Improving Outcomes for Students with Disabilities

CURRICULUM, INSTRUCTION, AND ASSESSMENT

Updated: April 2018

The focus of this technical assistance bulletin is the interdependency of **curriculum, instruction, and assessment**. Each of these components has both Federal and State compliance requirements, which if implemented effectively, result in positive outcomes for students with disabilities. As illustrated below, curriculum is the foundation of Maryland’s educational framework and informs not only what is taught but what is assessed. Students with and without disabilities are assessed on their achievement of academic content standards; student performance informs instruction; instruction is aligned with the core curriculum (*Maryland College and Career Ready Standards, or MCCRS*); instruction is differentiated based on student performance; and student assessment results indicate the extent to which schools are effectively educating students to reach the expected State standards. High expectations in each area are necessary to ensure that all students are prepared to succeed in college, career, and community life.
For students with disabilities, the Individualized Education Program (IEP) can be viewed through this same lens. The IEP team makes critical decisions to design goals and services that are intended to address the unique needs that result from a student’s disability and enable the child to make progress in the general education curriculum, narrowing the gap in their performance from that expected of same age peers in the grade in which they are enrolled. In the *Endrew, F. v. Douglas County School District* (2017) decision, the Supreme Court clarified that IEPs must be “reasonably calculated to enable a child to make progress” appropriate in light of their circumstances, and that while the child’s goals may be different, “every child should have the chance to meet challenging objectives.”

IEP teams should consider:
- a child’s previous rate of academic growth;
- whether the child is on track to achieve or exceed grade-level proficiency;
- any behaviors interfering with the child’s progress; and
- additional information and input provided by the child’s parents.

Developing the IEP is a collaborative process, whereby general education classroom teachers, special education teachers, related service providers, parents, and, in many cases, the student work together to design the special education and related services that the student will receive, the goals the student will achieve, and the means for measuring progress toward goal achievement. Considerations include the expertise of the team members, the past progress and rate of growth of the student, the past delivery of specially designed instruction, interventions, and services or supports that the student has received, and the effectiveness of past services.

The IEP team must ultimately consider **how special education and related services, implemented through an effective IEP, can change the trajectory of a student’s growth to narrow the gap.**

### This technical assistance bulletin highlights critical points about specially designed instruction, including requirements for IEP teams to:

- Develop standards-aligned IEP goals that are challenging and intended to narrow the achievement gap;
- Develop IEP goals that target critical age/grade appropriate skills to facilitate student independence and enable the student to access and participate in the general education curriculum in order to narrow the achievement gap;
- Implement evidence-based instructional practices, strategies and approaches that have proven to be effective in leading to desired outcomes;
- Analyze trend data in order to reasonably calculate student progress toward grade level standards and set ambitious IEP goals;
- Regularly review student data to monitor student progress and make data-informed decisions about adjustments to instruction and interventions; and
- Consider the information and training needs of parents and school personnel.
CURRICULUM

The Law

The Individuals with Disabilities Education Act (IDEA) requires that each IEP include, among other things, a statement of measurable annual goals, including academic and functional goals, designed to meet the student’s needs that result from the student’s disability and enable the student to be involved in and make progress in the general education curriculum (20 U.S.C. § 1414).

IDEA defines the general education curriculum as “the same curriculum” as that used for nondisabled students (34 CFR § 300.320). However, in November 2015 the United States Department of Education, Office of Special Education and Rehabilitative Services (OSERS) issued significant guidance in the form of a “Dear Colleague” letter that interprets the general education curriculum as “the curriculum that is based on a State’s academic content standards for the grade in which a child is enrolled.”

Using the general education curriculum as the reference point for IEP goals is critical to maintaining high expectations and setting ambitious, meaningful, and achievable goals for students with disabilities, considering their unique circumstances. In developing an IEP, the IEP team considers how a student’s disability impacts their ability to make progress toward grade level standards during the period covered by the IEP; in many cases – especially if the student is more than two or more years behind grade level – the student may be able to make more than a year’s progress in acquiring content skills, and in doing so may narrow the gap in their current performance to that of their grade level peers.

