



DECEMBER 2015

# **THE IMPORTANCE OF INCLUSION: PATHWAY FROM SCHOOL TO COMMUNITY INTEGRATION**

## **INTRODUCTION**

This year marks 40 years of progress since Public Law 94-142, now called the Individuals with Disabilities Education Act (IDEA), was signed into law in 1975. In the early 1970s, at least 76% of students with disabilities in the District of Columbia were not served in public schools.<sup>1</sup> Nationwide, over one million students with disabilities were wholly excluded from public schools; only one in five students with disabilities were educated in American schools.<sup>2</sup>

The IDEA<sup>3</sup> was passed amidst a growing body of case law and increasing public sentiment that public schools could not continue to completely exclude students with disabilities or fail to provide adequate specialized services to ensure their full participation and academic success. Under the IDEA, schools are required to identify and evaluate students with disabilities and provide these students with a free appropriate public education (FAPE) in the least restrictive environment (LRE) possible.

The IDEA recognizes that integrated education is a necessary step to full equality for students with disabilities as expressed in its LRE mandate.<sup>4</sup> This provision requires schools to educate children with disabilities alongside their peers without disabilities to the maximum extent appropriate, only placing students in separate classes and schools

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when the student cannot be educated “satisfactorily” inside the general education classroom, even with the use of specialized services and aids.<sup>5</sup>

This issue brief focuses on why fulfilling the IDEA’s LRE requirement through inclusive education benefits everyone and best prepares students with disabilities to transition into meaningful, involved lives after high school. Like the IDEA, life-long community integration is also the aim of the Workforce Innovation and Opportunity Act of 2014 (WIOA), recent federal legislation which, in part, seeks to improve the transition of students with disabilities from high school to the workforce.

Ultimately, to ensure students with disabilities can become successful citizens and adults who are an active part of the community, students with disabilities should be included in general education classrooms and the community wherever possible and not segregated in separate classrooms, schools, day programs, or sheltered worksites. As the US Department of Health and Human Services and the US Department of Education recently expressed, “equal opportunity is one of America’s most cherished ideals. Being meaningfully included as a member of society is the first step to equal opportunity and is every person’s right.”<sup>6</sup>

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## **DEFINING INCLUSION**

Understanding why inclusion best serves these interests requires an understanding of what inclusion actually is and what it is not. On the most fundamental level, inclusion recognizes that “students learn better if teaching is tailored to their abilities, interests, and . . . differences.”<sup>7</sup>

In the District, the Office of the State Superintendent of Education (OSSE) has defined inclusion as “an environment in which all children, including those with significant disabilities, have an equal opportunity to receive a high quality instruction in the general education classroom, to the maximum extent possible, with the necessary supplemental aids and services the child needs to be successful in the general education curriculum.”<sup>8</sup> Kathie Snow, a nationally-known parent advocate and author, defines inclusion as “children with disabilities being educated in the schools they would attend if they didn’t have disabilities, in age-appropriate regular education classrooms, where services and supports are provided in those classrooms for both the students and their teachers, and where students with disabilities are fully participating members of their school communities in academic and extracurricular activities.”<sup>9</sup>

In other words, students with and without disabilities in inclusive classrooms learn alongside each other in general education classes for at least most of the school day, and students with disabilities receive appropriate supports and modifications within the

general classroom to ensure they can meaningfully interact with the content and other students. Inclusion does not mean physically placing students with disabilities in general education classes without specialized services and expecting them to learn the same general education material in exactly the same way as students without disabilities.

Inclusion is:

- General education class
- Appropriate supports and modifications
- Natural proportions
- Age-appropriate peers

Neither does inclusion mean disproportionately clustering students with disabilities into a single classroom, or a smaller proportion of total classrooms. The percentages of students with and without disabilities in inclusive classrooms should mirror the natural proportions of the community at large.<sup>10</sup> Lastly, inclusive education does not place students with disabilities in classrooms with students of a younger age, even if that classroom is covering academic work closer to the student's current academic performance. Inclusion requires placement into classrooms with age-appropriate peers.<sup>11</sup>

For example, in an inclusive freshman English class, a student with an intellectual disability can learn about *Romeo and Juliet* alongside his or her same-age peers who do not have disabilities. The student can read material written at the appropriate level, watch a performance, act out scenes, and complete written or oral assignments about the content at his or her level. This experience -- incorporating materials and methods for multiple means of engagement -- benefits all of the students in the class.<sup>12</sup>

## INCLUSION BENEFITS EVERYONE

When schools are inclusive, everyone wins. Inclusive education benefits schools and teachers, as well as students with and without disabilities. The opportunity to instruct students with and without disabilities who have a variety of strengths and needs exposes both general and special education teachers to new strategies that reach students of all abilities and expands the capacity of all teachers to effectively instruct all students.<sup>13</sup>



Photo: Children and staff on playground.

