

The right to inclusive learning

Accessibility & Belonging
in Public Schools

September 12, 2026



About this presentation

The Arc of King County is a member of the state's Inclusionary Practices Technical Assistance Network.

This presentation was part of a series of webinars we created to support families navigating schools, and to support school staff in working with families of children with disabilities.

You can access these webinars and materials on our website.



Scan me

<https://bit.ly/IncludeIDD>



NAVIGATING SCHOOLS



Accessibility & Belonging

Special Education Basics

Conceptos básicos de educación especial

A series for families using special education services.



Produced by The Arc of King County for the state's Inclusionary Practices Technical Network.



Who we are ...

The Arc of King County promotes and protects the rights of people with intellectual or other developmental disabilities (IDD) so we can all live, learn, work and play in the community.

The Arc is a national organization with local chapters. We are driven by the fundamental belief that everyone deserves to write their own life story. That means:

- Real access to education
- Meaningful employment
- Quality healthcare
- Genuine community connections

At our chapter, we offer information and support, and systems navigation, and public policy and civic engagement support. We also run a supported living program for adults with IDD.

We help (or refer!) on any topic. The most common are special education, housing, Medicaid long-term supports, and future planning.

<https://arcofkingcounty.org/>



Need assistance? ask@arcofkingcounty.org

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An OVERVIEW (To ground us)



**INCLUSIVE education
supports students learning
together.**

It anticipates diverse needs.

It is accessible.

It is responsive to students.



PRESUMED COMPETENCE
is the assumption that
everyone has the capacity
to learn, think, and
understand, regardless of
diagnosis or disability



**Inclusionary practices are
strategies that teachers use
to ensure learning is
accessible and responsive**

**Our state now has an
Inclusionary Practices Technical
Network to support this**



**Students with and without
disabilities do better
academically and socially
when they learn together
in classrooms designed
to be inclusive.**



Inclusion Presumes Competence

SEGREGATION

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**

INCLUSION

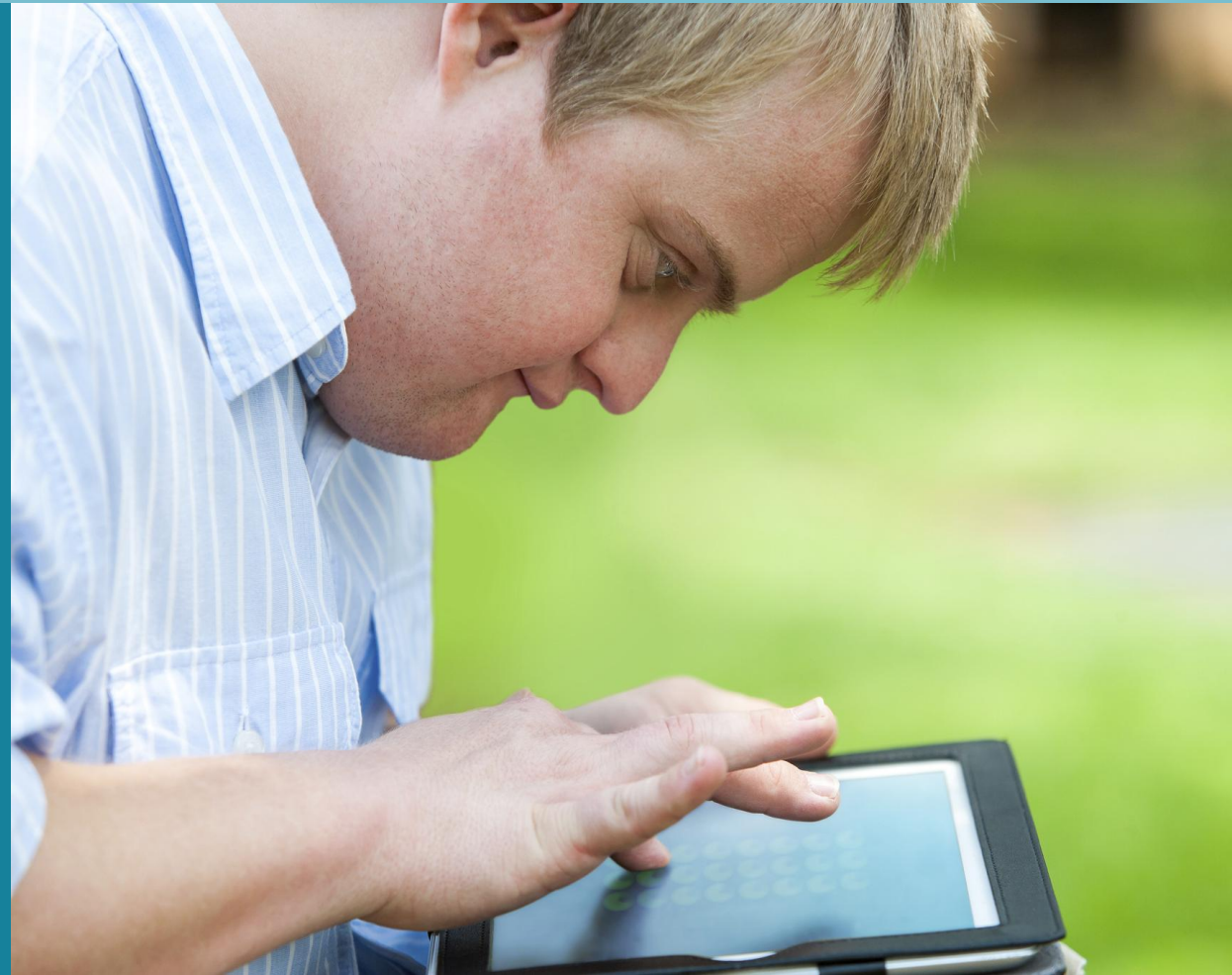
In an inclusive classroom, children are given **access to varied learning opportunities and the space to develop** a strong sense of self – their skills, their individual needs, how they learn best and belong within their community.



