



Resolution Number 22/23-01
On the Urgency of Inclusive Education for
Students with Disabilities in California Schools

WHEREAS, public schools in the State of California serve approximately 795,000 students with disabilities from birth to age 22, representing approximately 13% of the total student population; and

WHEREAS, the mission of the Special Education Local Plan Area (SELPA) Administrators of California is to champion educational access and opportunities for students with disabilities across California, by collaborating with educational partners to influence policy and practice, and by applying an equity and inclusion lens to our work as special education leaders; and

WHEREAS, inclusive practices achieve exactly the type of educational access and opportunity-foundational to our mission and grounded in the law, and we recognize these practices produce better outcomes for all students, including students with disabilities, in academics, social skills, behavior, communication, and self-advocacy; and

WHEREAS, California's rates of inclusion of students with disabilities in the least restrictive environment are among the lowest in the nation, and our students with disabilities, especially students of color and English language learners, experience some of the worst academic and social emotional outcomes, and

WHEREAS, SELPA Administrators provide their member local educational agencies (LEAs) with expert training, effective coaching, and comprehensive technical assistance to allow them to implement and promote a variety of evidence-based inclusive practices such as universal design for learning (UDL), inclusion support, multi-tiered system of supports, co-teaching and learning center models, and ability awareness; and

WHEREAS, SELPA Administrators of California provide vision and extensive leadership within the Statewide System of Support to improve outcomes for students with disabilities, both as System Improvement Leads who work closely with LEAs and SELPAs on the use of data best practices, root cause analysis, improvement science, and systems alignment, and also as SELPA Content Leads who lead projects in the areas of best practices in autism, English learners with disabilities, equity and disproportionality, and UDL, assistive technology, and augmentative and alternative communication; and

WHEREAS, SELPA Administrators of California recently sponsored SB 1113 (Ochoa Bogh), "Removing Barriers to Inclusion in the General Education Classroom," a measure that was met with broad non-partisan support from educators, parents, and other constituents throughout the entire legislative process, but was subsequently vetoed by Governor Newsom; and

WHEREAS, State Performance Plan Indicator targets for least restrictive environment were newly approved by the federal government, requiring that by the year 2025, 70% of all students with disabilities will be educated in the general education classroom 80% or more of the school day, and that just 12% of students with disabilities will be educated outside the general education classroom 40% or less of the school day; and

WHEREAS, the recent passage of SB 692 (Cortese) on "LCAP Priorities and Least Restrictive Environment," requires that the State Department of Education will, by November 30, 2023, publish data related to federal measures of least restrictive environment, disaggregated by race or ethnicity and LEA, and include this as a resource on the California School Dashboard; and

WHEREAS, the educational rights and protections already afforded to students with disabilities whether through the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act, or the

Americans with Disabilities Act, are the result of numerous constitutional challenges and anti-discrimination victories; and

WHEREAS, the law already requires that students with disabilities must be educated in general education settings to the maximum extent appropriate in light of their needs, and prohibits their exclusion unless their education cannot be achieved satisfactorily even with the use of appropriate supplementary aids and services within general education; and

WHEREAS, in spite of these laws, the long history of exclusion, segregation, stigmatization, and marginalization experienced by many individuals with disabilities continues, and many students with disabilities are currently excluded from the school they would attend if not for their disability, or are unnecessarily isolated from their age-appropriate, non-disabled peers; and

WHEREAS, the month of October officially marks the recognition of National Disability History Month, National Bullying Prevention Month, Worldwide Dyslexia Awareness Month, National Learning Disabilities Awareness Month, National Down Syndrome Awareness Month, and National Disability Employment Awareness Month; and

WHEREAS, students with disabilities are general education students first and foremost, and each educational, operational, and budget decision made in each LEA must begin with the belief that students with disabilities have the right to, and the ability to, learn alongside their non-disabled peers and to equitable and meaningful opportunities to learn and grow; and

WHEREAS, SELPA Administrators of California are committed to ensuring their member LEAs are positioned to design and implement equitable and inclusive learning environments that can meet the needs of the diverse intelligences, talents, skills, and abilities of students with disabilities who enrich our schools, our communities, and our lives; and

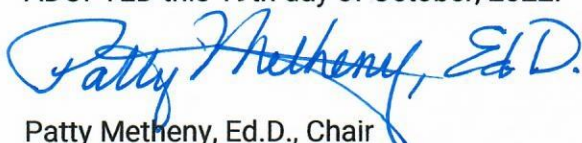
WHEREAS, a vast body of research informs us of the direct, positive correlation between teacher expectations of students with disabilities, student connectedness and belonging to their school community, and higher levels of achievement.

NOW, THEREFORE, BE IT RESOLVED that SELPA Administrators of California hereby adopts Resolution Number 22/23-01 to actively and with intention work to improve the educational experiences and achievement of students with disabilities through continued robust advocacy with a goal of eliminating barriers to inclusion and creating a more just and hopeful future for all students; and

BE IT FURTHER RESOLVED that SELPA Administrators of California will increase our influence with our educational partners, the relevant state agencies, and the Statewide System of Support by continuing to advance strategic proposals for adequate, substantial, and meaningful resource allocation and capacity building for inclusive practices as the law intends and our students and families expect and deserve; and

BE IT FURTHER RESOLVED that SELPA Administrators of California will prioritize our attention and focus on the academic inclusion, social inclusion, and physical inclusion of students with disabilities, and we pledge to support those evidence-based practices that fully engage our students regardless of their disabilities or learning challenges, to ensure they feel connectedness and belonging in their school communities.

ADOPTED this 19th day of October, 2022.

A handwritten signature in blue ink that reads "Patty Metheny, Ed.D." The signature is written in a cursive style with a large, stylized initial "P".

Patty Metheny, Ed.D., Chair
SELPA Administrators of California