Students with disabilities perform better academically in inclusive environments than their peers in segregated classrooms. Numerous studies over the past 20 years have shown greater educational gains for students with disabilities educated in inclusive environments.<sup>14</sup> In addition, students with disabilities gain important non-academic skills in inclusive classrooms, including improved attendance, fewer behavioral challenges, and improved social and communication skills.<sup>15</sup>

Further, studies have consistently shown that the instructional time and academic performance of students without disabilities is not negatively impacted by the presence of

students with disabilities in the classroom, and in some cases, the academic performance of students without disabilities actually improved because strategies used with students with disabilities also benefitted students without disabilities.<sup>16</sup>



Photo: three young people swimming.

Finally, students with disabilities educated in inclusive environments are much more likely to have positive post-high school outcomes. Students with disabilities earning more credits in general education classrooms are more likely to attend postsecondary education after high school than their peers earning more credits in segregated environments.<sup>17</sup> Moreover, they have generally superior outcomes in terms of employment. The more time students with disabilities spent in regular classes, the more they achieved as adults in employment and continuing education.<sup>18</sup>

## THE EVOLUTION FROM EXCLUSION TO INCLUSION

Prior to litigation in the 1970s and passage of the IDEA, over one million students with disabilities were excluded from schools and an additional 3.5 million did not receive the specialized services necessary for them to succeed.<sup>19</sup> Even after these early cases and the enactment of the IDEA, the move toward truly inclusive education has proved to be a long journey.

Two separate district court decisions in 1972 provided several of the rights later codified in the IDEA. *Mills v. Board of Education of the District of Columbia* held that the District could not refuse to educate a student on account of his or her disability.<sup>20</sup> *Mills* echoed the theme of *P.A.R.C. v. Pennsylvania*, a separate district court case from only months earlier which held that a school could not exclude a child for being “uneducable and untrainable.”<sup>21</sup> The plaintiffs in these two cases primarily sought to have their children accepted and educated by the public school system.

In the 1980s, more parents pushed for schools to provide appropriate support and modifications for their children in the general education classroom, more strategies became available for teachers on how to modify lessons for students with disabilities, and research consistently showed the academic, social, and behavioral benefits of educating students with and without disabilities together.<sup>22</sup> Following these advances, four federal circuit court cases decided between 1989 and 1994 regarding the IDEA’s least restrictive environment requirement all upheld the right of students with significant intellectual disabilities to



Photo: boy with another boy in wheelchair on playground.

learn in a regular education classroom when they benefitted academically and non-academically from the placement.<sup>23</sup> In 1989, only 31.7% of students with disabilities spent the largest portion of their school day inside general education classrooms. By 2012, the most recent year for which data is available, more than 60% of students served under the IDEA spent more than 80 percent of their school day in general education classrooms alongside their same-age peers.<sup>24</sup>

## INCLUSION AND WIOA

Signed into law in 2014, the Workforce Innovation and Opportunity Act (WIOA) demonstrates the federal government's increased commitment to improving postsecondary outcomes for students with disabilities and a commitment to integration. President Obama commented that WIOA "will help workers, including workers with disabilities, access employment, education, job-driven training, and support services that give them the chance to advance their careers and secure the good jobs of the future."<sup>25</sup>

Replacing the Workforce Investment Act of 1998, WIOA has several new exciting provisions that hold great potential for promoting meaningful, integrated lives for individuals with disabilities,<sup>26</sup> including:

- **Required spending on transition services:** states' vocational rehabilitation agencies must set aside at least 15% of their federal funding specifically for pre-employment transition services that help students with disabilities who are still in high school prepare for postsecondary education or employment in an **integrated** setting.<sup>27</sup>
- **Funding for technical assistance:** WIOA allows the federal Rehabilitation Services Administration (RSA) to increase funding for technical assistance that will help more students with disabilities participate in postsecondary education and obtain competitive **integrated** employment.<sup>28</sup>
- **Prioritizing students with the most significant disabilities:** WIOA ensures that youth with the most significant disabilities can also obtain jobs in an **integrated** setting by committing half of all funds spent on supported employment to provide youth with the most significant disabilities the supports they need.<sup>29</sup>
- **Focusing on competitive, integrated employment:** several sections of WIOA emphasize that individuals with disabilities should be working toward employment that is both **competitive** and **integrated**, including individuals that require vocational rehabilitation services, supported employment, or customized employment.<sup>30</sup> Importantly, the Act includes a definition of customized employment, which is meant to more proactively match individuals with significant disabilities to employers who can benefit from those individuals' specific skills.<sup>31</sup> In addition, the Act places significant limits on placing young adults in segregated employment, also known as

sheltered workshops, where workers are paid significantly less than minimum wage.<sup>32</sup>

These provisions clearly show Congress' intent to build new pathways to ensure students with disabilities have access to postsecondary education and competitive employment in an integrated setting. One study found that students with disabilities who have work experience prior to leaving high school are five times more likely to be employed two to four years after high school.<sup>33</sup> However, in order for youth with disabilities to feel comfortable and succeed in the integrated community, it is critical that they have had experience in integrated environments. As the core "socializing institution" for youth,<sup>34</sup> it is imperative that school classrooms accurately reflect the makeup of the community. Including students with disabilities in general education classrooms throughout their school experience helps to ensure each student's ability to succeed in an integrated work environment after high school – both because they have had the opportunity to socialize with peers without disabilities and because their peers will be comfortable with and have a better understanding of their differences.