RESEARCH BASIS

Decades of research show students with disabilities are not thriving in segregated classrooms.

- They may feel isolated within the school
- They may not have access to core curriculum or certain subjects
- They may be denied opportunities because of low expectations





**Universal lesson 1:
When you design things
to be accessible and
responsive, EVERYONE
BENEFITS.**

**Universal lesson 2:
Belonging is
foundational to
learning**



**Inclusion does not “just
happen.”**

It is a choice.

**It relies on presumed
competence and a
willingness to adjust
practices or strategies**

The background is a solid teal color with a repeating pattern of white line-art icons representing various school supplies. These icons include soccer balls, paper clips, protractors, rulers, scissors, glue sticks, paint palettes, light bulbs, backpacks, alarm clocks, books, and pencils in cups. The text is centered and reads:

PUBLIC EDUCATION NEEDS TO WORK FOR ALL STUDENTS

BASIC RIGHTS

- Equal opportunity to benefit
- Equal opportunity to participate
- Schools can't deny access to students with disabilities, or require students with disabilities to be educated separately
- "Individualized" does NOT mean services need to be provided in segregated settings

relation or from a
point of view.
Civil Rights a
basic rights tha
equal treatment
race, sex, or re
for what



**Special education
SERVICES ensure
access
to education**



**IDEA
(Individuals
with Disabilities
Education Act)
spells out the rules
for special education
services**



**Section 504
of the Rehabilitation
Act of 1973 and
Title II the Americans
with Disabilities Act
spell out rights
to equal access and
opportunity**





**Together, IDEA +
Section 504 of the
Rehabilitation Act of 1973 +
Title II of the Americans
with Disabilities Act
=
LEGAL framework for
inclusion**

The details

Legal foundation

The term “inclusion” isn’t in the law.

BUT ... There is a legal foundation for inclusive learning, supported by the US Departments of Education and Health and Human Services

IDEA – Equal education opportunities

IDEA – Natural environments (Part C)

IDEA – Least restricted environment, first placement option is regular classroom, with support

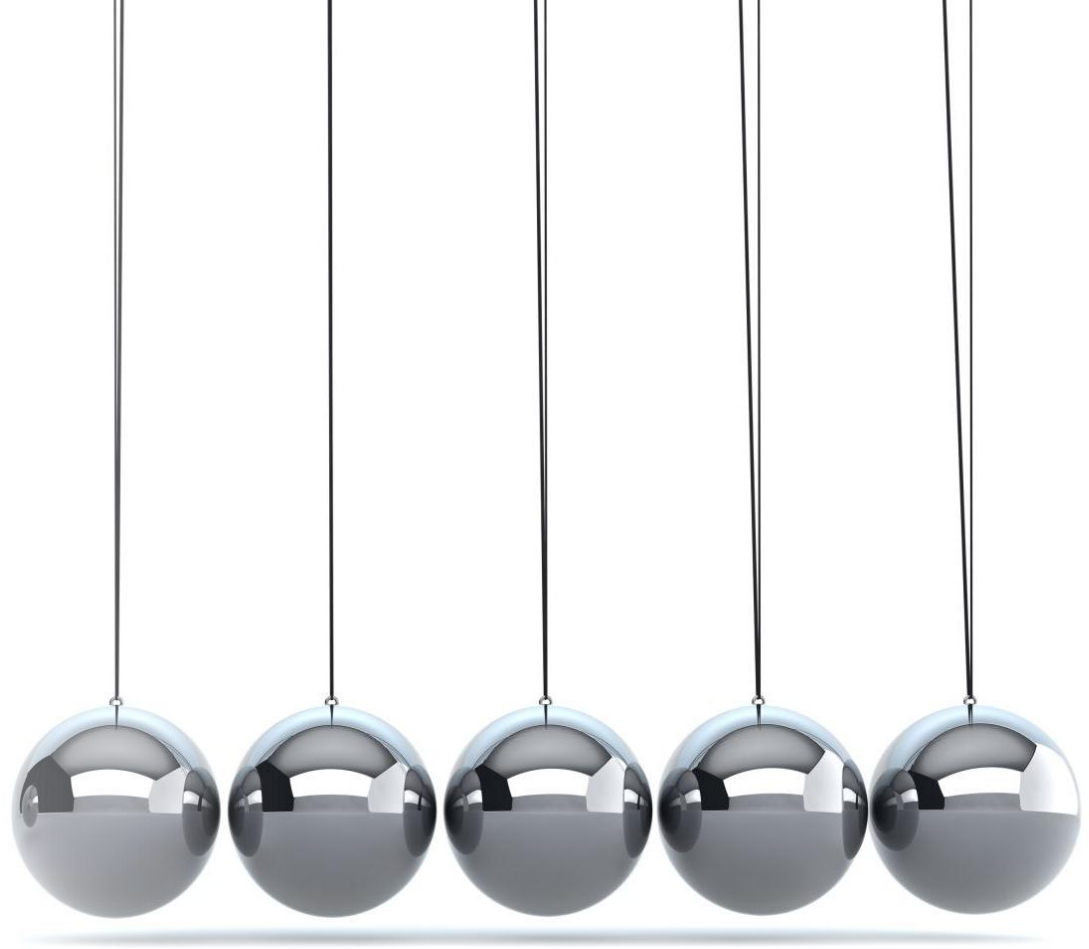
ADA & Section 504 – Prohibit discrimination based on disability

