropriate public education.

But IEP teams don't start by assuming general education won't work. And they don't start by assuming services will be provided in a separate setting. There needs to be student data to show a separate setting is appropriate for the child and that providing services in the general education setting do not work. Public school districts must adhere to Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act, as well as IDEA's rules governing special education. And those laws say schools cannot discriminate based on disability.

What public schools offer students without disabilities needs to be accessible to students with disabilities.

LEAST RESTRICTED ENVIRONMENT

If your child uses special education services, you may be familiar with IDEA, short for Individuals with Disabilities Education Act. It lays out the rules schools must follow to get federal funding for special education services.

But there are 2 other laws you should know about.

- Section 504 of the Rehabilitation Act of 1973. This is where FAPE – short for free and appropriate public education – first appears. It applies to entities that use federal funds.
- Title II of the Americans with Disabilities Act, passed in 1990. This covers state and local services.

Collectively, these laws provide the legal basis for inclusion. They repeat and affirm key concepts.

IDEA
- Free and appropriate public education
- Equal education opportunities
- Support in natural environments
- The right to the least restricted environment (LRE). LRE presumes the first placement option considered is the regular classroom a child would attend if they did not have a disability, with needed supports and specialized instruction provided in that setting

IDEA applies to all public schools that receive federal funding. It also covers students in private settings, where those entities are contracted to provide the student's special education services. To qualify, students must have both a qualifying disability and require specialized instruction to access general education.

Section 504 of the Rehabilitation Act of 1973
- If an entity receives federal funding, it cannot discriminate on the basis of disability
- Free and appropriate public education
- Equal opportunity to participate and benefit

- Most integrated setting, to the maximum extent appropriate
- Auxiliary aids where necessary

Section 504 applies to all public schools (and many other entities) that receive federal funding, as well as private programs that receive federal funds, though the rules vary when the setting is private. It applies to all youth with disabilities. It also applies outside of schools.

Americans with Disabilities Act, Title II
- State and local public programs cannot discriminate based on disability
- Equal opportunity to benefit
- Most integrated setting appropriate to the needs of individuals with disabilities. Cannot exclude people with disabilities except in the case of direct threat to health and safety
- Must offer reasonable accommodations

The ADA applies across public and private settings, regardless of whether federal funds are used. Title II applies to programs, activities, and services operated by state and local governments, including school districts. As with Section 504, the ADA applies to all youth with disabilities, as well as their parents and staff.

PLACEMENT

In all three, the presumed place someone receives services is the same used by everyone else. Section 504 and the ADA affirm the right of someone with a disability to be in that setting. They also affirm the need to make it accessible, so people with disabilities have an equal opportunity to benefit.

Section 504 and the ADA apply to everyone with a disability.

IDEA establishes a process to determine what is needed to make general education accessible for students eligible for special education services. It requires schools to be prepared to offer a continuum of placement options but also requires them to demonstrate why students can't be supported in general education. It should use student data to support that decision.

Under IDEA, "placement" includes both the services and location where the child

will receive those services. If your child uses special education services, the IEP team will determine the placement, and you are part of the IEP team. Understanding your child's rights under both federal civil rights law (Section 504 and the ADA) and IDEA, as well as the benefits of inclusive learning, will help you participate effectively in that decision.

WHAT ABOUT PRESCHOOL?

Least restricted environment (LRE) rules apply to special education services in preschool, as well.

IDEA is divided into parts. Part C covers early support for infants and toddlers and says services must be provided in natural environments. A natural environment is defined as settings that are typical for a same-aged infant or toddler without a disability. These might include the child's home, community settings, or any location where a child without disabilities would typically spend time.

Part B of IDEA covers special education services for children ages 3 to 21. (We now go to age 22 in Washington state.)

For children ages 3 to 4, and some 5-year-olds, this means enrollment in preschool.

- Under IDEA, each school district must ensure that a free and appropriate public education (FAPE) is provided in the least restricted environment regardless of whether the district operates public general education preschool programs for children without disabilities.

Not all school districts have general education preschool programs. Whether they do or not, they still need to offer special education services in a general education setting. For early learning, the general education setting is defined as one where at least 50 percent of the students do not have disabilities.

If school districts don't run their own general education preschool program, they can push in services elsewhere, or partner for delivery.

Developmental programs: Many districts offer what are called developmental preschool programs for children with disabilities. If these have at least 50%

nondisabled students enrolled, then they are considered a general education setting. If they do not, then the IEP team needs to determine what the general education setting will be.

Head Start or ECEAP: This could include a Head Start or ECEAP program. Head Start is a federal program for low-income children. ECEAP is short for Early Childhood Education and Assistance Program and is a state-run program for children who meet certain requirements. Children with IEPs are automatically eligible for ECEAP. These programs take an inclusive, whole-child approach and include support for the family. They offer services most district-run developmental programs do not.

Head Start programs must comply with Section 504 rules. ECEAP programs must comply with Title II of the ADA.

Other public programs. These could include a city-run preschool. Because they are public, they must comply with ADA Title II requirements. They can't refuse to take a child because they have a disability and must offer equal access and equal opportunity to benefit. They might have a partnership with school districts to push in special education services or be contracted providers, but your school district is still the lead on special education services.

If these programs are not available, other public or private community programs could be an option. That would be an IEP team decision. But there needs to be a reason, backed by data, to place a child in a self-contained setting.

If you are interested in a private option, the ADA Title III offers some protection. Private places of public accommodation (businesses, including child care centers) need to offer reasonable accommodations. They can't refuse service because someone is disabled, but they also do not need to make significant changes to their program to accommodate people with disabilities.

The ADA does not apply to schools run by religious institutions.