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## **HIGHER EDUCATION AS AN ADDITIONAL TRANSITION OPTION FOR STUDENTS WITH INTELLECTUAL DISABILITIES**

The college experience provides personal, financial, and professional benefits that have historically been unavailable to students with intellectual disabilities.<sup>35</sup> Since the Higher Education Opportunities Act (HEOA) of 2008 was passed, however, there are more opportunities for students with intellectual disabilities to further their education after high school.

One important provision in the HEOA was federal funding for Transition and Postsecondary Programs for Students with Intellectual Disabilities (TPSID). The purpose of TPSID is to provide funding to postsecondary education institutions so that they can provide "high-quality, inclusive" higher education experiences for individuals with intellectual disabilities.<sup>36</sup> The TPSID projects focus on providing students with intellectual disabilities individualized supports in the areas of academics, socialization,

independent living skills, and **integrated** work experiences.<sup>37</sup> The US Department of Education maintains a list of the 27 programs – in 23 states – that received funding on their website.<sup>38</sup>

Inclusive postsecondary programs provide:

- Integrated courses
- Individualized academic supports
- Independent living supports
- Integrated work experiences

Another important provision in the HEOA is to provide students with intellectual disabilities access to some forms of federal financial aid to help pay for postsecondary education if the students attend a school with a comprehensive transition and postsecondary (CTP) program.<sup>39</sup> To qualify as a CTP program, the school must provide academic, employment, and independent living supports to help students with intellectual disabilities prepare to work, and students must participate in **integrated** courses or an **integrated** internship or other work-based setting for at least half of the program.<sup>40</sup> The US Department of Education maintains a list of the schools with currently approved CTP programs on their website.<sup>41</sup>

In addition to TPSID programs and CTP programs, school districts and universities across the country have created other programs that provide supports to students with intellectual disabilities who want to further their education after high school. Think College has put together a website with the most comprehensive information about these programs.<sup>42</sup> For example, the “Mason LIFE” program at George Mason University in Fairfax, VA, is an approved CTP program where students take academic courses, such as reading, writing, and math, skills-based courses, such as public transportation, banking, budgeting, and employment skills, and university courses with a customized syllabus and assignments, alongside students without disabilities.<sup>43</sup> Students also receive an on-campus or off-campus work placement, and some students have the opportunity to live on or near campus through the Mason LIFE residential program, where students get hands on experience with independent living skills.<sup>44</sup>

The ideal for these programs is to foster acceptance and inclusion in the community and the workplace. “[S]imply having a seat on a college . . . campus is not equivalent to inclusion. Inclusion involves pervasive attitudes of acceptance, belonging, value, and connection throughout the community -- a social justice perspective that offers equality and dignity to all members of a higher education community.”<sup>45</sup> The college program should foster “positive and accepting attitudes about students with intellectual disabilities and other differences . . . while acknowledging that difference is not synonymous with incompetence.”<sup>46</sup>

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Unsurprisingly, individuals with disabilities are increasingly more likely to become employed as they continue their education after high school. Even students who only take a few college courses and do not finish a degree program are more likely to become employed adults.<sup>47</sup> TPSID programs, in particular, have shown overwhelmingly positive outcomes for their graduates. Three out of every four students who finished TPSID programs in 2014 were employed in paid positions or participating in career development after finishing their program.<sup>48</sup> Their positions included employment as a clerk at a library, a receptionist at a nonprofit, a customer service associate at a travel organization, and an animal food preparer at a zoo.<sup>49</sup> This stands in stark contrast to national statistics which show that, as recently as 2011, 81% of individuals with intellectual disabilities spent their days in “facility-based and non-work settings.”<sup>50</sup> Clearly, postsecondary education opportunities improve employment outcomes for students with intellectual disabilities, and many students in the District would benefit from such a program. Unfortunately, there is no TPSID, CTP, or any other program to provide supports to students with intellectual disabilities on a college campus within the District.<sup>51</sup>

Unfortunately, there is no program to support students with intellectual disabilities at college within the District.

