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# Equity Cohort: Disability

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# Equity and Diversity

- Why equity for individuals with disabilities?
- What relevant data do we have?
- What are some of the challenges?
- What are some encouraging steps?

# Equity for Individuals with Disabilities: Legal Foundations

- Civil Rights Act of **1964** prohibiting discrimination on the basis of race, color, religion, sex, or national origin.
- Section 504 of the **1973** Rehabilitation Act prohibits discrimination against people with disabilities in programs that receive federal financial assistance.
- Education for All Handicapped Children Act (Public Law No. 94-142) passed in **1975** and guaranteed a free appropriate public education to each child with a disability.
- In **1990**, P.L. 94-142 was reauthorized and renamed the Individuals with Disabilities Education Act (IDEA). The legislation ensures students with a disability are provided with Free Appropriate Public Education (FAPE) that is tailored to their individual needs.
- Americans with Disabilities Act (ADA) of **1990** prohibits discrimination and guarantees that people with disabilities have the same opportunities as everyone else.

# Equity for Individuals with Disabilities: Legal Foundations

## Young Children with Disabilities Ages 0-5:

- Part C of the IDEA requires that services to the maximum extent appropriate, are provided in natural environments, including the home, and community settings in which children without disabilities participate.
- Part B of the IDEA requires states to ensure services to children ages 3 through 5 years are provided in the least restrictive environment (LRE) possible.



# Defining Inclusion in Early Childhood Programs

- Participation in all learning and social activities
- Together with their peers without disabilities
- Using evidence-based services and supports to foster development (cognitive, language, communication, physical, behavioral, and social-emotional)
- Applies to all young children with disabilities regardless of disability
- 2009 Joint Position Statement on Early Childhood Inclusion from the Division for Early Childhood (DEC) and the National Association for the Education of Young Children (NAEYC)
- *The defining features of inclusion that can be used to identify high quality early childhood programs and services are:*
  - *access, participation, and supports.*

[https://www.naeyc.org/sites/default/files/globally-shared/downloads/PDFs/resources/position-statements/DEC\\_NAEYC\\_EC\\_updatedKS.pdf](https://www.naeyc.org/sites/default/files/globally-shared/downloads/PDFs/resources/position-statements/DEC_NAEYC_EC_updatedKS.pdf)

# Research on Early Childhood Inclusion

1. High quality inclusive settings benefit children with disabilities



# Inclusion Benefits Children with Disabilities

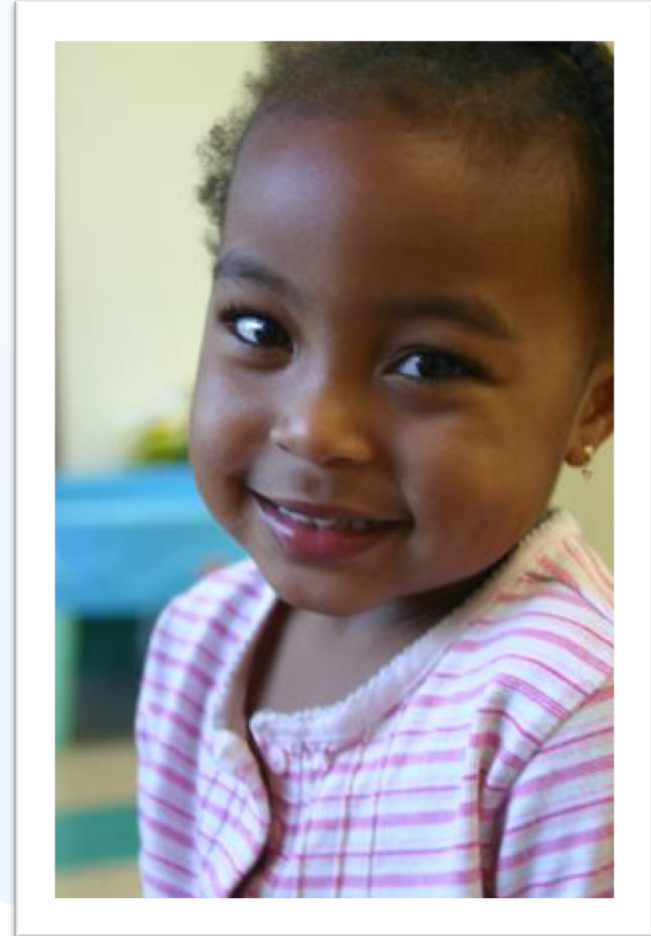
- Children with disabilities who participated in inclusive preschool programs experienced positive outcomes.
- Children with disabilities can make significant progress in inclusive, public school classrooms with teachers implementing evidence-based practices with high fidelity.
- When children with disabilities have access to multiple playmates they have more opportunities to develop social and play skills.
- It is highly important that early identification and interventions focused on social competence and the development of friendships among children with and without disabilities.