BULLYING, ISOLATION, SCHOOL REMOVAL

Title II of the ADA does not just apply to LRE. It protects students with disabilities against discrimination and could come into play with bullying at school, school removals, use of isolation or restraint, or failure to include children with disabilities in field trips or other school activities.

Resources:

- Policy Statement on Inclusion of Children with Disabilities in Early Childhood Programs (US Departments of Health and Human Services and US Department of Education. The legal framework it covers applies to K–12 as well as early learning services)

- Americans with Disabilities Act (ADA) – An Overview (ADA National Network)

- ADA, State and Local Government (Title II) (ADA National Network)

- Section 504 (U.S. Department of Education - covers rules for education)

- Section 504 (U.S. Department of Health and Human Services - covers rules for health and social services). See also, social media toolkit for 2024 update

- Individuals with Disabilities Education Act statute and regulations

- Equity and Civil Rights (OSPI) - Nondiscrimination law, state and federal

ADA and discrimination in schools:

- Complaints and Concerns About Discrimination (OSPI)

- Justice Department Secures Agreement with Washington School District to Remedy Discriminatory Seclusion and Restraint Practices

- Disability Rights Laws in Public Primary and Secondary Education: How Do They Relate?

- Coming into The Light (Restraint & Isolation in WA Schools)

- Bullying, harassment and intimidation (WA Education Ombuds)

- Language Access (WA Education Ombuds)

- Supports for Students with Disabilities (WA Education Ombuds)

Vocabulary

504 plan: A 504 plan outlines accessibility requirements for students with disabilities. It comes from Section 504 of the Rehabilitation Act of 1973. Not all students with disabilities require specialized instruction; the 504 plan ensures students get the accommodations they need to ensure academic success.

ADA: The Americans with Disabilities Act (ADA) is a federal civil rights law passed in 1990 that prohibits discrimination against individuals with disabilities in all areas of public life, including jobs, schools, transportation, and all public and private places that are open to the public.

Assessment: Collecting and bringing together information about a child's learning needs; a process using formal and informal methods to determine an individual's strengths and weaknesses to plan, for example, his or her educational services.

Assistive technology: Assistive technology is any item, piece of equipment, or product system whether acquired commercially off the shelf, modified, or customized, that is used to increase, maintain, or improve functional capabilities of individuals with disabilities.

Co-teaching: Co-teaching is when a general and special education teacher are paired together to share the responsibilities of planning, instructing, and assessing students in a classroom with a mixture of general education and special education students.

Differentiation: A way of thinking about and planning in order to meet the diverse needs of students based on their characteristics; teachers differentiate content, process, and product according to students' readiness, interest, and learning profiles through a range of instructional and management strategies.

Discriminate: To make an unjust or prejudicial distinction in the treatment of different categories of people, especially on the grounds of ethnicity, sex, age, or disability.

FAPE: Free Appropriate Public Education (FAPE) is an educational right of all students with disabilities in the United States that is guaranteed by the Rehabilitation Act of 1973 and the Individuals with Disabilities Education Act (IDEA).

IDEA: The Individuals with Disabilities Education Act (IDEA) is the nation's federal special education law that ensures public schools serve the educational needs of students with disabilities. IDEA requires that schools provide special education services to eligible students as outlined in a student's Individualized Education Program (IEP). IDEA also provides very specific requirements to guarantee a free appropriate education (FAPE) for students with disabilities in the least restrictive environment (LRE).

IEP: The Individualized Education Program (IPE) maps outs the educational program designed to meet a child's individual needs. Every child who receives special education services under IDEA Part B must have an IEP.

IFSP: The Individualized Family Service Plan (IFSP) under IDEA Part C maps out supports for young children with developmental delays and their families.

LRE: Least Restrictive Environment (LRE) is the requirement in federal law that students with disabilities receive their education, to the maximum extent appropriate, with nondisabled peers and that special education students are not removed from regular classes unless, even with supplemental aids and services, education in regular classes cannot be achieved satisfactorily.

Modifications: A modification means a change in what is being taught to or expected from the student. Making an assignment easier so the student is not doing the same level of work as other students is an example of a modification.

Part B: The section of IDEA that covers specialized instruction and related services for students with qualifying disabilities from ages 3-21. (Preschool special education and K-12 special education. Note, Washington now provides services to age 22.)

Part C: The section of IDEA that covers early intervention services for infants and toddlers with developmental delay or disabilities, ages birth through age 2 years, and their families.

Related services: Related services are developmental, corrective, and other supportive services that are required to assist a child with a disability to benefit from special education. These include: transportation, speech-language pathology, audiology services, interpreting services, psychological services,

physical and occupational therapy, recreation, including therapeutic recreation, early identification and assessment of disabilities in children, counseling services, rehabilitation counseling, orientation and mobility services, medical services for diagnostic or evaluation purposes, school health services, school nurse services, social work services in schools and parent counseling and training.

Resource room: A resource room is a separate, remedial classroom in a school where students with disabilities are given direct, specialized instruction and academic remediation and assistance with homework and related assignments as individuals or in groups.

Special Education: Specially designed instruction and related supports that address the unique needs of a student eligible to receive services under IDEA Part B.

UNIVERSAL DESIGN FOR LEARNING & MTSS

"Universal Design for Learning is like putting out a buffet of all options and allowing students to choose which options work for them.