Section 504 – “Equal education opportunities” in “most integrated setting appropriate”

ADA: “Equal opportunity to benefit”

**When
education
was only
for some ...**

And its lingering effects



Many were shut out of education

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

Educable	Trainable	Custodial
• Able to learn simple academics	• Able to learn some daily care, or manual skills	• Untrainable; require long-term care

The buckets were tied to IQ scores and assumptions/bias about ability. Many children were excluded from education on basis of disability.

In 1960s and beyond

Case law

- Court cases challenging exclusion
- Changes in state law

Civil rights

- 3 federal laws pass affirming disability access

Protection

- Rehabilitation Act of 1973 (“Section 504”)
- Education for All Handicapped Children Act, 1975
- The Americans with Disability Act, 1990

Section 504 and the ADA

- **Rehabilitation Act of 1973, Section 504**

- US government said: You can't discriminate based on disability
- Introduced term "free and appropriate public education"
- Applies when programs get federal funding

- **Americans with Disabilities Act**

- Expanded on the Rehabilitation Act of 1973
- Applies to public and private settings – though not religious ones
- Broad civil rights bill

The ADA and Section 504 prohibit discrimination because of disability. Federal regulations require funding recipients to provide **equal educational opportunities** for children with disabilities in the **most integrated setting appropriate** to the child's needs.

504 and ADA, continued

This means public schools cannot discriminate against students with disabilities. Students with disabilities must get **equal access and opportunity to benefit**.

It also means:

- Most private programs
- All publicly funded but privately run programs (like Head Start and ECEAP)
- All publicly run programs (school district, city-run, etc)

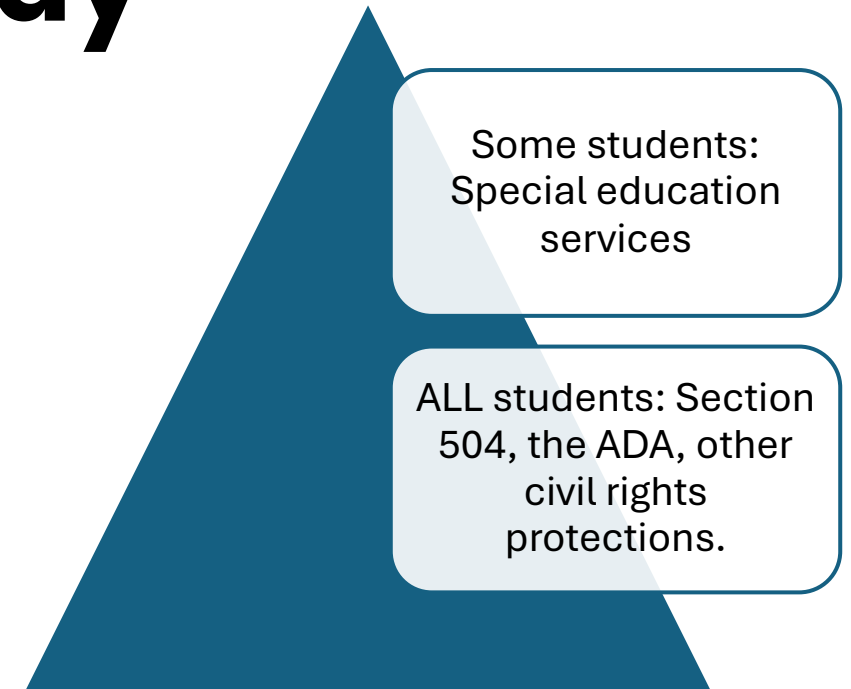
... cannot discriminate based on disability. They cannot deny access because a child is disabled. They cannot require children with disabilities to enroll in a segregated class, school, or program.

IDEA is not the only protection

- The Education for All Handicapped Children Act (later renamed the Individuals with Disabilities Education Act, or IDEA) applies to students with certain disabilities who require individualized instruction.
- If a child does not qualify for IDEA, or their parents decline special education services, Section 504 and the ADA still apply.
- If the child qualifies for IDEA and uses special education services, Section 504 and the ADA also STILL APPLY.
- IDEA includes the concepts of:
 - Least restricted environment
 - Individualized education programs (IEPs)
 - Parents are part of decision-making

Key takeaways for today

- There is anti-discrimination law to protect children with disabilities from bias.
- The law favors natural settings. Services travel to the child.
- The presumed setting is the one children would be if they did not have a disability. There needs to be a reason, backed up by data and research, to remove them.
- IEPs are person-centered. They are about making education accessible.
- Parents have an important role. The IEP team is not just made up of school staff. Parents are part of the IEP team. Parents have valuable insight needed to evaluate what's working.