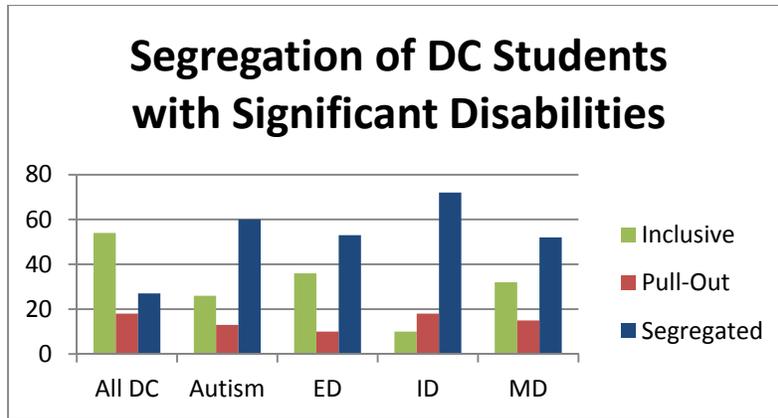
## **INCLUSION IN DC SCHOOLS TODAY**

The District has made great strides in educating students with disabilities since the early days of *Mills*. As previously stated, at least 76% of students with disabilities in the District were not provided public education services in the early 1970s.<sup>52</sup> Today, the District’s Office of the State Superintendent of Education (OSSE) has a dedicated Division of Specialized Education (DSE) that currently serves over 12,000 early childhood and school-age students eligible for services under the IDEA.<sup>53</sup> However, there is still significant work to be done to ensure these DC students are fully equipped for meaningful, successful integrated lives after high school.

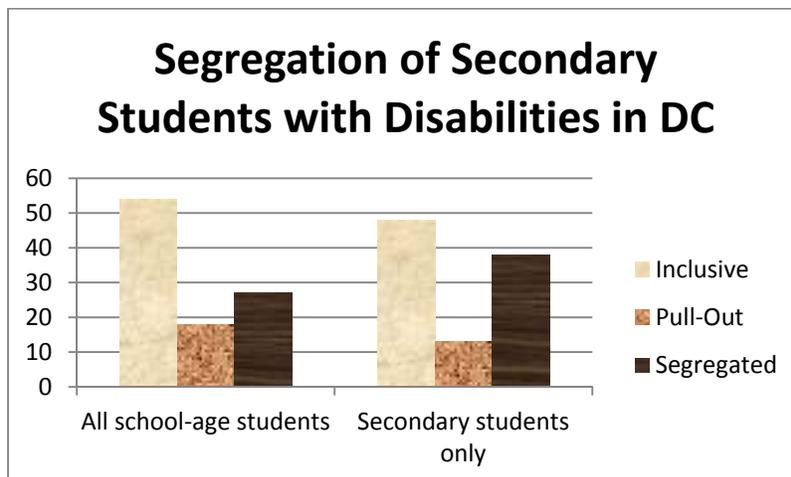
The US Department of Education requires states, including the District, to provide data on how many students with disabilities are receiving services and in what environment those services are provided. Students served in an inclusive setting are reported as being in the regular classroom for 80% or more of the day. Students who are in the regular classroom for 40 through 79% of the day typically receive pull-out academic support in a special education classroom, but still spend some of their day in a regular classroom. The remaining environments reflect students who primarily receive services in a segregated setting, including less than 40% of the day in a regular classroom, separate classes, separate schools, residential programs, or homebound/hospital-based services.

During the 2013-2014 school year, 27% of school-age students with disabilities in the District spent all or a majority of the school day outside of the general education classroom.<sup>54</sup> Nationally, only 19% of students with disabilities learn in largely segregated settings.<sup>55</sup> Further, 10% of all DC students with disabilities were educated in

entirely separate schools, wholly segregated from students without disabilities.<sup>56</sup> This is notably worse than the national average where only 3% of students with disabilities are educated in separate schools.<sup>57</sup> Further, as the table below shows, students with significant disabilities<sup>58</sup> are segregated at even higher rates – only 26% of students with autism are in inclusive settings while 61% are segregated; only 36% of students with an emotional disturbance (ED) are in inclusive settings while 52% are segregated; only 10% of students with an intellectual disability (ID) are in inclusive settings while 72% are segregated; and only 32% of students with multiple disabilities (MD) are in inclusive settings while 53% are segregated.<sup>59</sup>



Though we were unable to obtain school-level data for all students with significant disabilities in secondary schools in the District, the District does a poor job of providing an inclusive education to all students with disabilities at the secondary level. For students with disabilities between 14 and 21 years of age, only 48% learn in an inclusive setting, 13% receive services in a pull-out setting, and 38% receive services in a segregated setting. Although DRDC has concerns about the validity of the data we received from DCPS, the information we did receive is even more concerning. Of 931 students with significant disabilities at 15 DCPS high schools, only 2% are in inclusive settings while 93% are in segregated settings; 45% learn in entirely separate schools, without any opportunity to interact with students without disabilities in the classroom.<sup>60</sup>



