

## Oral Opening Statement of Sheryl Lazarus, Ph.D.

Congressional Briefing on “A Truly Inclusive Society: Encouraging the Ability in Disability”

Hosted by the Helsinki Commission

Monday, September 24, 2018, 3:30 p.m.  
Dirksen Senate Office Building, Room 562

### I. Introduction

I would like to thank the Helsinki Commission for the opportunity to talk with you today. I am the Director of TIES Center.<sup>1,2,3</sup> TIES is funded by the U.S. Department of Education,<sup>4</sup> and is the National Technical Assistance Center on Inclusive Practices and Policies. Its purpose is to create sustainable changes to educational systems so that students with the most significant cognitive disabilities can fully engage in the same instructional and non-instructional activities as their general education peers while being instructed in a way that meets individual learning needs.

### II. Laws and Regulations

Expectations for students with disabilities in the United States historically have been low, but several laws have encouraged a more inclusive educational system. Beginning in 1975, Public Law 94-142 set a precedent for inclusive education with its least restrictive environment clause.

The Individuals with Disabilities Education Act of 1997, which is often referred to as IDEA, says that students with disabilities have the right to learn the general curriculum based on the same standards as their peers who do not have disabilities. The most recent reauthorization of IDEA, as well as the 2015 reauthorization of the Elementary and Secondary Education Act (ESEA), also known as the Every Student Succeeds Act or ESSA, state that instruction must be designed to promote progress in the general education curriculum. IDEA also mandates that students with disabilities be provided with a free and appropriate public education, which includes both special education and related services, and that students are to be educated in the least restrictive environment. This creates a legal presumption that the general education setting is the default UNLESS the child cannot be educated satisfactorily there even after all the necessary support is provided.

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<sup>1</sup> TIES Center website: <https://tiescenter.org/>

<sup>2</sup> The word “TIES” stands for increased **Time, Instructional** effectiveness, **Engagement**, and **State Support** for inclusive practices. These four pillars support sustainable inclusive education.

<sup>3</sup> I am also the Associate Director of the [National Center on Educational Outcomes \(NCEO\)](#).

<sup>4</sup> TIES Center and NCEO are funded by U.S. Department of Education’s Office of Special Education Programs or OSEP. Both are part of the [Institute on Community Integration \(ICI\)](#) in the College of Education and Human Resources at the University of Minnesota.

These laws and others provide the underpinnings of inclusive education in the United States, but the real heroes are the individuals with disabilities, their families, and advocates. They have exercised their rights, and sometimes had to push, shove, and hold the educational system to what the law required; though they must consider themselves fortunate to be in a country in which individuals with disabilities and their families have the legal right to disagree with schools and the government.

### III. Two Critical Components: Raising Expectations and Communicative Competence

Next I'll discuss two critical components that support sustainable inclusion for all students.

**Raising Expectations:** The first is raising expectations. It's important to note that students with the most significant cognitive disabilities are very diverse. For example, more students with the most significant cognitive disabilities can read than you might think. Two-thirds are readers.<sup>5</sup>

Unfortunately in the past, students with the most significant cognitive disabilities often were only taught functional skills such as how to care for themselves. The curriculum started to change in the early 2000's when accountability for academic performance for students with disabilities was strengthened. As teachers introduced content similar to what peers were learning, students with the most significant cognitive disabilities surprised us with what they could do. We heard over and over, "Who knew that these students could learn to read, and do math, and social studies, and science?"

**Communicative Competence.** A second critical component that support inclusion is what we call communicative competence. Most students with the most significant cognitive disabilities communicate verbally just like everyone else. However, a few students communicate in other ways or show minimal response to stimuli.

Students who lack a consistent mode of communication are often served in segregated educational settings because many teachers feel unprepared to support them. A key to successful inclusion, and better outcomes, is getting a communications system in place – ideally by kindergarten or the early primary grades.

Here is an example<sup>6</sup> which illustrates how a commitment to building communicative competence helps enable students to thrive in inclusive contexts. Jaimar Fish is a middle school student in Danville, Kentucky. He has multiple disabilities. He did not have a consistent communication system. He gets along well with the other students, but it was difficult for him to develop relationships with them because he could not communicate. His educational team addressed his

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<sup>5</sup> This percentage is based upon the findings of a study conducted in 15 states. Thurlow, M. L., Wu, Y., Quenemoen, R. F., & Towles, E. (2016). [Characteristics of Students with Significant Cognitive Disabilities](#). Minneapolis, MN: University of Minnesota, National Center and State Collaborative

<sup>6</sup> This example, is from an article that will appear in the Fall, 2018 issue of *Impact* magazine. *Impact* is published by the Institute on Community Integration at the University of Minnesota. Available in November at [https://ici.umn.edu/index.php?products/view\\_all/14](https://ici.umn.edu/index.php?products/view_all/14). The article that contains Jaimar's story is titled, *Peer Networks Benefit All Students: The Power of Communication* (Kleinert, Land, Newton, & Logsdon)

communication needs by first figuring out what he enjoyed – and might want to communicate about. Then they gave him what we refer to as an augmentative and alternative communication device. In his case, this is a simple motion detection switch. It is activated by his smallest movements and translates these movements into verbal language. Now Jaimar can respond to questions during math, reading, and other classes; talk with his friends about his likes and dislikes; and is one of the group.

**Other Critical Components.** In addition to raising expectations and communicative competence, there are many other components of successful inclusion such as high-quality accessible instructional resources, and providing training and profession development to all teachers so that they can confidently instruct students with the most significant cognitive disabilities in inclusive settings. See my written statement for additional details.

#### **IV. Summary**

Research has shown us the path to successfully educating all students, including those with the most significant cognitive disabilities; and, the United States has taken some steps in that direction, but we need to have the commitment to make sustainable inclusion happen for all students. To improve outcomes for kids, the behavior of adults needs to change. There needs to be a shared responsibility across educators for the success of all students with all students being held to high expectations.<sup>7</sup> Together, we can create a future that supports the learning of all students in inclusive settings, which will lead to a future with communities where all individuals are valued members.

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<sup>7</sup> For example, see [Moving Your Numbers](#)