Disability rights: Public Education

1954

↑ **Brown v Board of Education:**
Segregation is illegal.

1972

↑ **P.A.R.C.** case: Consent decree sets framework for special education. **Mills** case: Children can't be denied education because of "handicaps or deficiencies." Insufficient funds is no excuse. More cases followed.

↓ 1965

Elementary and Secondary Education Act.
Funds for "children with handicaps"

↓ 1973

Rehabilitation Act of 1973. Its **Section 504** defines the rights of individuals with disabilities to participate in, and have access to, program benefits and services that receive federal funding

→ 1975

Education for All Handicapped Children Act passes. Later updated and renamed the **Individuals with Disabilities Education Act**. All public schools that accept federal funding must provide a free appropriate public education for children with disabilities. Creates the program of special education. **1986** – Part C/0-3 services added. **2004** – Last update. Requires forms for IEPs, notice of parent rights/procedural safeguards, and prior written notice.

1990

↑ The **Americans with Disabilities Act**. Title II prohibits discrimination in state and local government programs, services, and activities. "Equal opportunity to benefit."

← **IDEA 2004**

The Legal Specifics

IDEA, Section 504, ADA



Section 504 and ADA

Right to equal access & accommodations

Section 504 & the ADA

Civil rights laws focused on anti-discrimination and access

They use a broader definition of disability than IDEA:

- Physical or mental impairment that substantially limits a major life activity or bodily function

Section 504, Rehabilitation Act of 1973

Prohibits any entity that receives federal financial assistance from discriminating on basis of disability

Settings:

- All public schools
- All public and many private preschools and child-care centers

If they receive federal funds, then Section 504 applies

Obligations under Section 504

- In public settings: free and appropriate public education
- Equal opportunity to participate and benefit; most integrated setting
- Auxiliary aids where necessary
- Private schools do not have to substantially modify their programs to provide access to students with disabilities
 - Must allow “minor adjustments” to accommodate access

Obligations under Section 504

Under Section 504, “free and appropriate public education”:

- » "Provision of regular or special education and related aids and services designed to meet the student's individual educational needs **as adequately as the needs of nondisabled students are met**

Inclusion under Section 504

- Students with disabilities and students without disabilities must be **placed in the same setting, to the maximum extent appropriate** to the education needs of the students with disabilities.

Inclusion under Section 504

- A recipient of federal funds must place a person with a disability in the **regular education environment**, unless it is demonstrated by the recipient that the student's needs cannot be met satisfactorily with the use of supplementary aids and services.
- Students with disabilities must **participate with nondisabled students** in both academic and nonacademic services, including meals, recess, and physical education, to the maximum extent appropriate to their individual needs.

The Americans with Disabilities Act – Passed in 1990

- **Prohibits discrimination** on basis of disability by all public entities and places of public accommodation, **regardless of funding**
- **Title II:** Applies to programs, activities, and services operated by state and local governments, including school districts
- **Title III:** Applies to places of public accommodation, including private schools and private preschools and family- or center-based childcare
 - Religious entities are exempt from ADA regulations

Obligations under ADA

- Under the Americans with Disabilities Act (ADA), an **equal opportunity to benefit** means that people with disabilities must be given the same practical chance to gain from programs, services, jobs, and activities as everyone else.
- This applies to public schools, as well as all other public local and state programs

Obligations under ADA

- Must provide services in **most integrated setting** appropriate. Cannot exclude except in case of direct threat to health and safety
- Integrated settings are those that provide individuals with disabilities **opportunities to live, work, and receive services in the greater community, like individuals without disabilities**
- Must offer “reasonable accommodations”

Inclusion under ADA

- Title II of the ADA **prohibits discrimination** by public entities and protects children with disabilities from unlawful discrimination in programs, activities and services operated by state or local governments, including public school districts.
- Title II provides that **no qualified individual with a disability shall**, by reason of such disability, **be excluded from participation in or be denied the benefits** of such services, programs or activities of a public entity, or be subjected to discrimination by such entity.

Inclusion under ADA

- Title II applies to the services, programs, and activities of all state and local governments throughout the United States, including their early childhood programs.
- Title II further requires public entities to provide services in the **most integrated setting appropriate** to the needs of individuals with disabilities. Integrated settings are those that provide individuals with disabilities **opportunities to live, work, and receive services in the greater community, like individuals without disabilities.**

Individuals with Disabilities Education Act (IDEA)

Transforming the System

Education for All Handicapped Children Act – 1975

- Goal: Provide students with disabilities the same opportunity for education as children without disabilities
- Rationale: To access education, some students need supports and specialized instruction
- In addition to a free appropriate public education (FAPE), qualifying students have right to the least restricted environment (LRE)
- Students get an Individualized Education Program (IEP)

Parents are part of the IEP team

- Parents are equal members of the IEP team
- You have insight into your child's strengths, struggles, and development. Your information is valuable
- The school can't develop an IEP without you. (No "predetermination").
- The IEP team can't change a placement without giving you a chance to challenge

IDEA: The 'how' of access

Find children and work with parents to design appropriate services so they can access education

- Early intervention services added in 1986

Child Find: School districts are required to locate, identify, and evaluate *all* children with disabilities, birth – 21

- No need to fail first

Support from the start

IDEA honors key role of early intervention and inclusion

- Part C: Early intervention for infants and toddlers
 - Focus on comprehensive care, including the family
 - Provided in natural environments. Services go to child
- Part B: Special education services for children ages 3 – 21
 - “FAPE” (free and appropriate public education)
 - “LRE” (least restricted environment)

Sec. 300.114 LRE requirements

(a) General.