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Despite these stark statistics, DCPS has begun offering more transition services for high school students with disabilities to help prepare them for life

after high school.<sup>62</sup> For example, we understand that DCPS offers a community-based “independent living skills” course through a contract with The Arc of DC, where students have access to model kitchen and/or laundry facilities to practice cooking and cleaning, as well as banking, grocery shopping, and other community-based activities for continued support, education, and leisure. In addition, we talked with teachers who take students into the community to practice the skills they are learning in class, as well as to discuss employment opportunities. At least one teacher helped students start a business within the school building and uses the funds earned to pay for community outings. DCPS also offers a “self-advocacy” class to help students discuss their disabilities, strengths, and needs. Some teachers assist students and their families in applying for services from agencies that serve adults with disabilities. DCPS also offers a “general exploration” course that focuses on employment. In the first and second year of high school, students are to engage in career exploration activities and learn the “soft skills” necessary to maintain employment, including appropriate hygiene, communication, and behavior in the workplace, as well as resume and interviewing skills. In the final years of high school, students are to be connected to paid job opportunities in the community that match their areas of interest, while receiving the support they need to be successful on the job.

Students pursuing a Standard High School Diploma can participate in the Competitive Employment Opportunity (CEO) program and other partnership programs. One such program is with CVS for students interested in becoming pharmacy technicians or retail clerks. DCPS has begun working with the DC Rehabilitation Services Administration (RSA) and the DC Department of Employment Services (DOES) to provide students with disabilities a paid work experience linked to their own interests. We also understand that comprehensive DCPS high schools are working with the DCPS Transition Team to create Career Cluster training sites based on student interest.

In addition, with the support of the DC Secondary Transition Community of Practice,<sup>63</sup> DC RSA has recently collaborated with SchoolTalk<sup>64</sup> to offer a Summer Youth Employment Institute for students with disabilities participating in the District’s Mayor Marion S. Barry Summer Youth Employment Program (SYEP).<sup>65</sup> The Institute includes a week-long boot camp to prepare students to work, RSA-funded services such

as job coaches, transportation, assistive technology, and clothing stipends, intensive case management provided by SchoolTalk, family engagement provided by Advocates for Justice and Education, and a 3-day closing session to discuss what worked and what didn't work for students. In its first year, 21 students with disabilities between the ages of 15 and 23 were placed with 11 employers, and 20 successfully completed the Institute.

Finally, DCPS has created the River Terrace Education Campus – Workforce Development Center (RTEC-WDC), where students from across DCPS can apply to attend the RTEC-WDC for a career in health services, hospitality, or the green industry/horticulture. However, this program only includes students with disabilities and is in a segregated setting.

Many of these programs are moving in the right direction, but more is needed to meet the needs of and provide opportunities to all students with disabilities. The programs should be part of school programs offered to all students so that participation actually results in community integration.

## **VISION FOR THE FUTURE**

Now is the time to ensure all students learn together. Today there is an increasing public and institutional understanding that students are best prepared to succeed when educated in inclusive environments. Schools must now enable transitioning high school students with disabilities to live in the community as fully involved, engaged citizens, and this is best achieved through inclusive schools.

This recent momentum should be harnessed to ensure each student with a disability has the opportunity to transition into either competitive integrated employment within the community or into an appropriate postsecondary education setting. This will require the creation of new programs and the modification and expansion of others. DRDC recommends the following four initiatives as the next steps to bring the District closer to ensuring successful transition and integration for all students:

- 1. Ensure that students with significant disabilities spend most of the school day with their peers in general education classrooms which provide the appropriate supports and modifications.** Schools must provide more differentiated instruction, small-group and hands-on instruction, collaboration among educators and providers, peer supports, school-wide and individual positive behavioral interventions, assistive technology, parent engagement, and other supports that students with disabilities need to be successful in the general education classroom. Everyone does better when classes are inclusive. As explained in this Issue Brief, students with disabilities perform better academically, are more likely to be employed after high school, and more likely to pursue postsecondary education. It is imperative that District schools take more steps to modify general education classes and open them to students of all abilities, including at the secondary level.