# Preschool Friendship and Life Success

- Having a friend in preschool is connected to
  - Better academic success
  - Higher high school graduation rates
  - Fewer special education services
  - Better adult employment status
  - Greater chance of independent living
  - Better adult mental health
  - Less drug and alcohol use in teen years

# Research on Early Childhood Inclusion

2. Inclusive settings benefit children without disabilities

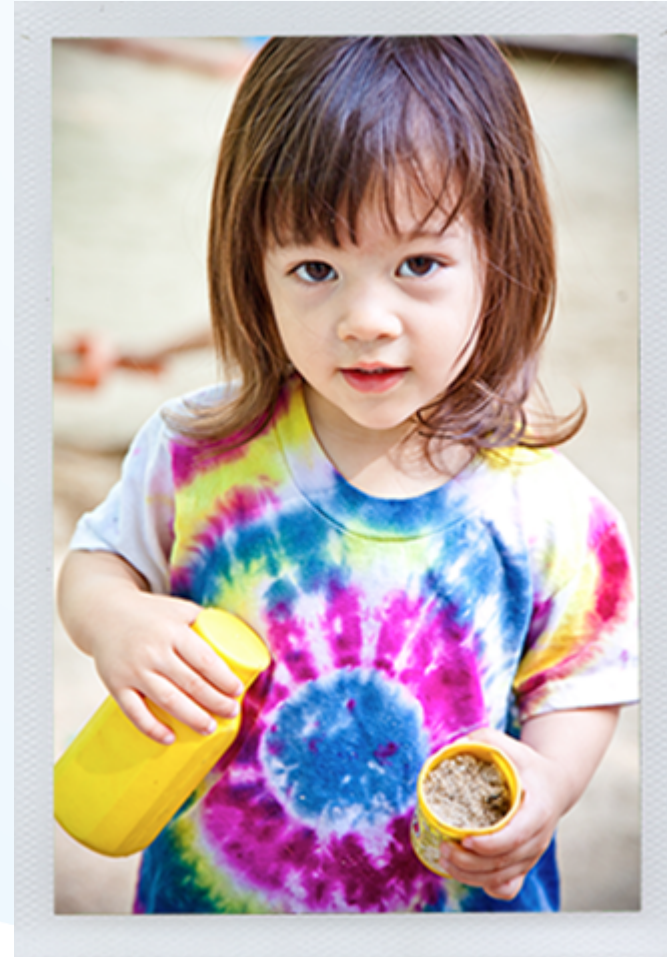


# Inclusion Benefits Children Without Disabilities

- Peers of children with disabilities in inclusive classrooms demonstrated helpfulness.
- Parents reported peers of children with disabilities learned compassion and empathy.
- A substantial number of children with disabilities were accepted by their peers in inclusive preschool settings.

# Research on Early Childhood Inclusion

3. Inclusion benefits children across disability groups and levels of severity



# Inclusion Benefits Children Across Disability Groups

- Children with severe disabilities in inclusive settings had higher scores on assessments of their language development than children in segregated settings.
- Preschoolers with less severe disabilities made similar gains across both inclusive and segregated settings.