(2) Each public agency must ensure that—

(i) To the **maximum extent** appropriate, children with disabilities, including children in public or private institutions or other care facilities, are **educated with children who are nondisabled**; and

Sec. 300.114 LRE requirements

(a) General.

(2) Each public agency must ensure that —

(ii) **Special classes, separate schooling, or other removal** of children with disabilities from the regular educational environment **occurs only if** the nature or severity of the disability is such that **education in regular classes with the use of supplementary aids and services cannot be achieved** satisfactorily.

Least Restrictive Environment



First placement option: Always regular classroom

- Full range of aids and services to support
- Modifications do not require separation

Continuum of options must be available

- Should allow participation with peers in general education curriculum and non-academic activities to maximum extent appropriate

LRE, continued

- A child with a disability is **not removed** from education in age-appropriate regular classrooms **solely because of needed modifications** in the general education curriculum
34 CFR Sec. 300.116(e)

LRE is a legal principle and civil right:

“LRE is not a preference or a philosophy, it is a civil right grounded in fundamental human rights. The law also allows for alternative placement outside of the LRE for individual students when the team determines it is necessary.” [COPAA fact sheet, Least Restricted Environment](#)

If a placement in general education isn't working, the IEP team could consider an alternative like a separate class. They could also consider adjusting the services or specialized instruction and seeing how that works. LRE is the legal concept that says “Hey, what would it take to make general education work, and NOT remove the child?”

It is a protection to ensure children aren't discriminated against by unnecessary removal.

A service, not a place

- No one must “earn” a right to placement in a general education setting
- 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
- An IEP is a legal document governed by IDEA. It spells out the services, supports and settings.

Oberti v. Board of Education (1992)

“[A child] should not have to earn his way into an integrated school setting by first functioning successfully in a segregated setting.

Inclusion is a right, not a privilege for a select few. Success in special schools and special classes does not lead to successful functioning in an integrated society, which is clearly one of the goals for IDEA.”

– Opinion of the Court, Becker, Circuit Judge

Oberti v. Board of Ed. of Borough of Clementon School District, 1992

Binding in 3rd circuit court (Mid-Atlantic area);

influential in other circuits

Tools & resources

TOOL: Comprehensive inclusive education

- Every student is a general education student.
- The IEP is not the student's entire educational program or curriculum. For a student eligible for special education services, their education program has three parts:
 - **The general education curriculum**
 - **The school's routines and activities**
 - **The IEP**
- Students learn and thrive when they are valued, visible members of their classroom and school communities and activities.

Step 1: Collaborative Conversations

Collaborate with the family and school team for a solid foundation to start the school year.

- [TIES resources](#)
- [OSPI guide for IEP development](#)

Step 2: Creating an Inclusive IEP

Develop an IEP that honors student and family voice and intentionally aligns supports to the general education settings, curriculum, routines, activities, and social opportunities that are available for all students in the school.

Step 3: Education Day-at-a-Glance

Efficiently implement the IEP by linking goals and supports with the student's daily schedule.

Step 4: Ongoing Education and Support

Continually collaborate to implement the IEP and ensure all students are learning.



TOOL: Guidance for behavior supports & crisis prevention

When behavior goes unresolved, school exclusion and incidents of restraint and isolation can occur. These practices have harmful, long-term effects on student well-being,

To support students and staff and prevent situations from escalating, the state's Office of the Superintendent of Public Instruction developed a technical assistance manual.

- [Positive Behavior Supports for Resilient & Inclusive Schools: Guidance for Reducing Exclusionary Discipline, Restraint, and Isolation through Student-Centered Practices](#) offers actionable strategies, tools, and real-world examples to help educators support students in proactive ways.

OSPI also arranged free online training in Dr. Ross Greene's **Collaborative and Proactive Solutions**. This approach works with the child to identify and resolve problems.

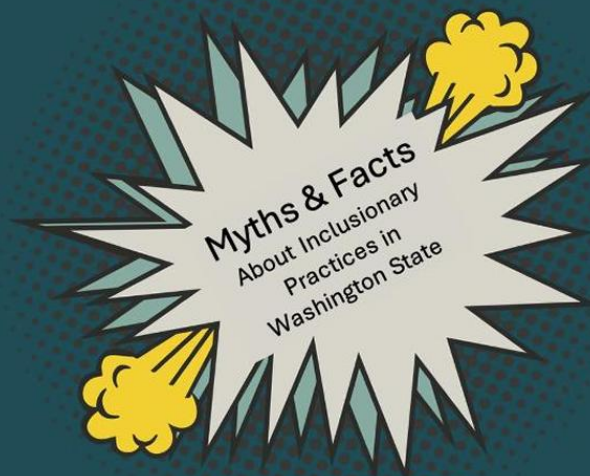
- [Collaborative & Proactive Solutions Training: Moving from Power to Problem Solving with Dr. Ross Greene](#)
- [Collaborative & Proactive Solutions: True Crisis Prevention with Dr. Ross Greene](#)

You can learn more about Collaborative and Proactive Solutions and find family-friendly resources at [Lives in the Balance](#).