The UDL framework starts with the belief that every student is different and that's the norm. We call these differences "variability" and we embrace it. When students come to us differently, and they face barriers to learning, it's our curriculum that's disabled, not our students. All students have assets and strengths and goals and interests. UDL lets us offer them options and choices to create personalized pathways to meet very rigorous goals. Our job is to teach them as they come."
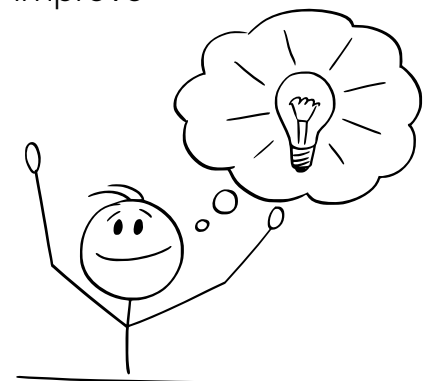
– Katie Novak, education consultant

When schools aren't working for learners – maybe we should rethink our approach.

Universal design is a framework for creating environments, products, and services that are usable by all people, to the greatest extent possible, regardless of their age, ability, or other characteristics. It focuses on making things inherently accessible and inclusive, rather than relying on specialized adaptations for specific groups. Universal design for Learning (UDL) takes this framework and applies it to education.

Historically, public education has taken cookie cutter approaches, expecting children to learn and conform in the same way. This left many children struggling, especially those with disabilities.

In the 1990s, we started seeing differentiation. This is when educators adapt lessons and classwork based on their perceptions of what students need. While it increased access, differentiation on its own did not empower learners or improve the learning environment for all students.

Universal Design for Learning flips the approach. Rather than adapt after the fact, educators first create accessible, flexible spaces and lesson plans, informed by the needs of their students. It focuses on how people learn, then layers in degree of support, as needed to ensure access.

Educators can then use <u>multi-tiered systems of support</u> (MTSS) to identify barriers their students are facing. Do some need books on tape? Or access to AAC devices? Or calming spaces they can freely enter or leave? Do a significant number of students need extra support, and if so, should we change the curriculum?

MTSS is a structure to identify what students need:
- It informs the design of the learning environment and lesson plans
- Helps educators organize their efforts
- Is used to identify who needs additional support and what support is needed
- When used to support inclusion, the process can be used by teachers to improve Tier 1 so it is more accessible and responsive

UDL creates a path to inclusion by building flexibility, removing barriers, and empowering students. UDL begins with the idea that all learners are diverse; this is normal and should be anticipated.

UDL classrooms offer multiple options for engagement (the why of learning), representation (the what of learning), and expression (the how of learning).
That is:

- Students need to understand the relevance of what they are learning and be engaged in the process
- Students need choices that allow them access to the content
- Students need options to reflect their learning

These concepts presume competence and nurture self-advocacy and self-determination, qualities that support youth with disabilities.

A UDL analogy using a large dinner party:

- Historical – One meal; if you were allergic or faced some other obstacle, you did without. Depending on your situation, you might get very little nutrition. If you could not eat most of the meal, the host might not even invite you.

- Differentiation – Personalized meals; the chef still controls exactly what each diner gets. This is tough on the chef, and the diner doesn't have a choice.

- Universal Design for Learning – The chef considers the needs of the diners, then lays out a buffet with options. Diners decide what works best for them.

MTSS informs what the buffet, or learning environment, should include. Some students will still need focused support, and MTSS helps here, as well. MTSS is a process to help educators learn about the strengths and support areas of all their students. Who will need some small group support? Who might need more specialized or 1:1 support? Do they always need it, or is it just for some lessons?

The goal with UDL + MTSS is to be flexible and then empower the students.
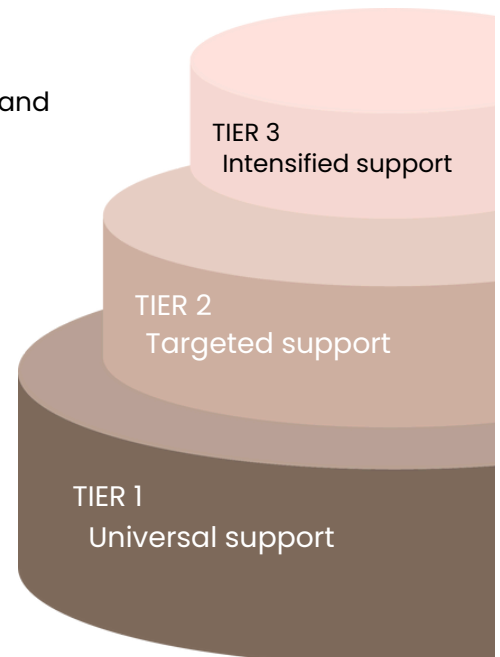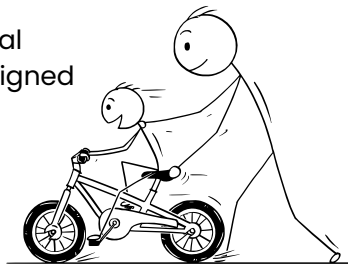
In a traditional approach, a lot of energy can go into proving a child needs extra support or accommodations. With a UDL approach, it is assumed students will need them, to varying degree. By using MTSS, staff can assess which to build into the environment so students can access them as they feel the need.

Multi-tiered systems of support

MTSS is fluid. Students move in and out of tiers over time and depending on needs in a subject area.

Tiers are not places or programs, nor do they represent categories of students. They clarify intensity of resources needed to support a student in an area.

MTSS can inform both general education and specially designed instruction for students using special education services.