If a student is performing significantly below grade-level, the IEP team should determine annual goals that are ambitious but achievable for that student. While annual goals need not necessarily result in the student attaining grade-level within the year covered by the IEP, the goals should be sufficiently ambitious to help close the gap. The IEP Team must also, when appropriate, consider goals that target critical age/grade appropriate skills essential to facilitate student independence and enable them to access and participate in grade-level instructional and social activities, and make progress toward achieving grade level standards.

To meet its substantive obligation under IDEA, the IEP team must offer an IEP that is “a fact-intensive exercise (that) will be informed not only by the expertise of school officials, but also by the input of the child’s parents.” Endrew F. v. Douglas County School District, 580 U.S. (2017).

A very small number of students with the most significant cognitive disabilities, who have been determined eligible for participation in the Alternate Educational Framework, must also have goals aligned with the MCCRS standards. These standards must clearly relate to grade-level content, although they may be restricted in scope or complexity, or take the form of introductory or pre-requisite skills. Thus, while the MCCRS are the starting point for all students, the IEP team must make an individualized decision as to whether the significance of the student’s disability requires that his or her annual IEP goals align with the Maryland Alternate Academic Standards (MAAS) applicable to their grade of enrollment.
Implementation

In order to develop ambitious and achievable IEP goals, IEP team members must first have a firm grasp on the age appropriate or grade-level standards in either the MCCRS or MAAS, as appropriate. Second, it must review the student’s present levels of academic and functional performance (PLAAFP) in light of the grade level standards as well as those unique needs that a student may have that result from their disability. This knowledge allows the IEP team to analyze the gaps between current skills and the expectations of the grade-level standards, and also allows the team to identify the behaviors and skills that are needed that lead to active participation in school and home life: as independent learners, future employees, and family and community members.

The Maryland Curriculum Frameworks can help the IEP team to identify the component skills and pinpoint areas of need. The IEP goal(s) for each area of need should target component skills. Priority is given to skills that support the achievement of multiple standards and/or the student’s access to grade-level content in multiple areas. The following guiding questions may be useful to consider as IEP teams collaborate to “unpack” age appropriate and grade-level standards to identify their essential parts.

- Based on progress monitoring, what gains did the student make during the last IEP? For children transitioning from early intervention, what gains were made during the last IFSP?
- In what content areas did the student make progress?
- What supports, strategies, and specially designed instruction were used and how did the student respond?
- What factors influenced progress?
- What changes could be made to increase the rate of learning?
- What skills underlie multiple standards?
- What data must be collected for ongoing progress monitoring?

Once the IEP team has identified the priority skills and an appropriate target, they set goals that are estimates of the student’s anticipated growth that would result from receiving specially designed instruction. Goals should be SMART (specific, measurable, achievable, relevant, and time-bound). In some cases, goals are over-arching targets, and objectives specify the ways in which progress toward the goal will be observed.

For example, a goal may be that by (date/within a year), the student will demonstrate reading fluency at grade 5, which is 1.5 years progress from current performance, as measured by the IReady screening tool, PARCC assessment, or district curriculum assessment.

Objectives may indicate the specific reading skills that the student will achieve over that year that will demonstrate increased reading ability. Objectives will describe:

- Conditions under which the skill will be demonstrated;
- Behavioral description of the skill to be observed;
- Criteria for measuring “achievement” of the skill (e.g., 75%, 4 out of 5 trials); and the
- Method of measurement (teacher quiz, criterion-based assessment, end-of-unit project).

The components of objectives, particularly the conditions, behavioral demonstration of the skill, and criteria for measuring achievement, will change as the student becomes more proficient. Objectives or benchmarks may reflect sequential targets of increasing proficiency, accuracy, or reduced support across the time period covered by the IEP. Alternatively, they may reflect component skills that combine to allow achievement of the goal, scaffolding skills drawn from earlier in the learning progression on top of one another. These approaches may also be combined to address the needs of the student. The number and content of the objectives and benchmarks is based solely on the needs of the student and how the student
will demonstrate progress toward achieving the IEP goal. In summary, the task of the IEP team is to use data to inform decisions about which grade-level standard(s) the student is not on track to achieve and why. The IEP team backward maps the development of the skill to isolate the component or underlying skills that are needed to make progress in the general education curriculum.