TOOL: Myths & facts about inclusive education

[Extended Myths & Facts About Inclusionary Practices in Washington](#)

Extended Myths & Facts About Inclusionary Practices in Washington



- Myth #1: Costs of Inclusion
- Myth #2: Who Can Provide SDI?
- Myth #3: Readiness for Instruction in General Education
- Myth #4: IEP & General Education Curriculum and Standards
- Myth #5: Parents and Inclusion
- Myth #6: Disability Category & Placement
- Myth #7: Cognitive Assessment & Academics
- Myth #8: Race/Ethnicity and Disproportionate Placement
- Myth #9: Access to Universal Behavior Supports
- Myth #10: Multilingual Learners with Disabilities



Washington Office of Superintendent of
PUBLIC INSTRUCTION

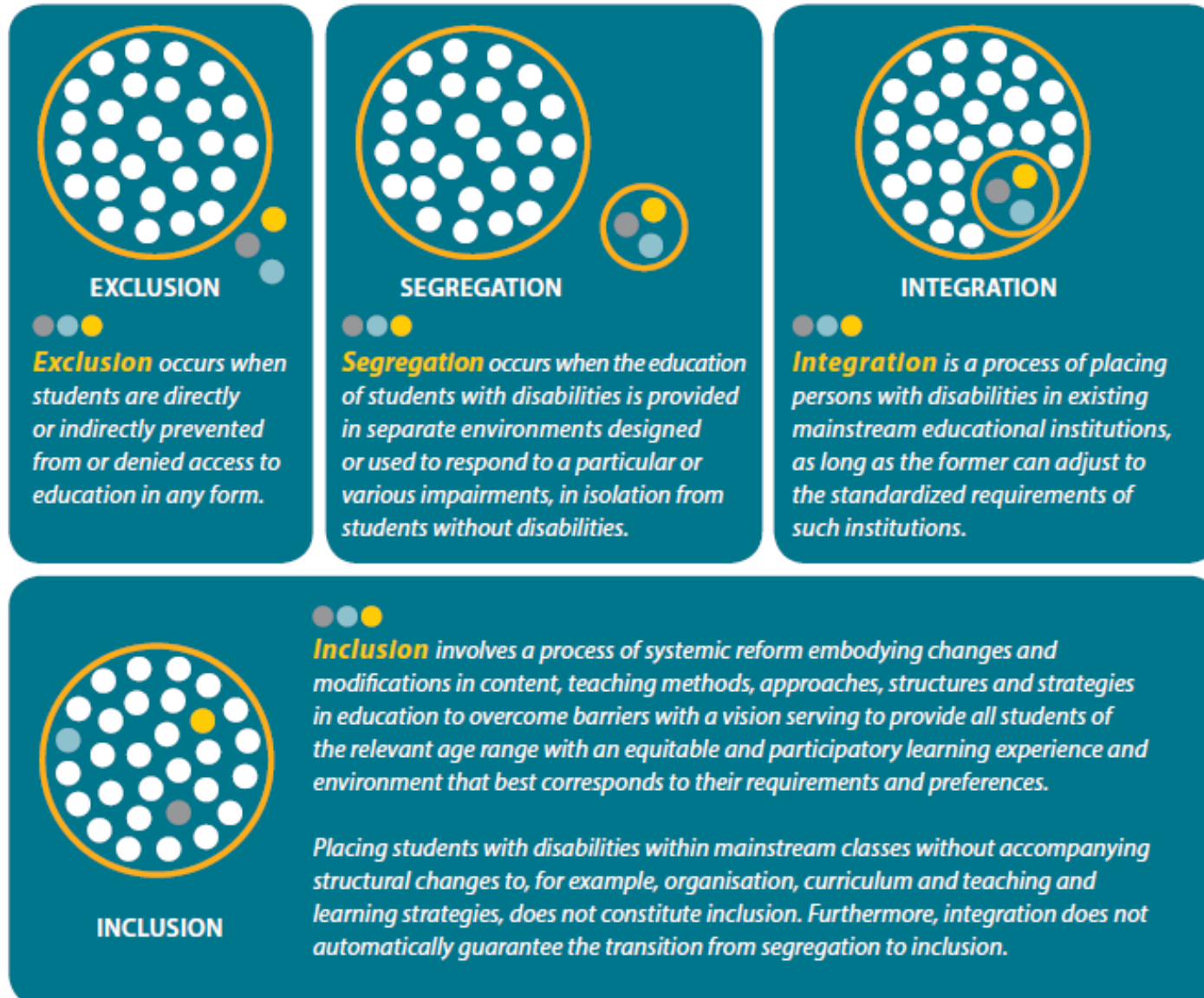


TIES
Center

July 2024

What is inclusion?

