



UNITED STATES DEPARTMENT OF EDUCATION
WASHINGTON, DC 20202

January 16, 2025

Dear Colleague:

Consistent with the U.S. Department of Education’s (Department) mission of promoting student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access for students of all ages, the Department is committed to supporting State educational agencies (SEAs) and local educational agencies (LEAs) as they foster inclusive and effective learning environments. The Department’s mission is inclusive of all our nation’s children, and we hope that every child feels a sense of belonging and can be fully engaged in learning alongside their same-aged peers. The Department’s Office of Special Education and Rehabilitative Services (OSERS) and the Office of Elementary and Secondary Education (OESE) are jointly affirming that the Individuals with Disabilities Education Act (IDEA) and the Elementary and Secondary Education Act of 1965 (ESEA) are aligned with the use of inclusive educational practices.¹ Such practices benefit students with and without disabilities alike, to ensure that each child can engage in the curriculum and have access to the vast array of supports, electives, and extracurricular programs that are offered every day in our nation’s schools.

The Department is issuing this guidance to encourage SEAs, LEAs, and school staff to uphold high expectations for the academic and functional success of all students through the use of inclusive educational practices and to provide guidance on how to effectively implement these practices. Further, this guidance describes how the ESEA and the IDEA are aligned with implementation of inclusive educational practices for children with disabilities² based on their individual needs.³

For nearly 50 years, the IDEA has profoundly impacted the lives of students with disabilities, their families, and society. With the 1975 passage of the IDEA (then titled the Education for All Handicapped Children Act and also known as Public Law 94-142), Congress adopted specific,

¹ In this document, the term “inclusive educational practices” refers to those that are accessible, support student development and participation, and allow all students to be successful. For a full discussion of this term, see the companion document, *Building & Sustaining Inclusive Educational Practices Aligned with Implementing the Elementary and Secondary Education Act of 1965 (ESEA) and Part B of the Individuals with Disabilities Education Act (IDEA)*.

² In this document, unless otherwise noted, the term “student with a disability” means a child who has been evaluated in accordance with IDEA requirements and found to be a child with a disability as defined in 34 C.F.R. § 300.8 and who, by reason thereof, needs special education and related services.

³ The Department of Education and Department of Health of Human Services jointly issued a [Policy Statement on Inclusion of Children with Disabilities in Early Childhood Programs](#) on November 28, 2023.

detailed requirements for the education of children with disabilities. At that time, U.S. schools educated only one in five students with disabilities, and many States had laws excluding certain students, including those who were deaf or blind, had emotional and/or behavioral needs, or had an intellectual disability.⁴ While the IDEA’s transformational requirements include the provision of a free appropriate public education in the least restrictive environment (LRE)⁵ to every eligible child with a disability, it was the reauthorizations of the ESEA in 2001 and 2015 that revolutionized how States and LEAs focused on the academic outcomes of students with disabilities.

Today, the educational experiences of students with disabilities are dramatically different than before the ESEA’s and the IDEA’s original enactments. In the 2023-24 school year, nearly 7.9 million students ages 3 through 21⁶ received special education and related services designed to meet their individual needs, and the vast majority of students with disabilities were educated alongside their peers without disabilities.⁷ Further, student populations that had been traditionally underserved are now recognized and served through the ESEA and the IDEA, including English learners with disabilities who comprise 11.8 percent of all students with disabilities nationwide⁸ and are also eligible to receive supplemental support under Title III of the ESEA. Additionally, 49.6 percent of students with disabilities attend schools designated as Title I under the ESEA.⁹ It is critical to recognize how each program serves our nation’s students so LEAs can effectively coordinate resources and comprehensively support the whole child.

While there is much to celebrate, we must do more to improve educational and postsecondary outcomes for students with disabilities, particularly after the disruption caused by COVID-19. For example, data from the 2022 administration of the National Assessment of Educational Progress showed a 40 percentage point achievement gap in reading scores and a 32 percentage point achievement gap in math scores between 9-year-old students with and without disabilities, continuing a trend that has existed over the last two decades.¹⁰ During the 2021-22 school year,

⁴ U.S. Department of Education, “A History of the Individuals with Disabilities Education Act.” February 2024. Available at <https://sites.ed.gov/idea/IDEA-History>.

⁵ Under the IDEA’s LRE requirements, to the maximum extent appropriate, children with disabilities must be educated with children who are nondisabled and, unless otherwise required by an individualized education program, educated in the school that they would attend if nondisabled. IDEA section 612(a)(5), 34 C.F.R. §§ 300.114(a)(2)(i) and 300.116(c). Placement decisions regarding a child with a disability must meet the requirements in 34 C.F.R. §§ 300.114-300.118.