These goals will:

- Align with the academic/content standards of the grade in which the student is enrolled and intend to enable the student to make progress toward grade level performance and reduce or close the achievement gap.
- Align with the academic/content standards of below-grade level performance in which the student is missing critical skills that are important for current and future grade level skill development to reduce or close the achievement gap.
- Address age/grade appropriate skills that are impacted by the student’s disability and interfere with, prevent, or affect communication and interpersonal interactions, participation in school and learning activities, and independence in the school and potential post-school environments (college, career, and community).

**Frequently Asked Questions**

1) **Are all students expected to meet age appropriate or grade-level standards within the period covered by the IEP?** No. The expectation is that the IEP team develops appropriate annual IEP goals that are aligned with grade-level standards, then calculates the growth the student can be expected to achieve based on the student’s present levels of performance, previous rate of growth, and the special education services that have been provided to the student. The annual IEP goals need not necessarily result in the student’s reaching grade-level within the year covered by the IEP but should be sufficiently ambitious to help close the gap. The IEP should represent progress in light of the student’s unique circumstances.

2) **Does the IEP team follow the same process for students on alternate academic standards?** Yes. The process is the same, except that the annual IEP goals are aligned to alternate achievement standards aligned with the grade in which the student is enrolled. The alternate academic standards – called Core Content Connectors – are derived from the general education curriculum. Given the unique needs of students with the most significant cognitive disabilities, who may be working toward alternate achievement standards, the IEP team may also consider including IEP goals for communication and interpersonal interactions, participation in school and learning activities, or independence in the school and potential post-school environments.

3) **Should the IEP goals address all grade-level standards?** No. The student should receive instruction, including supports according to his or her IEP, on all grade-level standards, but the IEP goals should reflect skills (determined by the standards) on which the IEP team determines the student specially designed instruction. The IEP goals focus instruction and progress monitoring on the critical skills that will enable the student to meet grade-level standards. The standards themselves are not the IEP goal.

4) **If the IEP team determines that alternate academic standards are appropriate, does the student have to change school placement or enter a self-contained classroom?** No. Decisions about the appropriate curriculum for instruction and assessment are separate from decisions about placement. To the maximum extent appropriate, students with disabilities must be educated in the least restrictive environment (i.e., educated with students who are nondisabled). Although the curriculum may be substantially modified for students with the most significant cognitive disabilities, teachers can access lesson plans that are aligned with the general education curriculum on [Maryland Blackboard Learn](#) (see Appendix E: Resources).
INSTRUCTION

The Law

The hallmark of special education is specially designed instruction. IDEA defines specially designed instruction as adapting, as appropriate to the needs of a student, the content, methodology, or delivery of instruction to: address the unique needs of the student that result from the student’s disability; and ensure access to the general education curriculum so that the student can meet the educational standards that apply to all students (34 CFR § 300.39). The IEP identifies accommodations that are needed by the student to access general education environments and activities. See Appendix B for definitions and Appendix C for the 5-step process for determining accommodations. The IEP document must also identify the special education and related services and supplementary aids and services needed to promote participation in the general education curriculum with peers without disabilities. Additionally, the IEP includes program modifications and supports for personnel implementing the IEP. These strategies must be based on peer-reviewed research (to the extent practicable) according to IDEA and State law (e.g., COMAR 13A.05.01.09A(1)(c)).

A focus on the use of evidence-based practices and supports is also emphasized in the Every Student Succeeds Act (ESSA) which requires the implementation of evidence-based practices, strategies, and approaches that have proven to be effective in leading to desired outcomes, namely improving student achievement. Sample supplementary aids, services, program modifications and supports are provided in Appendix D. Supplementary aids, services, program modifications, and supports are provided in all education-related settings, and in extracurricular and nonacademic settings, to enable students with disabilities to be educated with nondisabled students (34 CFR § 300.42).