Educational environments for students with disabilities range from a complete denial of formal educational services to equal participation in all aspects of the education system. For this paper, we describe the educational experiences of students with disabilities using the following four categories:



“Inclusion is not a strategy to help people fit into the systems and structures that exist in our societies; it is about **transforming those systems and structures** to make it better for everyone. Inclusion is about creating a better world for everyone.”

– *Diane Richler, Past President, Inclusion International*

Graphic: [A Summary of the Evidence on Inclusive Education](#) created by [Abt Associates](#).

Uses definitions from the [United Nations Committee on the Rights of Persons with Disabilities – General Comment No. 4](#).



Why is belonging important?

“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.”

<https://publications.ici.umn.edu/ties/peer-engagement/belonging/introduction>

Belonging Reflection Tool



Although individuals can use this reflection tool, it is designed for collaborative reflection. To the greatest extent possible, talk with and listen to others at your school (e.g., teachers, related service providers, school counselors, administrators, paraprofessionals, families, students with and without disabilities). For each of the ten dimensions of belonging, reflect on what you are doing well and what could be done better or differently. To ensure this reflection leads to observable action, agree on taking at least three actionable steps that will make a noticeable difference in promoting inclusion and belonging at your school.

Dimensions of belonging	What are we doing <i>really well</i> right now in this area?	What could we be doing <i>better or differently</i> in this area?
Present Are students involved in all of the same spaces and activities as their peers?		
Invited Is the presence and participation of students actively sought out and encouraged by others at their school?		
Welcomed Are students received by others at the school with warmth, friendliness, and authentic delight?		
Known Are students viewed as unique individuals, recognized by their strengths, and appreciated for who they are?		

TIES Center reflection tool

<https://ici-s.umn.edu/files/tJ3RxCHKXX/belonging-reflection-tool?preferredLocale=en-US>

Creating Communities of Belonging

<https://publications.ici.umn.edu/ties/peer-engagement/belonging/introduction>

Dimensions of belonging	What are we doing <i>really well</i> right now in this area?	What could we be doing <i>better or differently</i> in this area?
Accepted Are students embraced without condition and viewed as equals by their peers?		
Involved Are students actively engaged with their peers in shared learning and common goals?		
Supported Are students given what they need to reach their full potential and truly thrive?		
Heard Are the perspectives of each student sought out, listened to, and respected by others?		
Befriended Have students developed relationships with their peers that are marked by mutual affection and reciprocity?		

Dimensions of belonging	What are we doing <i>really well</i> right now in this area?	What could we be doing <i>better or differently</i> in this area?
Needed Are students valued by others and considered to be indispensable members of the school community?		
Next Steps What actionable steps should we take next to ensure all students experience belonging in our school?		
1.		
2.		
3.		

Adapted from: Carter, E. W. (2020, November). From barriers to belonging: Creating inclusive communities for everyone. Keynote presentation at the International OCALICOR Conference.

“The Gap that Matters” – Paula Kluth

Students' Current Grade Level	Percent Scoring at or Above Grade Level	
	Before Inclusive Reform	Two Years After Reform
All 5 th graders	55	66
5 th graders w/disabilities	18	43
All 6 th graders	54	72
6 th graders with disabilities	18	53
All 7 th graders	56	78
7 th graders with disabilities	29	70
All 8 th graders	48	62
8 th graders with disabilities	8	40

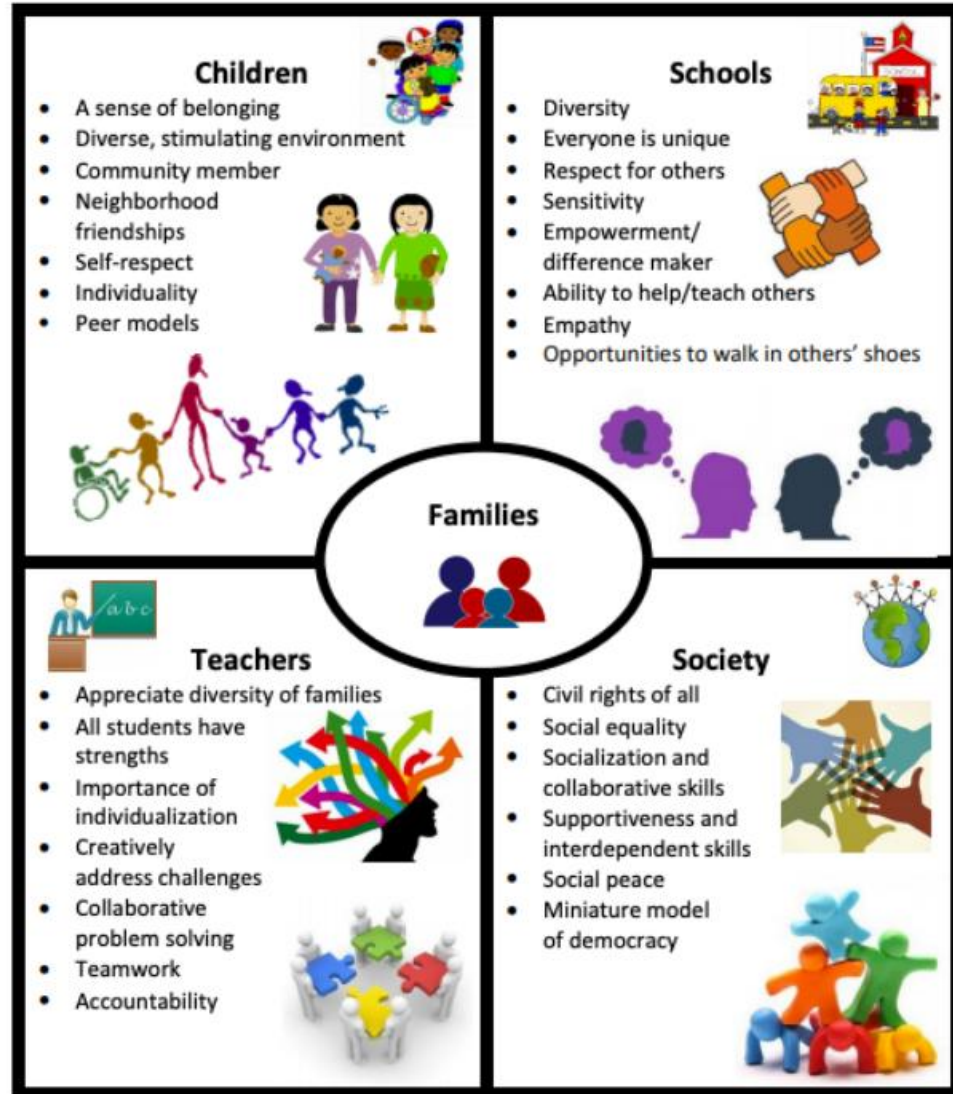
Note. These data follow the same student cohorts over three years. Data listed in the "Before Inclusive Reform" column reflect each student cohort's scores two years before its current grade level (for example, data from 3rd grade for students listed as currently in 5th grade). River View also made gains at each grade level from year to year (for example, comparing one 5th grade class to the next 5th grade class).

