

Florida's Inclusion Story for Students with Disabilities

August 2022

Least Restrictive Environment

1915-1940: Students with disabilities are not required to attend school or have access to instruction.¹

1975: Students with disabilities are required to attend school and be educated in the least restrictive environment.¹

2007: Students with disabilities are required to both attend school and have access to the general curriculum.¹

Special legislative session in Florida resulted in educational program mandates including a requirement that all students receive 13 consecutive years of instruction, beginning with kindergarten.¹

Children with mental and physical handicaps exempted from the new compulsory attendance law in Florida.¹

Florida became the first state in the nation to require self-determination instruction for students with disabilities.¹ Florida's Part B State Performance Plan is required by IDEA re-authorization (publicly available and with improvement plans).²

Final regulations for No Child Left Behind (NCLB) published emphasizing inclusion³; K-20 educational performance accountability system created in Florida to align with IDEA⁴; first Best Practices for Inclusive Education (BPIE) was published as a result of state legislation; Federal Higher Education Opportunity Act amended to create new post-secondary programs and expand Pell grant and other need-based aids for students with Intellectual Disabilities.⁵

The U.S. Supreme Court made a landmark decision in the Endrew F. case that Individual Educational Plans must be reasonably calculated for a child to make progress in light of their circumstances.⁸

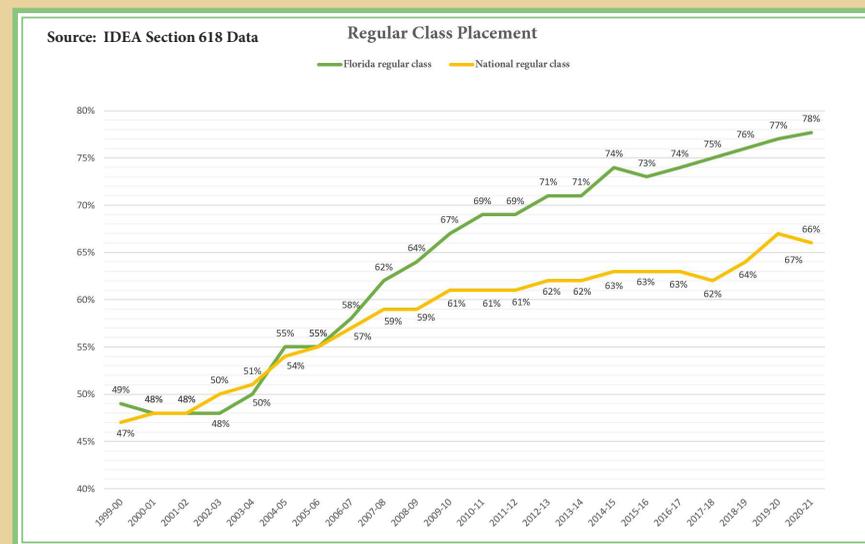
The Education for All Handicapped Children Act is passed, providing a free appropriate public education, individualized education plans, due process hearings, and education in the least restrictive environment possible.¹

The first revision of the Individuals with Disabilities Act (IDEA) which continued to require schools to educate children in the least restrictive environment possible.¹

The Federal Every Student Succeeds Act (ESSA) was signed.³ It established challenging academic standards in reading, math and science for ALL students, with supports starting in the general education setting, and focused on closing achievement gaps, thus assuring access to a quality public education resulting in college or career-ready skills.⁷

Florida lawmakers enact section 1003.57, Florida Statutes (F.S.), which defined inclusion. The Florida Inclusion Network (FIN) revised the BPIE 1.0 assessment instrument and related processes in response to the recent legislation requiring "each district and school to complete a BPIE assessment every three years."⁵

From 1999 until 2021: A more than 30 percent increase in students with disabilities being served in regular education settings (80% or more of their day with peers without disabilities).



¹ http://www.fldoe.org/core/fileparse.php/7674/urlt/0064488-hist_letter.pdf

² <https://data.ed.gov/dataset/part-b-state-performance-plans-spp-and-annual-performance-report-apt/resources>

³ www2.ed.gov/policy/elsec/leg/essa/index.html

⁴ http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=Ch1008/SEC22.HTM&Title=-%3E2007-%3ECh1008-%3ESection%3E2022#1008.22

⁵ http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App_mode=Display_Statute&Search_String=1003.57&URL=1000-1099/1003/Sections/1003.57.html

⁶ <https://www2.ed.gov/policy/highered/leg/hea08/index.html>

⁷ <https://www.ed.gov/essa>

⁸ https://www.supremecourt.gov/opinions/16pdf/15-827_0pm1.pdf