TIER 3
Intensified support

TIER 2
Targeted support

TIER 1
Universal support

Resources – UDL

- The UDL Guidelines (CAST)

- Seeing UDL In Action in the Classroom (short video, Understood)

- Universal Design for Learning (UDL): A teacher's guide (Understood) Classroom examples of UDL provided

- A Parent's Guide to Universal Design for Learning (UDL) (National Center for Learning Disabilities, 2008)

- So you think you understand UDL? (Ellen Ullman, eSchool News. 2018)

- UDL + SDI = Learner Agency: What a Transition IEP Goal Can Teach Us (Emily Mostovoy-Luna. Novak Education. 2025) Explores building agency for older youth

Resources - MTSS

- [MTSS for All: Including Students with the Most Significant Cognitive Disabilities](#) (National Center on Educational Outcomes and TIES Center. 2020)

- [Promoting Inclusion Using an Effective MTSS Model](#) (Alisha Poling, Novak Education. 2023)

- [Addressing Misconceptions of MTSS and Special Education](#) (Branching Minds). Infographic and FAQ on common questions

- [Multi-Tiered System of Supports](#) (OSPI)

Vocabulary

AAC: Augmentative and Alternative Communication are tools for people who have difficulty with verbal communication. AAC includes things like picture boards, communication books, or speech-generating devices.

Academic supports: Academic support refers to a variety of instructional methods, educational services, or school resources provided to students in the effort to help them accelerate their learning progress, catch up with their peers, meet learning standards, or generally succeed in school.

Accessibility: Accessibility is making sure that students with disabilities have the same opportunity to access the same information, engage in the same interactions, and enjoy the same services as a student without a disability. This includes access to the general education curriculum and the physical classroom.

Accommodations: An accommodation is changing the environment, curriculum format, or equipment that allows a student with a disability to gain access to content and/or complete assigned tasks. Accommodations do not change the learning goal. Examples: Use of an assisted device; or extended time on tests. Accommodations are determined on a case-by-case basis.

Differentiation: Differentiation means tailoring instruction to meet individual student needs. It reactively evaluates individual students and then modifies lessons or assignments.

Diversity: Diversity means understanding that each student is unique and

recognizes their individual differences and perspectives. These include the dimensions of race, ethnicity, gender, sexual orientation, culture, socio-economic status, age, physical and cognitive abilities, religious beliefs, political beliefs, or other ideologies.

Least restrictive environment: LRE is the part of the Individuals with Disabilities Education Act (IDEA) that says children with disabilities should be educated with students without disabilities to the maximum appropriate extent, with appropriate aid and supports provided the general education setting.

Modifications: Modification means a change in what is being taught to or expected from the student. Making an assignment easier so the student is not doing the same level of work as other students is an example of a modification.

Multi-Tiered Systems of Support: MTSS is framework that organizes building-level approaches and resources to address academic, behavioral, and social-emotional learning. There is universal support for all students; targeted support; and intensive support. Teams use data to guide instruction and identify students who require additional support or increasingly intensive interventions.

Response to intervention: RTI is a multi-leveled approach for aiding students that is adjusted and modified as needed; it is often illustrated with a stacked triangle. RTI is built on the belief that all students are Tier 1 students first and should receive universal instruction with all students present. Some students will require additional intervention, tier 2 or tier 3. Implementing RTI involved early, systematic, and appropriately intensive assistance and strategies, including universal screening, early intervention, frequent progress monitoring.

Universal Design for Learning: UDL is a framework for inclusive education that aims to lower barriers to learning and optimize each individual's opportunity to learn. It proactively designs a learning experience for maximum engagement, access to information, and flexibility in expressing what is being learned.

Variability: All individuals are unique in how they learn. Each student brings a different learning style to the classroom or workplace environment.
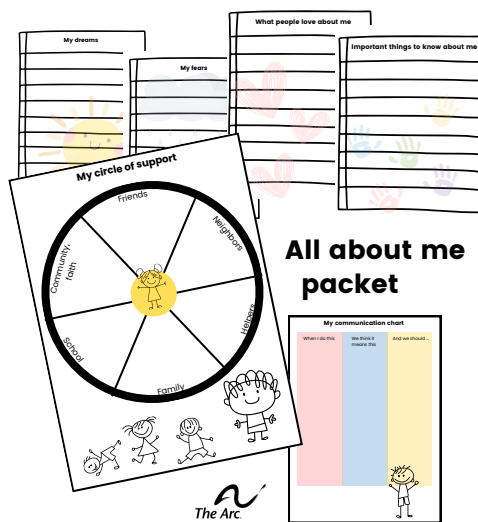
THE HEART OF THE MATTER (PERSON-CENTERED)

"Person Centered Planning is a way of listening to the choices people make about the way they want to live. ... And making it happen."

-Source Unknown

What are my hopes and dreams for my child with disabilities?

Being able to articulate your vision for your son or daughter will help as you advocate for them throughout their life. Person-centered thinking identifies hopes and dreams and shifts the focus from what systems and services are available to identifying what the person wants.

Person centered planning is a strength-based approach that can be used across the lifespan to set goals, identify resources, and draft a plan. You can create materials to share with the IEP team and other professionals that your child interacts with. Having your child actively participate in the process helps to foster self-determination and promote independence. As they grow, children should take ownership of their plan. Person-centered planning is great way to plan for a fuller, inclusive life for your child.

All about me packet

Traditional planning vs. Person centered

Traditional	**Person-centered**
• The System	• The person
• Disabilities	• Abilities
• Reports and assessments	• Gifts and strengths
• What's available	• What's possible
• Standardized	• Individualized
• "Experts"	• Family, Friends, Neighbors

Values of person-centered thinking

- Self-advocay
- Everyone should be included in the community
- Everyone has gifts
- Everyone has capacity
- Everyone has potential
- Everyone can contribute

Resources:

- <u>All About Me Packet </u>(The Arc of King County)

- <u>Charting the life course</u> (Informing Families)

- <u>My Life, My Plan</u> (PAVE)

- <u>The fallacy of independence: valuing interdependence and autonomy as a Disabled adult</u> (Claire. YOUNGMINDS. 2024) Key message for other disabled young people.