... is the one between kids who are included, and those who are segregated

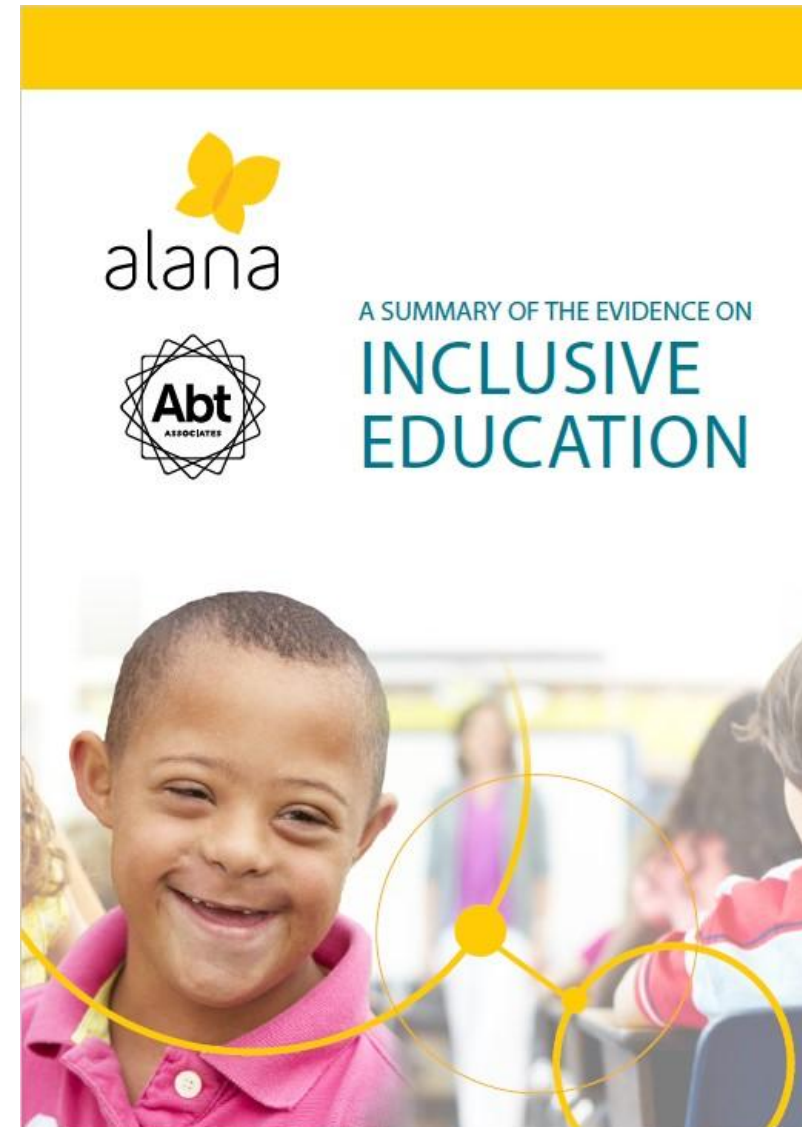
Often, focus goes to “the gap” in grade level performance growing between kids with disabilities and their gen ed peers – used as a reason to segregate

Inclusion Benefits Everyone

"Children that learn together, learn to live together"



from "Creative Educators at Work: All Children Including Those with Disabilities Can Play Traditional Classroom Games," by Donna Raschke, Ph.D., and Jodi Bronson, Ed.S., 1999



https://alana.org.br/wp-content/uploads/2016/12/A_Summary_of_the_evidence_on_inclusive_education.pdf