- 2. Provide students with disabilities access to teachers and classroom instruction in the Career and Technical Education (CTE) programs, with accommodations and modifications.** Currently, District schools provide vocational training in industries such as architecture, auto mechanics, carpentry, computer science, cosmetology, culinary arts, early childhood education, electrical, emergency services, hospitality, law enforcement, nursing, and welding.<sup>66</sup> For example, although a student with a more significant disability may not receive the same cosmetology certification that a typical student in the program receives upon completion, education in the cosmetology program would give this student knowledge and hands on experience in an industry of his or her interest and could be a significant help to gaining related employment after high school. Thus, vocational high school programs are uniquely positioned to give students with disabilities experience in their chosen field of interest alongside students without disabilities. The District should offer similar programs that are integrated into the CTE programs, appropriately modified and made available to all students with disabilities.
- 3. Provide community-based work experiences while students are still in high school.** As explained in this Issue Brief, students with disabilities are more likely to be employed after high school when they get work experience while they are still in school. Although opportunities for employment during high school are becoming available to some District students with disabilities, sufficient programs should be created to ensure all students with more significant disabilities have this opportunity. Resources to support work experiences are growing, including WIOA-directed funding through RSA. In addition, the U.S. Department of Labor has created a how-to guide for Inclusive Internship Programs.<sup>67</sup> Summer employment, in particular, provides a unique opportunity for students to obtain these important experiences without sacrificing classroom time. The District's Summer Youth Employment Program must ensure that students and parents know this assistance is available and that the assistance provided is appropriate and administered in a way that allows students to succeed, especially those with more significant disabilities. Also, DC's RSA should continue to expand the number of students in SYEP who receive transition services to ensure their experiences are successful.
- 4. Create opportunities for students with disabilities to access courses and programs on a college campus, including creating a Comprehensive Transition and Postsecondary (CTP) program in the District, which is approved by the US Department of Education so students can access important federal financial aid to attend college.** To ensure students with disabilities can get jobs, they must be adequately prepared. As explained in this Issue Brief, students with disabilities are increasingly more likely to be employed as they have the opportunity to take college courses, earn associate degrees, and receive education beyond high school. To ensure students with disabilities receive the personal, social, and professional benefits of attending college, the District should partner with a local college, such as the University of the District

of Columbia, to make programs available to students with disabilities in secondary and post-secondary education programs.

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- <sup>1</sup> *Mills v. Board of Education of the District of Columbia*, 348 F. Supp. 866, 868-869 (D.D.C. 1972).
- <sup>2</sup> National Council on Disability (NCD), *Back to School on Civil Rights* 6 at [http://www.ncd.gov/rawmedia\\_repository/7bfb3c01\\_5c95\\_4d33\\_94b7\\_b80171d0b1bc.pdf](http://www.ncd.gov/rawmedia_repository/7bfb3c01_5c95_4d33_94b7_b80171d0b1bc.pdf) (2000).
- <sup>3</sup> 20 U.S.C. § 1400 *et seq.*
- <sup>4</sup> Diane Lipton, *The "Full Inclusion" Court Cases: 1989-1994*, 1 National Center on Educational Restructuring and Inclusion Bulletin 2, 1 at <http://files.eric.ed.gov/fulltext/ED383135.pdf> (1994).
- <sup>5</sup> U.S.C. § 1412(a)(5)(A) (2004).
- <sup>6</sup> U.S. Department of Health and Human Services and U.S. Department of Education Policy Statement on Inclusion of Children with Disabilities in Early Childhood Programs (HHS/DOE Policy Statement) at 2 (issued 9/14/15).
- <sup>7</sup> National Institute for Urban School Improvement (NIUSI), *Improving Education: The Promise of Inclusive Schooling* 2 at [http://www.urbanschools.org/pdf/IE02.pdf?v\\_document\\_name=Improving%20Education%20Booklet](http://www.urbanschools.org/pdf/IE02.pdf?v_document_name=Improving%20Education%20Booklet) (2000).
- <sup>8</sup> Office of the State Superintendent of Education, *Least Restrictive Environment and Inclusion Policy* 3 at <http://osse.dc.gov/publication/least-restrict-environment-policy-final-march-9-2009> (2009).
- <sup>9</sup> See Kathie Snow, *Mainstreaming, Integration, Inclusion: Is There a Difference?* 2 at <http://www.vpaf.uni.edu/events/inclusion/handouts/kathie%20Snow%20Breakout%20Handout%20130PM%202.pdf> (2008).
- <sup>10</sup> Julie Causton & George Theoharis, *Inclusive Schooling: Are We There Yet?*, 70 *School Administrator* 2, 19 at <http://www.aasa.org/content.aspx?id=26752> (2013).
- <sup>11</sup> *Id.*
- <sup>12</sup> See generally Dieker, *Demystifying Secondary Inclusion: Powerful School-wide & Classroom Strategies* (2007).
- <sup>13</sup> See Elise Frattura & Colleen Capper, *Segregated Programs Versus Integrated Comprehensive Service Delivery for All Learners: Assessing the Differences* 27 *Remedial and Special Education* 355, 361 at <http://schoolsandsocietytamumenendez.pbworks.com/w/file/48034923/Segregated%20Programs%20Versus%20Integrated%20Comprehensive%20Service%20Delivery%20for%20All%20Learners.pdf> (2006).
- <sup>14</sup> See HHS/DOE Policy Statement at 34; Xuan Bui et al., *Inclusive Education Research & Practice* 2 at [http://www.mcie.org/usermedia/application/6/inclusion\\_works\\_final.pdf](http://www.mcie.org/usermedia/application/6/inclusion_works_final.pdf) (2010); Cosier, et. Al., *Does Access Matter? Time in General Education and Achievement for Students with Disabilities, Remedial and Special Education* (2013); Rea et al, *Outcomes for Students with Learning Disabilities in Inclusive and Pullout Programs*, *Exceptional Children* (2002).
- <sup>15</sup> Xuan Bui et al. at 2; Blenk, *Making School Inclusion Work: A Guide to Everyday Practices* 216-17 (1995); McGregor & Volgelsberg, *Inclusive Schooling Practices: Pedagogical and Research Foundations* 57 – 63 (1998).
- <sup>16</sup> Xuan Bui et al. at 3.
- <sup>17</sup> Jay W. Rojewski et al., *Causal Effects of Inclusion on Postsecondary Education Outcomes of Individuals with High Incidence Disabilities*, 25 *Journal of Disability Policy Studies* 210, 216 at [http://emmittgonzalez.weebly.com/uploads/1/6/4/0/16406502/article\\_1\\_inclusion.pdf](http://emmittgonzalez.weebly.com/uploads/1/6/4/0/16406502/article_1_inclusion.pdf) (2015).
- <sup>18</sup> National Down Syndrome Society (NDSS), *Implementing Inclusion* 2, at <http://www.ndss.org/Resources/Education/Implementing-Inclusion/> (2012).
- <sup>19</sup> National Council on Disability (NCD), *Back to School on Civil Rights* 6 at [http://www.ncd.gov/rawmedia\\_repository/7bfb3c01\\_5c95\\_4d33\\_94b7\\_b80171d0b1bc.pdf](http://www.ncd.gov/rawmedia_repository/7bfb3c01_5c95_4d33_94b7_b80171d0b1bc.pdf) (2000).
- <sup>20</sup> *Mills v. D.C.* at 878.
- <sup>21</sup> *Pennsylvania Association for Retarded Children v. Pennsylvania*, 343 F. Supp. 279, 302-303 (E.D. Pa. 1972).
- <sup>22</sup> Diane Lipton at 2.
- <sup>23</sup> *Id.* (citing *Daniel R.R. v. State Bd. Of Educ. El Paso I.S.D.*, 874 F.2d 036 (5<sup>th</sup> Cir. 1989), *Greer v. Rome City S.D.*, 950 F.2d 688 (11<sup>th</sup> Cir. 1991), *Oberti v. Bd. Of Ed. Of the Borough of Clementon S.D.*, 995 F.2d 1204 (3<sup>rd</sup> Cir. 1993), and *Sacramento City Unified S.D. v. Rachel Holland*, 14 F.3d 1398 (9<sup>th</sup> Cir. 1994)).