- <u>Fostering Self-Determination: Ideas from Parent for Parents</u> (Waisman Center, University of Wisconsin-Madison)

Vocabulary

Independence: Freedom from being controlled or ruled by another. The ability to live your life without being helped or influenced by other people.

Interdependence: The mutual dependence between things. Inter- means "between," so interdependence is dependence between people, things or systems.

Person-centered: Being person-centered is about how you look at the world. This perspective considers the person as an active participant in their life choices. It is seeing the person's strengths first, instead of their disabilities, deficits, or things that other may think need to be "cured." It starts with the person rather than the system.

Person Centered Planning: Person centered planning uses a facilitator to help plan for the future by using a strength-based approach that includes all the important people in the person's life.

Self Determination: Self-determination is believing you can control your own destiny. Self-determination is a combination of attitudes and abilities that lead people to set goals for themselves, and to take the initiative to reach these goals. It is about being in charge, but is not necessarily the same thing as self-sufficiency or independence. It means making your own choices, learning to effectively solve problems, and taking control and responsibility for one's life. Practicing self-determination also means one experiences the consequences of making choices.

BIG, COMPLEX BEHAVIOR

"A child whose behavior is creating issues is not trying to cause a problem. They're trying to solve a problem."

- American Journal of Pediatrics, 1956

"Emotional regulation is first learned through shared calmness with a regulated adult – not by isolating the child."
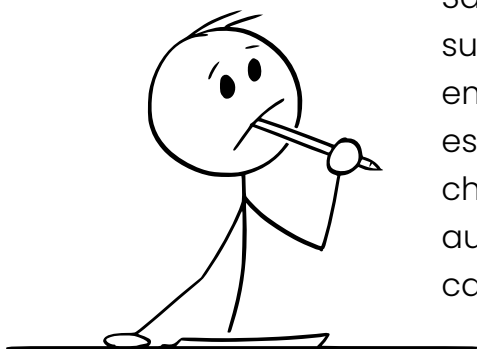
– Dr. Mona Delahooke

When a child is a baby, they communicate with us by crying. A cry tells us they are hungry, wet or uncomfortable. Everyone communicates with their behaviors. We may become crabby when we are not feeling well, slouch in our chair when we are tired, or roll our eyes when we disagree with someone.

Behavior always has a reason. Concerning behavior isn't because a child is willful, it is because they lack skills or feel unsafe. When a child has a disability, they sometimes are unable to communicate their needs or desires in a positive way, so they communicate it however they are able. Sometimes it comes out as inappropriate or challenging behavior, and caregivers must be detectives.

By digging deeper, we can find out why a child may not feel safe or connected, or what problem they are trying to communicate. We can calm them through co-regulation; help identify barriers they are experiencing; and help them learn skills and collaborate with them to solve problems.

When behaviors are misunderstood and students go unsupported, they may experience higher rates of segregation, suspension and expulsion. They may refuse to attend school. A dysregulated child may experience restraint and isolation, which in turn traumatizes them and can cause escalating dysregulation.

Safe relationships and positive connections — coupled with support to the child to develop executive functioning skills like emotional regulation, reasoning and problem solving — are essential. Supporting communication is also essential. If your child does not speak words, they can be supported with augmentative and alternative communication devices, which can range from picture cards to specialized tablets.

If your child's behavior interferes with their learning (or that of other students) then the IEP team must consider ways to address those behaviors. This can include approaches like applied behavior analysis but is not limited to them.

> *"It's not developmentally appropriate to punish or issue a negative consequence for a child's subconscious survival mechanisms."*
>
> - Dr. Mona Delahook

If the behavior is related to communication difficulties, speech language pathologists can work with the child to develop communication and social skills.

If the behavior is related to environmental stress or sensory challenges, changes to the environment or accommodations may be needed.

Social emotional development, sensory processing, motor control, anxiety and hyper vigilance can all have a role in complex behaviors.

To support the child effectively, it is important to understand the root cause and to always ensure the child feels safe. Developmentally, children cannot use executive functioning if their nervous system is locked in a state of hyper vigilance. When fear kicks in and survival instincts take over, children (and adults!) go into flight, fight or fawn – and in extreme cases, freeze or shutdown.

Children experiencing trauma or developmental delays may need extra support calming their nervous system and mastering skills needed to resolve problems that are triggering their stress.

Resources

- IEPs: How IEPs can help with behavior challenges (Juliana Urtubey, Undertstood Explains)

- Behavior Strategies that Schools Use (The Arc of King County, Inclusion Academy)

- What to Consider before Starting Childhood Behavioral Therapy (Dr. Mona Delahook)

- Understanding Trauma-Informed Education (Edutopia, 2019)

- The Fundamentals of Social and Emotional Learning (CASEL)

- A Guide to Executive Function (Harvard Center on the Developing Child)

- Lives in the Balance (resources for Collaborative and Proactive Solutions, a model of care developed by Dr. Ross Greene that is evidence-based and trauma-informed. It is approved training to reduce isolation and restraint in Washington schools. There are resources for parents and educators)

- A Brain-Based Approach to Supporting Children with Vulnerable Nervous Systems and Big, Baffling Behaviors (a free, on-demand 5-part webinar series, offered by Roots of Inclusion and produced for the state's inclusionary practices initiative).