⁶ U.S. Department of Education, EDFacts Data Warehouse: “IDEA Part B Child Count and Educational Environments Collection,” 2023-24. Available at <https://data.ed.gov/dataset/71ca7d0c-a161-4abe-9e2b-4e68ffb1061a/resource/aa572553-f494-49a6-a01e-99c52f0cf948/download/bchildcountandedenvironment2023-24.csv>.

⁷ U.S. Department of Education, EDFacts Data Warehouse: “IDEA Part B Child Count and Educational Environments Collection,” 2005. Available at <https://data.ed.gov/dataset/idea-section-618-state-part-b-educational-environments/resources>.

⁸ See [OSEP Fast Facts: Students With Disabilities Who Are English Learners \(ELs\) Served Under IDEA Part B - Individuals with Disabilities Education Act \(2022\)](#).

⁹ U.S. Department of Education, National Center for Education Statistics, Common Core of Data (CCD), “State Nonfiscal Survey of Public Elementary and Secondary Education,” 2020-21; and EDFacts file 037, Data Group 548, file 118, Data Group 655, file 121, Data Group 634, file 141, Data Group 678, and file 134, Data Group 670, 2020-21.

¹⁰ National Assessment of Educational Progress data includes in the category “students with disabilities” students identified as having either an Individualized Education Program or protection under Section 504 of the Rehabilitation Act of 1973. For more information, visit:

of the students with disabilities who exited school that year, only 74 percent graduated with a regular high school diploma and 15 percent dropped out of school;¹¹ by comparison, among all students who exited school that year, 87 percent graduated with a regular high school diploma¹² and 5.3 percent dropped out.¹³ Research has shown that low expectations can negatively impact critical decision-making for students with disabilities, which can lead to more restrictive educational settings instead of participating in classes with their peers and receiving rigorous general education instruction.¹⁴ Such decisions can result in poor academic achievement, fewer employment and postsecondary options, and isolation within the community.¹⁵ Clearly, there is an urgent need to reevaluate current practices and systems to ensure that our educational communities have high expectations for students with disabilities that include rigorous general education instruction and implementation of evidence-based specially designed instruction, and to ensure placement in the general education classroom¹⁶ to the maximum extent appropriate.¹⁷

The ESEA and the IDEA jointly support students with disabilities. For example, Title I of the ESEA is designed to provide all students significant opportunities to receive a fair, equitable, and high-quality education and to close educational achievement gaps.¹⁸ In furtherance of this purpose, Title I, Part A of the ESEA pairs accountability requirements with requirements to provide targeted supports designed to improve outcomes of all students, including students with disabilities. More specifically, under Title I, Part A of the ESEA, each State is required to establish an accountability system to evaluate all public schools against a common set of indicators.¹⁹ The indicators must be the same for all schools and include all students, including students with disabilities. The State also must annually include all students in the statewide assessments in reading/language arts and mathematics in each of grades 3 through 8 and at least

<https://www.nationsreportcard.gov/ltt/reading/student-group-scores/?age=9> and <https://www.nationsreportcard.gov/ltt/mathematics/scores-percentiles/?age=9>.

¹¹ When referring to “students with disabilities,” this data and all following data from the National Center for Education Statistics refers only to students with disabilities under IDEA. For more information, see National Center for Education Statistics. (2024). Students With Disabilities. *Condition of Education*. U.S. Department of Education, Institute of Education Sciences. Retrieved December 5, 2024, from <https://nces.ed.gov/programs/coe/indicator/cgg>

¹² National Center for Education Statistics. (2024). High School Graduation Rates. *Condition of Education*. U.S. Department of Education, Institute of Education Sciences. Retrieved December 5, 2024, from <https://nces.ed.gov/programs/coe/indicator/coi>.

¹³ National Center for Education Statistics. (2024). Status Dropout Rates. *Condition of Education*. U.S. Department of Education, Institute of Education Sciences. Retrieved December 5, 2024, from <https://nces.ed.gov/programs/coe/indicator/coj>

¹⁴ Argan, M., Jackson, L., Kurth, J.A., Ryndak, D., Burnette, K., Jameson, M., Zagona, A., Fitzpatrick, H., & Wehmeyer, M. (2020). Why Aren’t Students with Severe Disabilities Being Placed in General Education Classrooms: Examining the Relations Among Classroom Placement, Learner Outcomes, and Other Factors. *Research and Practice for Persons with Severe Disabilities*, 45(1) 4-13. <https://doi.org/10.1177/1540796919878134>

¹⁵ See for example the National Council on Disability report “[Breaking the School-to-Prison Pipeline for Students with Disabilities](#),” June 18, 2015.