# Research on Early Childhood Inclusion

4. Inclusive preschool programs tend to be of higher quality



# Inclusive Programs Tend to Be of Higher Quality

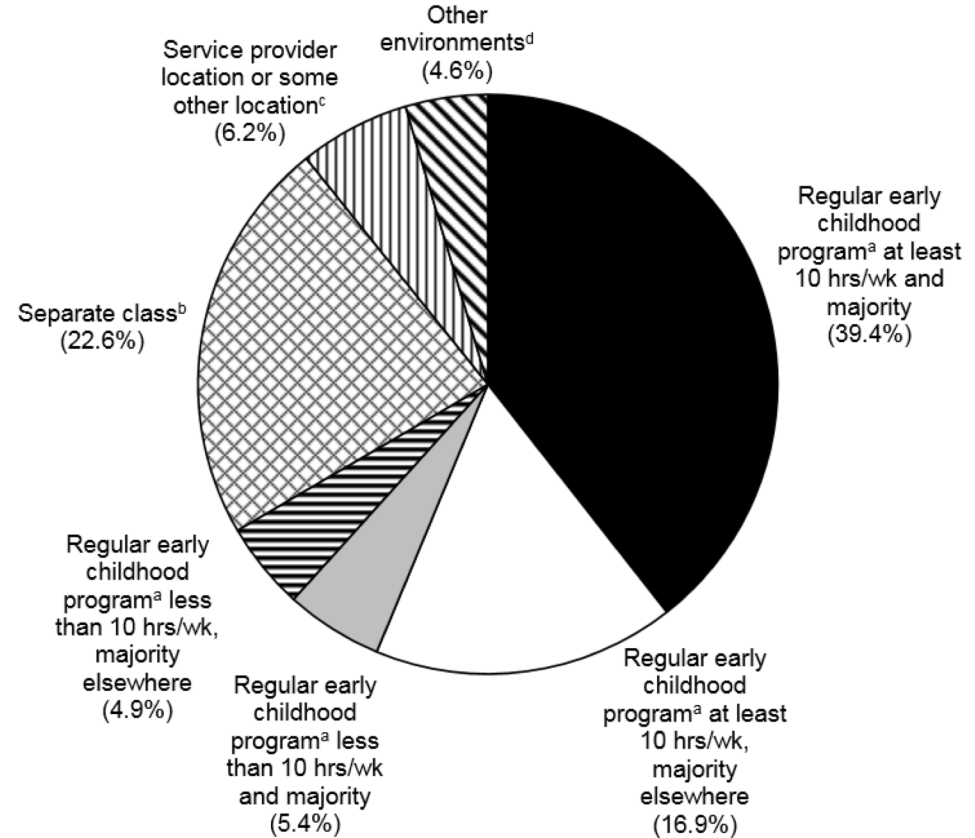
- The quality of preschool programs including at least one student with a disability was as good as or better than that of preschool programs without children with disabilities.
- Potential explanations might include:
  - (a) parents of children with disabilities might seek higher quality programs for their children with unique learning needs,
  - (b) programs for children with disabilities might attract or seek better resources and more funding, and
  - (c) programs for children with disabilities might seek more qualified and experienced staff.