- Including Students with Significant Cognitive Disabilities in PBIS Tier 1 Video Series (TIES Center)

- Behavior is Communication (TIES Center)

- Suspensions Are Not Support: The Disciplining of Preschoolers With Disabilities (Center for American Progress)

- Restraint and isolation (Office of the Superintendent of Public Instruction overview of definitions and legal restrictions)

- Reducing Restraint & Eliminating Isolation Project (OSPI overview of work and support for educators)

- North Star Paths – behavior support graphics by Kristin Wiens, including her Reframing Behavior illustration

- Reducing Restraint and Eliminating Isolation (RREI) demo sites for the 2024-2025 school year. (OSPI. 2024)

Vocabulary

Behavior intervention plan (BIP): A behavior intervention plan (BIP) is an individualized plan that's designed to address behavioral challenges. They should focus on the "why" of a behavior and work with the child to problem solve or find positive and effective alternative ways to meet their needs. The BIP is based on the results of the FBA, or functional behavior assessment.

Co-regulation: Soothing interactions between 2 people. The calming behavior of one soothes the other.

Collaborative and Proactive Solutions is an evidence-based model that helps caregivers identify a problem causing complex behavior and work with the child to resolve it. Its basic tenets are kids do well if they can, but they may lack skills to respond adaptively. The best way to reduce concerning behavior is to problem solve WITH the child (not do something to them) and be to proactive.

Compliance: Changing one's behavior due to the request or direction of another person.

Dysregulation: Inability to manage overwhelming emotions; occurs when a person does not feel safe.

Emotional regulation: The ability to manage emotions and calm yourself when stressed. It is an executive functioning skill. Children who experience developmental delays, trauma, or who are neurodivergent may have more difficulty regulating their emotions, which can lead to anxiety, depression, and impulsivity.

Executive functioning: Cognitive skills that enable us to plan, remember information, set and achieve goals, focus, prioritize tasks, and control impulses. No one is born with these skills, we learn and develop them over time.

Functional behavior assessment: (FBA): A functional behavior assessment is a process to understand the reasons behind a person's concerning behavior. They are used to create a behavior intervention plan.

Isolation: Also called seclusion. Isolation is restricting the student **alone** within a room or another form of enclosure, from which the student **may not leave**.

State law (2025) allows isolation only when necessary to control spontaneous behavior that poses an imminent likelihood of serious harm. Isolation does not include a student's voluntary use of a quiet space for self-calming, or temporary removal of a student from his or her regular instructional area to an unlocked area for purposes of carrying out an appropriate positive behavior intervention plan.

- <u>We Can End Isolation</u> (info-graphic story)
- <u>End Isolation: Early v Late</u> (info-graphic story)

Manifestation determination: The MDR or manifestation determination review is a meeting that must take place within ten days of a behavior infraction that would cause a student to be removed from their placement for more than 10 days. They determine whether the behavior is a result (manifestation) of the student's disability. This is intended to protect students from being punished or denied access to their educational placement because of their disability. It also serves to ensure that the educational team is responding to students' specific needs through appropriate planning and interventions, and adjusting as needed.

Neurodivergent: A term that means someone's brain learns or processes information differently than what is considered typical. It is not a medical term, but conditions like autism, ADHD, dyslexia, dyscalculia, epilepsy, Tourette's syndrome, and obsessive compulsive disorder are often associated with it.

Positive Behavioral Interventions and Supports: PBIS is a three-tiered framework for creating positive school environments using proactive strategies that define, teach and reinforce appropriate behaviors. Like multi-tiered systems of support, it has a tier 1 for universal or schoolwide support, tier 2 for classroom or small group support, and tier 3 for targeted and intensive support.

Restraint: Physical intervention or force used to control a student, including the use of a restraint device to restrict a student's freedom of movement. Washington state law does not allow the use of restraint or isolation on K-12 students during school-sponsored instruction and activities, unless necessary to stop behaviors that pose **imminent likelihood of serious harm**. Under state law (2025) these practices are prohibited:

- Prone (lying face-down) restraints
- Supine (lying face-up) restraints
- Wall restraints
- Any other act that restricts a student's breathing

- Corporal punishment
- Any act that causes bodily harm beyond temporary marks

Social and Emotional Learning (SEL): Social-emotional learning is the process of developing self-awareness, self-control, and interpersonal skills.

Trauma: The lasting emotional response to a distressing event that overwhelms a person's ability to cope. Trauma impairs the body's stress-response system, making it more reactive or sensitive, often involving intense fear, terror, or helplessness.

SPECIAL EDUCATION BASICS

"Location, location, location. Yes, it does matter. The research overwhelmingly supports serving students in the least restrictive environment."

- Washington Office of the Superintendent of Public Instruction

1-2-3
- The first thing to understand about special education is that it is a service, not a place. Special education services are provided to access general education.
- The second is that more intensive support or specialized instruction does NOT have to mean segregated or self-contained settings.
- The third is that no one needs to earn the right to be in a general education setting or show that they are ready.

GROUND RULES

Every student is a general education student, and all students should have access to the general education curriculum. A student's individualized education program (IEP) does not replace general education. If a student has an IEP, their education program includes:

- The general education curriculum
- The school's routines and activities, and
- Their IEP

This is especially important for families of Black/African American students to know, and families of students with intellectual and other developmental disabilities.

These two groups are most likely to be separated out and placed in self-contained settings and may not have the same access to grade-level curriculum as other students. They are also more likely to experience increased discipline and restraint and isolation – both of which are indicators of not having the right support in place.

