



INCLUSION IS A PROCESS, NOT A PLACE

By Jane Voorhees Sharp

Children surprise us all the time: they speak words of wisdom beyond their years, they use reasoning that we haven't taught them, they accomplish tasks that we think that they can't master. As adults, we have so much to learn from children.

Children with special needs have many lessons to teach us also -- about tolerance, patience, and understanding. Sometimes these lessons are hard to learn. Sometimes we turn away from children with special needs because we see the disability before we see the child. We are afraid of what we do not understand, or are worried that we are not prepared for the challenge. Sometimes it is we adults who need to learn.

The Americans with Disabilities Act (ADA) tells us that we cannot discriminate against people because they have a disability. This is a civil rights issue. Child care centers, unless they are owned and operated by a religious institution that is not receiving any federal or state funds, must follow the ADA along with state laws against discrimination.

The ADA does not say that child care centers must accept *all* children. It says that centers must make an *individualized assessment (evaluation)* of a child with special needs. *"In making this assessment, the caregiver must not react to stereotypes about what children with disabilities can or cannot do. Or how much assistance they may require. Instead, the caregiver should talk to the parents or guardians and any other professionals (such as educators or health care professionals) who work with the child. Providers are often surprised at how simple it is to include children with disabilities."* (Commonly Asked Questions About Child Care and the ADA www.usdoj.gov/crt/ada/childq%26a.htm).

Once a provider has made an individual assessment of a child's needs, the next step is to determine any *reasonable accommodations* to include the child in the program. In doing so, parents and caregivers should research options for assistance, including other agencies that are providing services to the child. If necessary for the child, a center would need to make adjustments to their policies or practices. Some changes in space, equipment, staffing, special diets or activities may be necessary.

Providers are not required to provide care to children who pose a *direct threat* to health and safety of others. A center does not have to take any action that it can *demonstrate* would result in a *fundamental alteration* in the nature of its program or activity or in *undue* financial and administrative *burdens* to the agency. (Federal and/or state funding sources, such as Abbott or Head Start, may have other requirements that supercede these regulations)

Caregivers always have the option of going beyond ADA requirements. If the center chooses to go beyond its legal obligation, it may charge the parents or guardians accordingly.

New Jersey has resources to help providers make *individual assessments* that determine *reasonable accommodations* or *fundamental alterations/undue burdens* to a program. You can contact the NJ Inclusive Child Care Project at 800-654-7726 ext. 108, the NJ School Age Care Coalition at 908-789-0255 or the MAP to Inclusive Child Care Coordinator at 609-292-8444 for more assistance.

Although compliance with the law is important, providers should also consider the benefits of inclusion: Children with special needs learn to model behavior from typical kids. Staff learn to look at the special needs of *all* children. Children learn to interact with others who may look or act differently. Families learn about tolerance. Communities learn about acceptance.

Yes, sometimes kids surprise us. As adults we think that we are teaching them, but in reality, it is they who are teaching us. Inclusion is not a place; it is a process -- a learning process from which we can all benefit.

A publication of the New Jersey Department of Human Services. May be reproduced without permission. Call (856) 582-7000 ext. 161 for more information.