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- <sup>24</sup> National Center for Education Statistics (NCES), *Table 204.60 Percentage distribution of students 6 to 21 years old served under Individuals with Disabilities Education Act*, [https://nces.ed.gov/programs/digest/d14/tables/dt14\\_204.60.asp](https://nces.ed.gov/programs/digest/d14/tables/dt14_204.60.asp) (2014).
- <sup>25</sup> David Hoff, *WIA is Now WIOA* 1 at [http://www.communityinclusion.org/pdf/IB31\\_F.pdf](http://www.communityinclusion.org/pdf/IB31_F.pdf) (2014).
- <sup>26</sup> *Id.* at 1-3.
- <sup>27</sup> U.S. Department of Education, *The Workforce Innovation and Opportunity Act Overview of Title IV: Amendments to the Rehabilitation Act of 1973* 1 at <http://www2.ed.gov/about/offices/list/osers/rsa/publications/wioa-changes-to-rehab-act.pdf> (2014).
- <sup>28</sup> David Hoff at 2.
- <sup>29</sup> U.S. Department of Education, *The Workforce Innovation and Opportunity Act Overview of Title IV* at 1.
- <sup>30</sup> *Id.* at 2.
- <sup>31</sup> David Hoff at 2.
- <sup>32</sup> *Id.* at 1.
- <sup>33</sup> United Cerebral Palsy, *The Case for Inclusion* 26 at [http://cfi.ucp.org/wp-content/uploads/2015/07/UCP\\_2015\\_CaseforInclusion\\_FINAL.pdf](http://cfi.ucp.org/wp-content/uploads/2015/07/UCP_2015_CaseforInclusion_FINAL.pdf) (2015).
- <sup>34</sup> Diane Lipton at 2.
- <sup>35</sup> Meg Grigal & Debra Hart, *Transition and Postsecondary Education Programs for Students with Intellectual Disability* 1 at [http://www.thinkcollege.net/images/stories/site\\_images/pubs/FF4\\_pathway\\_to\\_employment.pdf](http://www.thinkcollege.net/images/stories/site_images/pubs/FF4_pathway_to_employment.pdf) (2013).
- <sup>36</sup> US Department of Education, *Transition and Postsecondary Programs for Students with Intellectual Disabilities* at <http://www2.ed.gov/programs/tpsid/index.html>.
- <sup>37</sup> *Id.*
- <sup>38</sup> *Id.*
- <sup>39</sup> Federal Student Aid, *Students with intellectual disabilities may be able to get certain types of federal student aid*, <https://studentaid.ed.gov/sa/eligibility/intellectual-disabilities#ctp-programs> (2014).
- <sup>40</sup> *Id.*
- <sup>41</sup> *Id.*
- <sup>42</sup> Think College: College Options for People with Intellectual Disabilities at <http://www.thinkcollege.net/index.php>.
- <sup>43</sup> Mason LIFE, *Courses*, <http://masonlife.gmu.edu/courses/> (2014), and Mason LIFE, *Policies*, <http://masonlife.gmu.edu/policies> (2014).
- <sup>44</sup> Mason LIFE, *Policies*, <http://masonlife.gmu.edu/policies> (2014), and Mason LIFE, *Residential Housing*, <http://masonlife.gmu.edu/life-residential-program> (2014).
- <sup>45</sup> Melissa Jones et al., *Building Inclusive Campus Communities: A Framework for Inclusion*, 26 INSIGHT 1-2 at [http://www.thinkcollege.net/images/stories/26\\_inclusivecommunities\\_F.pdf](http://www.thinkcollege.net/images/stories/26_inclusivecommunities_F.pdf) (2015).
- <sup>46</sup> *Id.*
- <sup>47</sup> Frank A. Smith et al., *Postsecondary Education and Employment Outcomes for Transition-age Youth*, 15 INSIGHT 3 at [http://www.thinkcollege.net/images/stories/Insight\\_15.pdf](http://www.thinkcollege.net/images/stories/Insight_15.pdf) (2012). (This trend was true for students with any disability and students with cognitive disabilities. The trend did not hold for students with cognitive disabilities who receive Supplementary Security Income. However, with changes to the SSI program and its work incentives, we hope future outcomes will demonstrate that these students participating in TPSID programs will achieve much higher levels of employment as well.)
- <sup>48</sup> Think College National Coordinating Center, *Annual Report on the Transition and Postsecondary Programs for Students with Intellectual Disabilities* 43-44 [http://www.thinkcollege.net/images/stories/tpsid/aryr4/year4\\_Final.pdf](http://www.thinkcollege.net/images/stories/tpsid/aryr4/year4_Final.pdf) (2015).
- <sup>49</sup> Think College Annual Report at 44.
- <sup>50</sup> Meg Grigal & Debra Hart at 1.
- <sup>51</sup> Think College, *Find a College*, <http://www.thinkcollege.net/databases/programs-database?task=searchform> (2015).
- <sup>52</sup> *Mills v. D.C.* at 868-869).
- <sup>53</sup> FOIA Response from OSSE to DRDC dated 7/6/2015 (Data taken from “Part B SEA Total” chart). Document available upon request.
- <sup>54</sup> FOIA Response from OSSE to DRDC (Data taken from “Child Count Records Part B- Environments 2014” chart).
- <sup>55</sup> NCES, *Table 204.60*.