Special education is individualized, and what works for your child may not be what works for someone else. But students learn and thrive when they are valued members of the classroom and school communities. Whatever placement the IEP lands on, the team should be able to answer YES to the following:
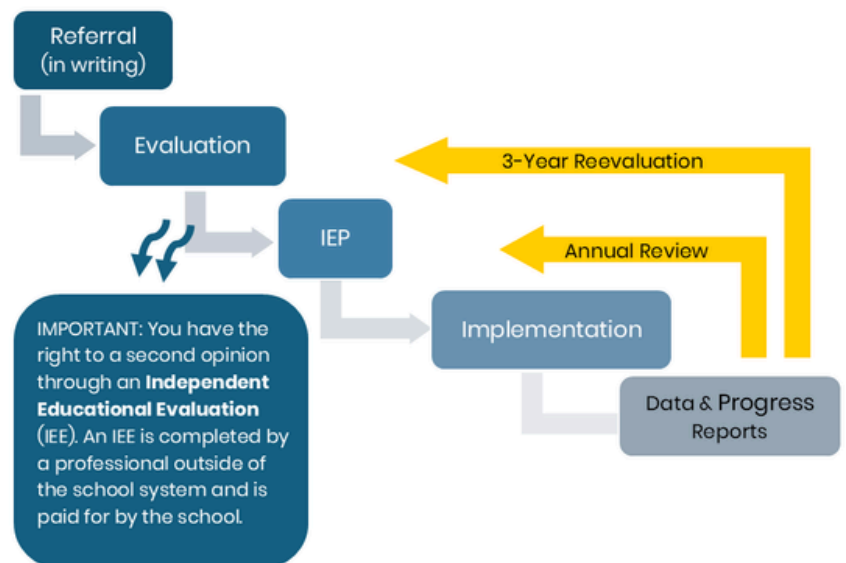
1. Will the student experience belonging as a member in their school and general education classroom(s)?
2. Will the student be actively participating at school across the school day?
3. Will the student be learning the grade-level general education curriculum?

MYTHS & FACTS

There are a lot of myths about inclusionary practices. We highly recommend Extended Myths & Facts About Inclusionary Practices in Washington. It was developed by our state's Office of the Superintendent of Public Instruction (OSPI) and the TIES Center. It is worth reviewing . If you come across these myths in your advocacy, it is a well-sourced document that you can share with the IEP team.

THE CYCLE:

- Referral
- Evaluation (you have the right to a second opinion)
- IEP development (you are part of the team)
- Implementation
- Data & progress reports
- Annual review
- 3-year evaluation

Referral (in writing) → Evaluation → IEP → Implementation → Data & Progress Reports → Annual Review → 3-Year Reevaluation

IMPORTANT: You have the right to a second opinion through an **Independent Educational Evaluation** (IEE). An IEE is completed by a professional outside of the school system and is paid for by the school.

Evaluations are usually done by the school psychologist with input from others, including parents, teachers (general and special education) and OT, PT, or SLP therapists. The evaluation is an important tool for the IEP team to understand the student, their strengths, challenges, and growth. Students must show "adverse educational impact" to be eligible for special education services. You may be interested in this recorded webinar developed for the Inclusionary Practices Technical Assistance Network (IPTN):

- Using a Strengths-based Whole-Student Evaluation Approach.

The evaluation determines the student's "primary eligibility" category. This will identify the broad area of support and inform services, but should not limit them. The student's IEP should cover the student's unique needs.

At a minimum, evaluations must be done every three years. Parents can request a re-evaluation at any time if they are seeking new and updated information about their student.

DEVELOPING THE IEP

The IEP team crafts the Individualized Education Program (IEP). By law, parents or guardians are members of the IEP team. Other members include at least one of your child's general education teachers, at least one special education teacher, a school district representative, and your child. If interpretation is needed, an interpreter should be present.

You can invite a friend or advocate to support you.

The purpose of an IEP meeting is to discuss and develop or review your child's IEP. They must happen annually, but parents may request an IEP meeting at any time to discuss specific issues.

The district may present a recommended draft, but you must be given the right to review and weigh in.

Placement – that is, what services your child will get and where they will receive them – is decided by the team. The first placement option is always the regular classroom, with a full range of aids and services to support the child. Modifications, accommodations, and specially designed instruction do not require a separate setting. Placement decisions must be based on the student's needs, and not on district preference for settings.

A continuum of service options must be available, but options must still allow the student to participate with peers in the general education curriculum and non-academic activities to the maximum extent appropriate.

The IEP will include:
- Data to show how your child is doing, called Present Level of Academic Achievement and Functional Performance
- Annual goals. These will be broken down into objectives and benchmarks

- Special education services that your child will receive. These can include supplementary aids and services, specially designed instruction, modifications, and accommodations

- Participation with nondisabled peers. The IEP will note how much time your child will participate with nondisabled children in whole school settings (lunch, recess, etc) and in general education classrooms.

- Any modifications to state or district tests. If the IEP says a particular test is not appropriate, it needs to state why and what assessment will be used instead

- Data and places: When will services begin, how often will they be provided, how long will they last

- For students 14 and older, transition service needs

- How progress will be measured

THE LANGUAGE OF DATA:

All IEPs and IEP meetings should begin by examining your student's present levels of performance. It is based on all the information and assessment data previously collected via the evaluation process. It should include:

- The student's strengths and weaknesses
- What helps the student learn
- What limits or interferes with the student's learning
- Objective data from current evaluations of the child
- How the child's disability affects his or her ability to be involved and progress in the general curriculum

Knowing a student's Present Levels of Performance (PLP) is critical to creating relevant goals and effective accommodations. Assessment data should be used to assist the IEP team in problem solving, goal setting and creating specially designed instruction (SDI).

Any changes in the IEP should be informed by data.

Parents should expect to receive quarterly progress reports that provide data and say what progress was made on all goals included in the IEP.

All goals included in the IEP should be SMART goals, so that progress can be easily and accurately measured and tracked. SMART goals are Specific, Measurable, Attainable, Realistic and Time-bound.

Data on goals should be collected frequently and be available to parents upon request. The IEP can include how often data is to be collected.

DISPUTE RESOLUTION

Conflict happens and members of the IEP team do not always agree. If a parent disagrees with a decision they have options.