# What do the data show?

# Data on Preschool Inclusion

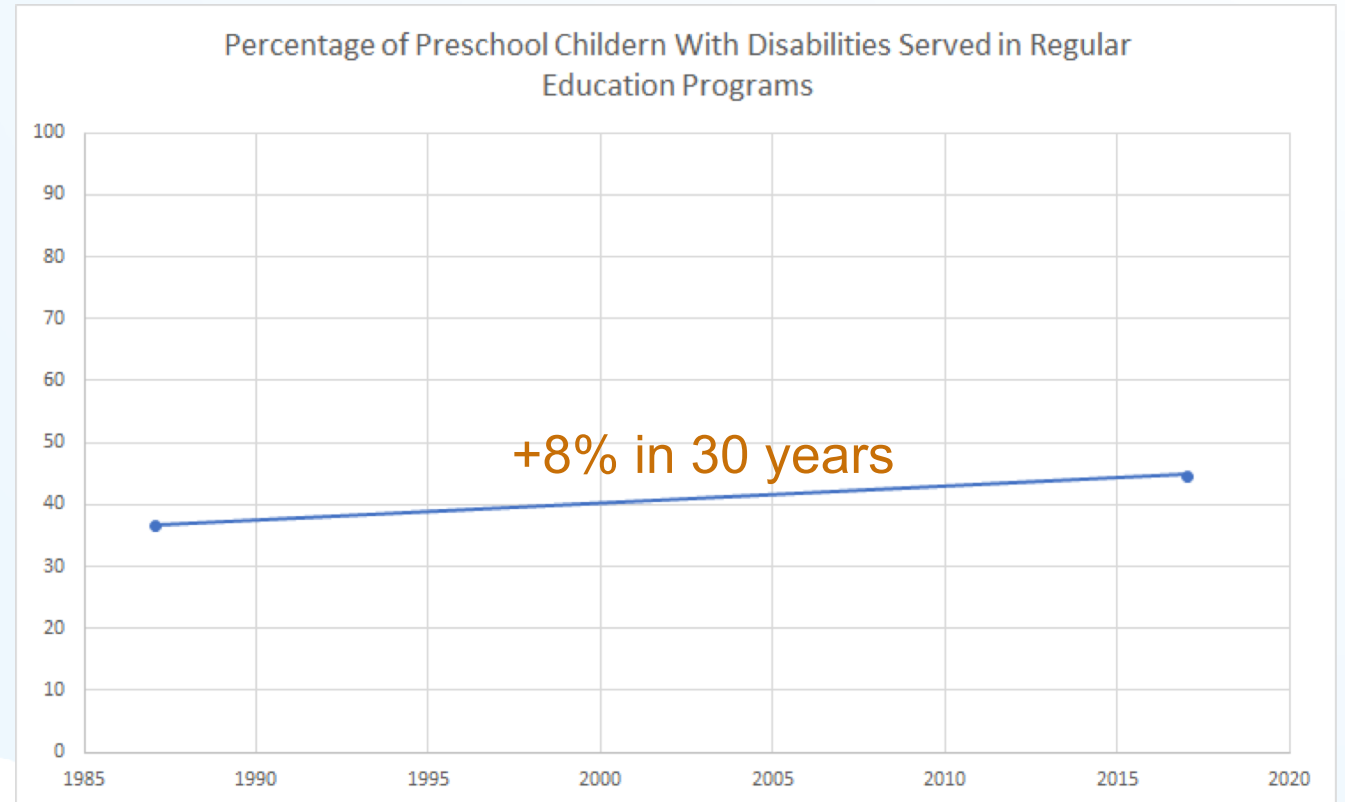
- Annual Report to Congress
- U.S. DOE Data
- In 2015, **44.8%** of children 3-5 received the majority of their special education services in a regular early childhood program

**Exhibit 15. Percentage of children ages 3 through 5 served under IDEA, Part B, by educational environment: Fall 2015**



# Data on Preschool Inclusion

- Providing services in regular early childhood settings has increased little over the last 3 decades.
- 1987 - 36.8% of children 3-5 received services in a regular early childhood program
- 2017 - 44.8% of children 3-5 received services in a regular early childhood program