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<sup>56</sup> FOIA Response from OSSE to DRDC (Data taken from “Child Count Records Part B- Environments 2014”).

<sup>57</sup> NCES, *Table 204.60*.

<sup>58</sup> DRDC included data for students with autism, emotional disturbance, intellectual disability, and multiple disabilities as students with a “significant disability” because these students typically have the most significant intellectual, behavioral, and physical challenges.

<sup>59</sup> US Department of Education, *IDEA Section 618 Data Products: State Level Data Files* at <http://www2.ed.gov/programs/osepidea/618-data/state-level-data-files/index.html> (Child Count and Educational Environments 2013).

<sup>60</sup> FOIA Response from DCPS to DRDC dated 8/28/2015. Document available upon request.

<sup>61</sup> Diane Lipton at 2.

<sup>62</sup> DRDC collaborated with DCPS during the 2014-2015 school year to visit 4 DCPS high schools and learn about the transition programs that are available to DCPS students with disabilities.

<sup>63</sup> The DC Secondary Transition Community of Practice supports DC youth with disabilities as they transition into a self-directed life. It is a city-wide, cross section of stakeholders who come together to strengthen an individual and collective ability for action. [http://dc-transition-guide.frameweld.com/page/dc\\_secondary\\_transition\\_community\\_of\\_practice](http://dc-transition-guide.frameweld.com/page/dc_secondary_transition_community_of_practice).

<sup>64</sup> SchoolTalk is a DC-based non-profit organization that brings special education dispute prevention and early dispute resolution programs to DC schools. <http://www.schooltalkdc.org/index.cfm>.

<sup>65</sup> D.C. Department of Employment Services, *Youth and Parent Information Packet 5* (SYEP seeks to provide District students ages 14-21 with meaningful summer work experiences and provides “aids and services” to students with disabilities who request assistance).

<sup>66</sup> See e.g. District of Columbia Public Schools, *Current CTE Programs* at <http://dcps.dc.gov/node/1012422>.

<sup>67</sup> Inclusive Internship Programs: A How-to Guide for Employers, Office of Disability Employment Policy: Department of Labor, <http://www.dol.gov/odep/pdf/InclusiveInternshipPrograms.pdf>.