Implementation

When schools have a strong integrated tiered system of supports (ITSS), it lays the foundation for teaching to the diverse needs of a variety of learners who may enter the school house doors. An effective tiered framework employs evidence-based screening, standards-aligned curricula, team-based collaborative planning, and a strong evidence-based instructional approach that is based on universal design for learning (UDL) principles and differentiated instruction (DI) to address the individual characteristics of the students in each class. UDL and DI serve as the instructional base in more intensive tiers of support as well.

Tier 1 Core Instruction +
• Universal screening for ALL students
• Formative and summative assessment
• Explicit teaching of behavior expectations
• Differentiated instruction
• Lessons designed with the UDL frameworks

Tier 2 Supplemental Instruction
• Input from specialists
• Diagnostic assessment
• Integrates behavior & academic data
• Monthly or bi-monthly progress monitoring
• More intensive instruction

Tier 3 Intensive Intervention
• Designed to remedy error patterns
• Weekly or daily progress monitoring
• Integrates comprehensive behavior supports
• Family involvement
• Individual student planning
In “advanced” tiers of more intensive instruction and interventions, assessment occurs on a more frequent basis, instruction supplements and is designed for student groups based on their learning deficits, and collaborative teams review data to inform changes to interventions and supports. All students have access to more intensive instruction when they are at risk for failure or are performing below benchmark targets. Entry and exit decisions are based on student performance and growth or lack of growth in the curriculum.

Specially designed instruction (SDI) is most powerful when it is delivered within an Integrated Tiered System of Supports, as it provides students with disabilities the opportunity for more intensive instruction in areas of skill deficits, alongside their peers with similar learning needs. However, a student with a disability that affects their performance on curriculum content and has learning needs that are unique as a result of their disability will require additional specially designed instruction to make progress in the curriculum. The combination of accommodations, supplementary aids and services, program modifications, and personnel support comprise the uniquely developed SDI intended to lead the student toward achievement of grade-level standards. The following chart describes the qualities that distinguish SDI.

<table>
<thead>
<tr>
<th>Specially Designed Instruction</th>
<th>IS NOT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Only students with IEPs</td>
<td>All students</td>
</tr>
<tr>
<td>A service provided to a student</td>
<td>A place a student goes</td>
</tr>
<tr>
<td>In addition to the core instruction (supplemental)</td>
<td>In place of core instruction (supplant)</td>
</tr>
<tr>
<td>What the instructional team does</td>
<td>What a student does</td>
</tr>
<tr>
<td>Specific to the student</td>
<td>A schedule</td>
</tr>
<tr>
<td>Instruction that allows a student to make progress in the enrolled grade level standards AND changes the trajectory of growth to narrow/close the gap</td>
<td>Setting low expectations or teaching ONLY below grade level skills</td>
</tr>
<tr>
<td>An individually designed plan of services and supports</td>
<td>A replacement for UDL or Differentiated Instruction</td>
</tr>
<tr>
<td>Uniquely designed instruction that is designed to promote progress toward IEP goal(s)</td>
<td>A commercial program</td>
</tr>
<tr>
<td>Accommodations, program modifications, and supplementary aids &amp; services for the student to access the general education curriculum</td>
<td>Only available in tier 2 small group, or tier 3 one-to-one instruction</td>
</tr>
<tr>
<td>Co-planned, co-implemented, and co-evaluated by a collaborative IEP team</td>
<td>Planned, implemented, and evaluated solely by a special educator</td>
</tr>
</tbody>
</table>

The frequency (how often a service is provided) and intensity (the duration of each session) of special education and related services are important determinations for the IEP team. While the appropriate amount is student-specific, there should be some relationship between the specially designed instruction provided to the student and the annual IEP goals to be achieved, the gap from the student’s current performance, and the grade level standards such that the student can be expected to make reasonable progress in the general education curriculum.
The following guiding questions may assist IEP teams when calculating the appropriate frequency and intensity of services:

- Do the services support the implementation of all the outcomes or goals and objectives?
- Do the services take into account the student’s history and progress with previous general education, special education, and related services?
- Do the services address the nature of the student’s needs, including the gap between the student’s grade level and performance level?
- Do the services support the student’s cultural and linguistic background?
- Do the services support an accelerated rate of learning?