# Disparities by Disability

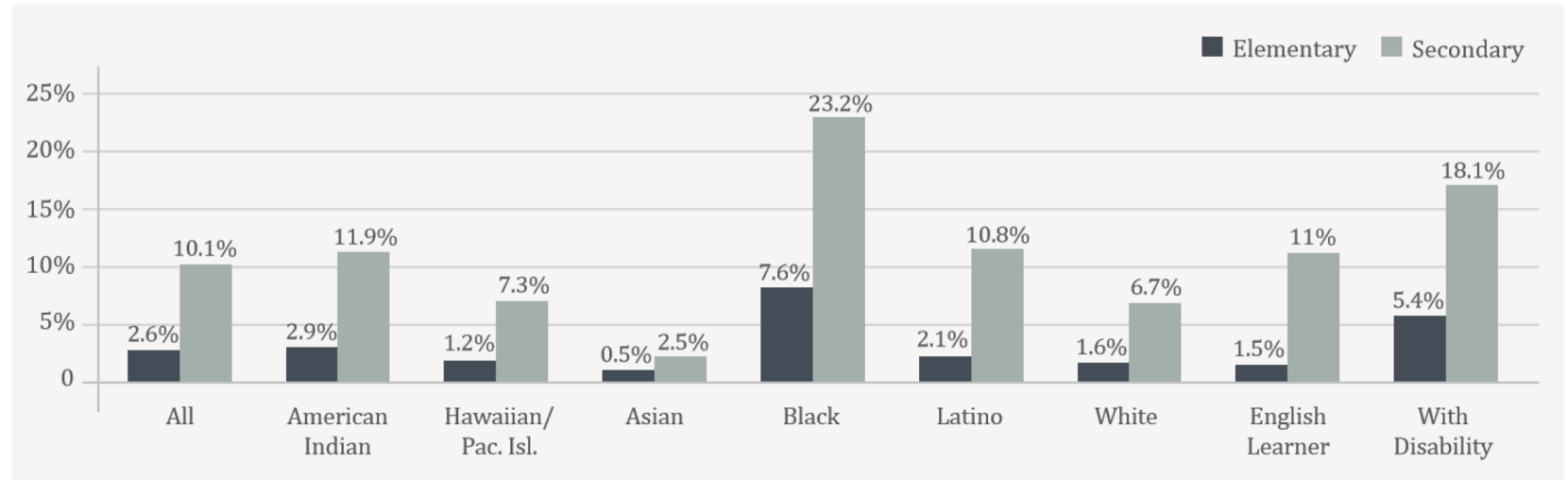
- Disparities in early childhood inclusion across disability categories
  - Only 26% of children with multiple disabilities
  - Only 33% of children with intellectual disabilities
- For students 6-21 the disparities increase dramatically
  - Only 13% of children with multiple disabilities
  - Only 16% of children with intellectual disabilities

| Receive Special Education Services in Regular Early Childhood Program | %     |
|---|-------|
| Visual impairment   | 50.9% |
| Specific learning disability  | 50.6% |
| Emotional disturbance   | 47.8% |
| Other health impairment   | 47.7% |
| Orthopedic impairment   | 47.4% |
| Speech or language impairment   | 46.6% |
| Developmental delay   | 45.7% |
| Traumatic brain injury  | 41.4% |
| Deaf-blindness  | 40.5% |
| Hearing impairment  | 39.5% |
| Autism  | 35.9% |
| Intellectual disability   | 33.4% |
| Multiple disabilities   | 26.3% |
| Overall   | 44.8% |

# Suspension of Children with Disabilities

- 5.4% of elementary-school children with disabilities were suspended, vs. 2.6 overall.
- 18% of secondary students with disabilities were suspended, versus 10% overall.
- 1/3 of all K-12 children with emotional disabilities were suspended at least once.

Figure 1. Elementary and Secondary Out-of-school Suspension Rates by Subgroup, 2011-12



Are We Closing The School Discipline Gap, THE CENTER FOR CIVIL RIGHTS REMEDIES, 2015, [https://civilrightsproject.ucla.edu/resources/projects/center-for-civil-rights-remedies/school-to-prison-folder/federal-reports/are-we-closing-the-school-discipline-gap/AreWeClosingTheSchoolDisciplineGap\\_FINAL221.pdf](https://civilrightsproject.ucla.edu/resources/projects/center-for-civil-rights-remedies/school-to-prison-folder/federal-reports/are-we-closing-the-school-discipline-gap/AreWeClosingTheSchoolDisciplineGap_FINAL221.pdf)