Request facilitation: Facilitation is a voluntary process for parents and districts to meet to discuss their concerns with the help of a trained, neutral facilitator.

File a community complaint: If you think a law or rule has been violated, you can file a complaint. OSPI can only investigate allegations that occurred within the past calendar year. This process is a way to ensure school districts and their employees understand the law. Corrective actions can include things like compensatory education and required training for staff

Request mediation: This is voluntary for parents and districts. There is no cost. Mediation may not be used to delay or deny a parent's right under IDEA Part B, including the right to ask for a due process hearing.

Request a due process hearing: This is a formal, legal proceeding conducted by an administrative law judge. A written request for a due process hearing is made by a parent or district relating to issues about the identification, evaluation, educational placement, or provision of Free Appropriate Public Education to a student. Requests must be made within two years before the date you knew or should have known about the allegation.

Resources

- The IEP Meeting: An overview (Understood)

- 10 key procedural safeguards in IDEA (Understood).

- Achieving Inclusion: What Every parent Should Know When Advocating for Their Child (Pearl Center, 2017)

- [The General Education Curriculum – Not an Alternative Curriculum!](#) (TIES Center)

- [Extended Myths & Facts](#) (OSPI, TIES Center. July 2024)

- [Washington's K-12 SEL Standards and Benchmarks](#) (OSPI)

- [Washington's K-12 Learning Standards and Instructional Materials](#) (OSPI)

- [Smart IEPs](#) (Wrights Law)

- [Crafting and Implementing an Inclusive IEP](#) (Office of the Superintendent of Public Instruction and the TIES Center, recorded webinar and related materials)

- [Using a Strengths-based Whole-Student Evaluation Approach](#) (Roots of Inclusion and Inclusion for ALL, recorded webinar)

- [Summarizing LRE](#) (Center for Parent Information and Resources)

Vocabulary

504 Plan: Students with disabilities who do not receive special education services may have a 504 Plan. It lists accommodations the school will provide. In college, there are no IEPs, and students who had IEPs in high school will likely move to a 504 plan in college.

Accommodations & modifications: Your child has the right to accommodations and modifications. But keep in mind, those can limit what your child gets access to. Make sure learning goals are appropriately ambitious. Your child is in a system still influenced by institutional bias.

Authorized entities: Formerly called non public agencies. These are entities, such as private schools, that school districts contract with to provide special education services that the district is unable to provide. See Current Nonpublic Agencies.

Child Find: School districts are required to locate, identify, and evaluate all children, birth – 21, with disabilities. There is no need for a student to fail first.

FAPE: Short for free and appropriate public education. "Appropriate" is subjective. Schools should have challenging and ambitious expectations for all students.

- In 2017, in the Endrew F. vs Douglas County School District, the US Supreme Court said that an appropriate education should be "appropriately ambitious in light of [the child's] circumstances."

- An earlier ruling (from 1982) held said an "appropriate education" should have "some educational benefit."

IDEA early support (Part C): Early supports for infants and toddlers takes a comprehensive approach and includes support for the family. Services are provided in a natural environment.

IDEA preschool & K12 (Part B): Special education services can start at age 3 and, in Washington, continue through the school year the student turns 22, assuming services are still required.

IEP: A legal document governed by IDEA. It spells out the services, supports and settings (or placement) for the student. The IEP team crafts the IEP; parents and the student are part of the IEP team.

IEP vs 504 Plan: If the student needs individualized instruction or related services (like therapies), they need an IEP. If they only need accommodations (an adjustment to how the student learns – say extended time for assignments, seating preferences, or assistive technology) then they need a 504 Plan. Usually, students do not have both. If they have an IEP, their accommodations can be noted there.

Learning standards: These define what students need to know and be able to do at each grade level. The IEP should be linked to state learning standards. Your child should also have access to social emotional learning, which is academic learning. In later years, your child should have access to the opportunity to earn a high school diploma.

LRE: Short for least-restricted environment. This is tracked by the percentage of time students are supported in the general education classroom. There are 3 levels that are tracked by the state: 0 to 30%; 31% to 79%; and 80% or more.

Placement: The services and the setting they will take place in. The IEP drives placement, not the other way around.

Related services: Services your child needs to benefit from special education services. These can include (but aren't limited to): audiology and speech language services; counseling, including rehabilitation counseling; early identification and assessment of disabilities; occupational therapy; orientation and mobility services; parent counseling and training; physical therapy; psychological services, therapeutic recreation services; social work; and transportation. Also, medical services for diagnostic and evaluation purposes. Educator training can be included

Service plan: If you opt to place your child in a private setting (not a placement made by the IEP team), your child has different rights. They are entitled to "equitable services," based on the funding available for private schools. They will have a service plan, which spells out the individualized instruction and related services the school district will make available to the child.

State special education law: Washington's special education law predates the IDEA. (Our's was the first in the nation.) Services are considered part of the state's program of basic education. The state constitution guarantees that all students requiring special education services shall have the opportunity for an appropriate education at public expense that meets their unique needs and prepares them for further education, employment, and independent living.

Supplement: The primary purpose of special education is to support the child so they can be in a general education setting. Special education services supplement, they do not supplant

Accommodation & Modification: What's the Difference?

Accommodation Section 504	**Modification** IDEA
A change in **how** the student will learn the same materials as their peers. **Alters the environment.**	A change in **what** the student is taught or expected to learn. **Alters the curriculum.**
- Breaks - Large or alternative print - Additional time - Small group setting - Use of assistive technology - Preferential seating	- Fewer questions - Lower or higher level text - Alternative projects - Adjusted curriculum - Shortened assignments - Adjusted grading scale