The IEP team should carefully consider how specially designed instruction can change the trajectory of the student’s growth. Accelerating the student’s rate of learning is critical to narrowing achievement gaps. Specially designed instruction is defined as adaptations to the content, method, or delivery of instruction. The following chart demonstrates the relationship among UDL, DI, and SDI to implement an ITSS framework.

<table>
<thead>
<tr>
<th>CONTENT</th>
<th>METHODOLOGY</th>
<th>DELIVERY</th>
</tr>
</thead>
<tbody>
<tr>
<td>The target skills: what will be learned by ALL students, some students, and only a few students.</td>
<td>The organization and system for teaching (e.g. student groupings, materials, strategies, assessment).</td>
<td>The teaching technique: evidence-based instruction and interventions that have been proven to be effective with similar students.</td>
</tr>
<tr>
<td>Universal Design for Learning UDL – Proactive planning for ALL students</td>
<td>Instructional goals are the same for all students while the content is available through a variety of options for gaining information through visual, auditory, or other sensory inputs.</td>
<td>In a UDL classroom learners are engaged through deliberate design of the learning environment to increase motivation and participation in learning activities, planning for diverse learner interests, collaboration, self-regulation of learning, and reflection on performance.</td>
</tr>
<tr>
<td>Differentiated Instruction DI – Reactive adjustments for specific student/ group</td>
<td>Based on assessed student interests, talents, and current learning performance, teachers vary the content of instruction to increase meaningful connections for students to what they are learning.</td>
<td>Flexible grouping of students for learning is a core aspect of differentiation. In various working groups, students acquire information, demonstrate their knowledge, and interact with learning material in different ways.</td>
</tr>
<tr>
<td>Specially Designed Instruction SDI – Specific adjustments based on student IEP</td>
<td>Based on the current performance of a student with a disability, the instructional goal will reflect target skills leading to the grade level standards if they are not yet achieved. Goals may also include learning strategies to support growth in performance, as well as communication or other skills that enable learning.</td>
<td>In addition to the core instruction and/or academic or behavioral interventions available, a student with a disability will have materials, instructional grouping, equipment, or other supplementary aids and services, and program modifications to address their unique learning needs that result from the disability.</td>
</tr>
</tbody>
</table>
Frequently Asked Questions

1. **Can the IEP include goals for areas other than English/language arts and mathematics? Do those goals need to be aligned to specific academic content standards?**

   Yes. The IEP should meet the student’s needs resulting from their disability to enable the student to be involved in and make progress in the general education curriculum and participate in extracurricular and other nonacademic activities (34 CFR § 300.320).
   
   a. As appropriate for the individual student, goals and objectives are written for curricular areas other than English/language arts and mathematics and/or for skills including communication, behavior, social interaction, self-management, and self-care in order to promote engagement, independence, and progress in the student’s education.
   
   b. Such goals should be based on age/grade appropriate expectations and do not need to be aligned to specific academic content standards. In addition, beginning no later than age 14, the IEP should consider the student’s desired post-school outcomes and develop transition goals, as appropriate, to prepare the student for postsecondary education, employment, and life in the community (COMAR 13A.05.01.09A(3)(a)). These goals should be based on the student’s priorities and needs for post-school success and do not need to be aligned to particular academic standards.

2. **Who can deliver specially designed instruction?**

   Teachers certified in special education, in collaboration with general educators, can deliver specially designed instruction. SDI can also be delivered by teachers certified in elementary, secondary, or subject areas, in collaboration with special educators and related service providers with specialization in the area of the student’s need.

3. **Does this mean a general education teacher can deliver SDI?**

   Yes. When a general education teacher collaborates with a special educator and/or related service provider who is qualified in the area of the student’s need, the general educator is capable of and qualified to deliver SDI. In fact, sharing responsibility for ALL students is a critical component for a school-wide systemic approach that ensures all students in a school receive the instruction that they need, including specially designed instruction for students with disabilities.