¹⁶ For the purpose of this document, the terms “general education” and “general education class” have the same meaning as “regular class,” “regular classroom,” “regular educational environment,” “regular education class,” “regular educational setting,” and “regular classroom setting” under 34 C.F.R. §§ 300.42, 300.114, 300.115, 300.116, 300.208, 300.309, 300.310, 300.320, and 300.647.

¹⁷ IDEA section 601(c)(5)(A).

¹⁸ ESEA section 1001.

¹⁹ ESEA section 1111(c)(4)

once in high school and in science at least once each in grades 3-5, 6-9, and 10-12.²⁰ All students, including those with disabilities, must be held to the same, high achievement standards except for the small percentage of students with the most significant cognitive disabilities who may be assessed against alternate academic achievement standards, aligned to the State’s content standards, that promote access to the general education curriculum and reflect professional judgement as to the highest possible standards achievable by each student.²¹ States must collect and report disaggregated data on State and local report cards, which are made publicly available, on how all students, including those with disabilities, fare on the statewide reading/language arts, mathematics, and science assessments; high school graduation; and State-determined indicators of school quality or student success.²² Disaggregated data helps SEAs, LEAs, and schools provide targeted technical assistance and resources to improve how the local school system can better meet the needs of students, including students with disabilities.

The IDEA further supports students with disabilities by requiring individualized education programs to be designed to enable the child to be involved in and make progress in the general education curriculum, which the Department has previously interpreted to mean aligned to the same challenging academic content and achievement standards that apply to all students in the State.²³ The definition of “special education” includes specially designed instruction, which adapts, as appropriate to the needs of an eligible child, the content, methodology, or delivery of instruction to address the unique needs of the child that result from the child’s disability and to ensure access of the child to the general curriculum, so that the child can meet the educational standards that apply to all children within the jurisdiction of the public agency.²⁴ The IDEA also requires that free appropriate public education be provided in the LRE.²⁵

Additionally, under the IDEA and Title II, Part A of the ESEA, funding is available to support professional development for educators to learn effective teaching strategies for students with disabilities. Universal design for learning,²⁶ positive behavioral interventions and supports,²⁷ and multi-tier systems of support²⁸ can provide educators with a framework to engage in data-based decision making to address students’ behavioral, academic, and social, emotional, and mental health needs, and are aligned with the ESEA and the IDEA. Providing effective and inclusive

²⁰ ESEA section 1111(b)(2)(B)

²¹ ESEA section 1111(b)(1)(B) and (E)

²² ESEA section 1111(h)(1) and (2)

²³ See OSERS November 16, 2015 [Dear Colleague Letter on Free Appropriate Public Education](#)

²⁴ IDEA section 602(29) and 34 C.F.R. § 300.39(a)(1) and (b)(3).

²⁵ See IDEA section 612(a)(5); 34 C.F.R. §§ 300.114 through 300.120.

²⁶ See ESEA section 8101(51). ESEA utilizes the definition of “universal design for learning” in section 103 of the Higher Education Act of 2008 (20 U.S.C. § 1003(a)(24)). “Universal design for learning” means a scientifically valid framework for guiding educational practice that — (A) provides flexibility in the ways information is presented, in the ways students respond or demonstrate knowledge and skills, and in the ways students are engaged; and (B) reduces barriers in instruction, provides appropriate accommodations, supports, and challenges, and maintains high achievement expectations for all students, including students with disabilities and students who are limited English proficient.

²⁷ ESEA section 4108(5)(G). See also <https://pbis.org/pbis/what-is-pbis>

²⁸ See ESEA section 8101(33). A “multi-tier system of supports” is a comprehensive continuum of evidence-based, systemic practices to support a rapid response to students’ needs, with regular observation to facilitate data-based instructional decision making.

educational practices for all students to fully engage and participate in learning helps to create school environments in which all students experience success and feel a sense of belonging.

The ESEA and the IDEA require States and LEAs to understand and address the needs of students with disabilities to help ensure their success in school and beyond. From a child's earliest educational experiences to their preparation for postsecondary opportunities, effective and inclusive educational practices can positively shape the outcomes of individuals with and without disabilities. The Department is committed to working with States and LEAs to improve outcomes for students with disabilities.

We hope that this letter and accompanying guidance will support your efforts to improve inclusive educational practices for students with disabilities across your State.

/s/

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/s/

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Delegated the Authority to Perform the
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