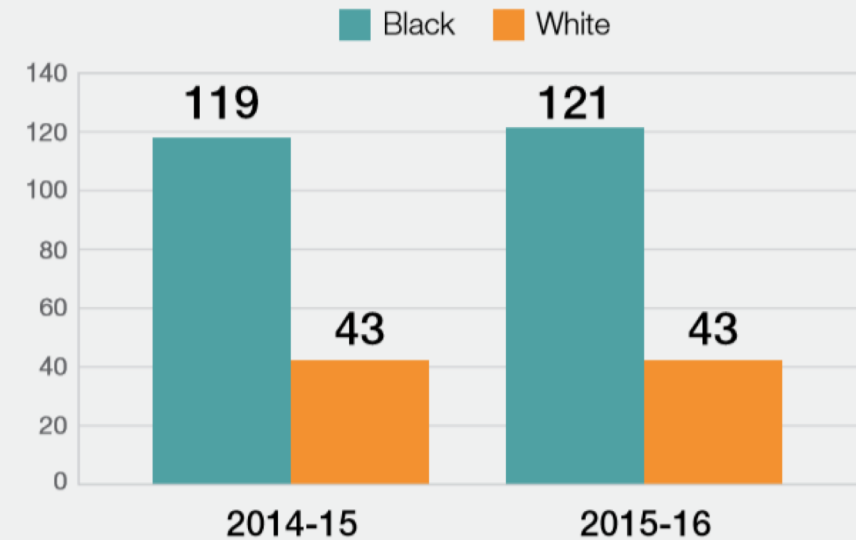
# Intersectionality

Black students with disabilities lost 77 more days of instruction on average than White students with disabilities.

The impact of suspension/removal includes:

- loss of classroom instruction time
- damage to student performance
- higher risk of dropping out and delinquency
- economic costs

**Figure 1: National Racial Gap in Lost Instruction for Students with Disabilities, per 100 Students with Disabilities in 2014-15 and 2015-16\*<sup>2</sup>**



\*Adjusted to reflect the fact that 4 states (AZ, IL, VT, WV) failed to report removal data in 2015-16

Disabling Punishment: The Need for Remedies to the Disparate Loss of Instruction Experience by Black Students with Disabilities <https://today.law.harvard.edu/wp-content/uploads/2018/04/disabling-punishment-report-.pdf>



# What Are Some of the Beliefs that Become Barriers?

- Children with disabilities aren't developmentally 'ready'
- Low expectations for children with disabilities
- Parents don't want children with disabilities included with other children
- Including children with disabilities will harm other children's learning
- It's illegal for programs to blend funds
- It's too expensive to support inclusive programs/classrooms

# What Encouraging Activities are Happening In States?

- Forming cross-sector teams focused on early childhood inclusion
- Conducting self-assessments on quality systems and services
- Developing policies that reflect the federal policy statement on inclusion
- Developing policies and collecting data on suspension/expulsion for early childhood (including special education)
- Conducting cross-sector PD/TA opportunities
- Implementing evidence-based practices for social emotional development

# Resources

- ECTA Center website on Inclusion/LRE: <http://ectacenter.org/topics/inclusion/default.asp>
- Fact Sheet of Research on Preschool Inclusion:  
[http://ectacenter.org/~pdfs/topics/inclusion/research/Research\\_Supporting\\_Preschool\\_Inclusion\\_R.pdf](http://ectacenter.org/~pdfs/topics/inclusion/research/Research_Supporting_Preschool_Inclusion_R.pdf)
- Inclusion for Preschool Children with Disabilities: What We Know and What We Should Be Doing:  
[http://ectacenter.org/~pdfs/topics/inclusion/research/STRAIN\\_what\\_we\\_know.pdf](http://ectacenter.org/~pdfs/topics/inclusion/research/STRAIN_what_we_know.pdf)
- Research Synthesis Points on Early Childhood Inclusion:  
[https://npdci.fpg.unc.edu/sites/npdci.fpg.unc.edu/files/resources/NPDCl-ResearchSynthesisPoints-10-2009\\_0.pdf](https://npdci.fpg.unc.edu/sites/npdci.fpg.unc.edu/files/resources/NPDCl-ResearchSynthesisPoints-10-2009_0.pdf)
- Quality Indicators of Inclusive Early Childhood Programs/Practices:  
<http://ectacenter.org/~pdfs/pubs/qualityindicatorsinclusion.pdf>
- State Early Childhood Inclusion Self-Assessment: <http://ectacenter.org/~pdfs/topics/inclusion/state-inclusion-self-assessment.pdf>

# ecta Early Childhood Technical Assistance Center

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Find out more at [ectacenter.org](http://ectacenter.org)

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