4. **What about paraprofessionals? Can they deliver SDI?**

   No, not as the sole provider of SDI. However, yes, if they are trained in the specific SDI and are supporting or reinforcing instruction that was delivered by a qualified educator. Paraprofessionals can assist in the delivery of SDI, however only under the direct supervision of a qualified teacher.
Assessment

The Law

All students with disabilities must be included in all general State and local assessments with appropriate accommodations and supports, as necessary, as indicated in their IEP (34 CFR § 300.160(a)). If the IEP team determines that a student can participate in the general assessments, then it must determine what, if any, accommodations may be necessary to meet that student’s individual needs and must include a statement of any appropriate individual accommodations that are needed to measure the student’s academic achievement and functional performance (COMAR 13A.05.01.09A(1)(f)). If the IEP team determines that a student cannot participate in the general assessments, only then should the IEP team consider that student for the alternate assessments.

The IEP document must explain why the general assessments are not appropriate for the student, how the student will be assessed, and why the alternate assessments are appropriate (COMAR 13A.05.01.09A). Poor performance on the general assessments, by itself, does not make a student eligible for the alternate assessments. The alternate assessments are only for students with the most significant cognitive disabilities for whom the general assessments have been determined to be inappropriate.

Consistent with that principle, the Every Student Succeeds Act (ESSA) requires that the number of students assessed in each subject using the alternate assessments not exceed one percent of the total number of all students in the State assessed in each subject (20 U.S.C. § 6311(b)(2)(D)). If a local school system administers the alternate assessments to more than one percent of its students, it must submit a justification and will be subject to appropriate oversight.

Assessment decisions have clear consequences for graduation. To earn a Maryland High School Diploma, a student must, among other things, meet the general assessment requirements (i.e., achieve a passing score, achieve a combined passing score, or complete the requirements of the Bridge Plan for Academic Validation) (COMAR 13A.03.02.09B). A student with a significant cognitive disability may not meet high school graduation requirements if that student participates in the alternate assessments based on alternate academic achievement standards and continues to receive instruction based on those standards through high school (COMAR 13A.03.02.09E (4)). In that case, the student would be eligible for a Maryland High School Certificate of Program Completion, instead of a diploma.

Participation in the alternate educational framework does not necessarily preclude a student from working to complete the requirements for a Maryland High School Diploma. As a practical matter, the likelihood of earning a diploma decreases as instruction and assessment continue to be based on the alternate academic achievement standards. Therefore, the IEP team should consider multiple data sources when making this decision and must determine eligibility for the alternate assessment each year. Given that the appropriate assessment may change in light of student progress, the final decision to award a student with a Maryland High School Certificate of Program Completion is not made until after the beginning of the student’s last year in high school (COMAR 13A.03.02.09E (3)).

Informed consent is a critical component of the alternate assessment. Under federal law, if the IEP team proposes to assess a student using the alternate assessments, the IEP team must inform the parent that satisfactory performance on the general assessments – not the alternate assessments – will qualify the student for a regular high school diploma (34 CFR § 300.160(d)). Additionally, under Maryland law, the IEP team must obtain written consent from the parent to identify a student for the alternate framework and/or
the alternate assessment (Md. Code Ann., Educ. § 8-405(f)). Given the interdependency of curriculum, instruction, and assessment, the parental consent provision in Maryland law has extensive impact. Assessment is not limited to end-of-year, cumulative State assessments or standardized tests. It also involves ongoing progress monitoring, which assesses whether the specially designed instruction is effective and whether sufficient progress is being made to meet annual IEP goals. In addition to progress monitoring tools included with curricula, intervention packages, and teacher-created tracking methods, the Maryland Online IEP and Student Compass offers several options to track progress on goals and on particular interventions. Such ongoing assessment facilitates the regular adjustment of instructional targets and methods.

**Implementation**

The role of the IEP team will generally be to determine how, not whether, each student will participate in assessments. Accommodations that the IEP team determines are appropriate for the student for participating in assessments should also be provided during instruction. The IEP team should consult the *Maryland Assessment, Accessibility & Accommodations Policy Manual* to be sure that it identifies, for each assessment, only those accommodations that do not invalidate the score (34 CFR § 300.160(b)). If it is determined that the general assessments are inappropriate even with accommodations, the IEP team should consult the *Maryland Guidance for IEP Teams on Participation Decisions for the Alternate Assessments* to verify that the student has a “significant cognitive disability” and meets the specific eligibility criteria for the alternate assessment.

