

## **What is Inclusion?**

Inclusion is a term which expresses commitment to educate each child, to the maximum extent appropriate, in the school and the classroom he or she would otherwise attend. The child should receive services outside the regular education classroom only when appropriate services cannot be provided in the classroom.

## **Does Federal Law Require Inclusion?**

No. Two federal laws govern education of children with disabilities. Neither requires inclusion, but does require that a significant effort be made to find an inclusive placement.

## **IDEA**

The Individuals with Disabilities Education Act does not require inclusion. In fact the term “inclusion” does not appear in the text of the statute or the regulations. Instead, the law requires that children with disabilities be educated “to the extent appropriate” in the “least restrictive environment.”

In developing the Individual Education Program (IEP) for a child with disabilities, the law requires the IEP team to consider placement in the regular education classroom as the point in determining the appropriate placement for the child. If the IEP team determines the “least restrictive environment” appropriate for a particular child is **NOT** the regular education classroom for all or part of the IEP, the IEP must include an explanation in the IEP as to why the regular education classroom is not appropriate.

## **Section 504 of the Rehabilitation Act of 1973**

Section 504 requires that a recipient of federal funds provide for the education of each handicapped person in its jurisdiction with persons who are not handicapped to the maximum extent appropriate to the needs of the handicapped person. An example might be for a student who has a medical need requiring frequent trips to the nurse’s office during the day and a specific plan is developed so the student can do this in a way that allows for minimal impact on the academic day.