A well-written IEP provides a framework for monitoring progress by breaking goals into measurable components. Teachers and related service providers should track progress on instructional targets that will lead to the achievement of objectives/benchmarks and the annual goal, not just the goal itself. The nature and frequency of progress monitoring will depend on the skill in question and the needs of the student. In general, the more intensive the supports and/or the larger the gap between the student’s present levels of performance and age appropriate or grade-level standards, the more frequently data needs to be collected and analyzed. Determination of achievement of IEP goals should be based on objective data of student performance.

The frequency of collecting and reporting objective data is determined by the gap between present levels of performance and grade level skills, such that a student with a larger gap would have more frequent progress monitoring and adjustment to instructional interventions than a student with a lesser gap. A formal progress reporting on IEP goals is typically shared quarterly with the student’s family, consistent with the timeframe for district reports on the performance of all students. These progress reports should be based on data and observations (as described in the goal and objectives/benchmarks) and clearly describe the student’s growth and response to instruction. If the IEP team is not seeing growth, the IEP team may need to review and revise the IEP.

There are a number of aspects that should be considered as the IEP team determines the reason(s) for lack of progress. These include, but are not limited to:

- Implementation of the components of specially designed instruction with fidelity;
- Appropriateness of the goals;
- The student’s social/emotional needs and behavioral concerns;
- Student-specific factors, such as health, attendance, etc.;
- Appropriateness of the instructional program or intervention for the student;
- Implementation of interventions, instructional techniques, and evidence-based practices with fidelity; and
- Skills that are needed by staff for consistent implementation with integrity.
The diagram in Appendix A reflects a conceptualization of the process recommended by the Division of Special Education/Early Intervention Services to develop standards-aligned IEP goals that address the student’s individual needs and supports attainment of grade-level standards. This process requires strong collaboration by all IEP team members, including general and special educators and family members, as they co-develop, co-implement, and co-evaluate the IEP. The Maryland IEP Learning Modules (see Appendix E: Resources), including interactive learning activities and case studies, provide additional information on IEP development and progress monitoring.

**Frequently Asked Questions**

1. **If a student does not pass the general State assessments, do they automatically qualify to participate in the alternate assessments?**

   No. Many students who do not perform well on or pass the general assessments will not qualify for participation in the alternate assessments. In order to participate in the alternate assessments, a student must meet specific eligibility criteria outlined in the Maryland Guidance for IEP Teams on Participation Decisions for the Alternate Assessments. When a student with a disability does not demonstrate proficiency on the general assessments, the IEP team should evaluate whether appropriate accommodations were provided and/or whether adjustments should be made to the specially designed instruction being provided to the student. Finally, the IEP team may explore other ways to meet the State assessment requirements for graduation (e.g., a combined passing score, the Bridge Plan for Academic Validation).

2. **Do students who do not speak also participate in assessments?**

   Yes. Communication is more than just talking. Many students with complex communication needs rely on alternative forms of communication to express ideas or have their needs met. Students who use alternative forms of communication but who do not have significant cognitive disabilities participate in the general State assessments, with accommodations, as appropriate. If a student does not yet have a consistent, understandable, and reliable form of symbolic communication, it is essential that school staff work with the student and family to develop a meaningful communication system for the student to use daily across all environments. A very small number of students may participate in the alternate assessments. An even smaller number may not participate in assessments because they have not yet developed reliable communication skills despite appropriate interventions.

3. **Are students who participate in the Alternate Educational Framework required to participate in State assessments?**

   Yes. The purpose of the State assessments is to assess and report attainment of knowledge from the English/language arts, mathematics, and science Content Standards for all students. Students with significant cognitive disabilities may take Maryland Alternate Assessments aligned to the Core Content Connectors and the Essential Elements to demonstrate mastery of the alternate standards if their IEP team so determines. English/language arts and mathematics assessments are administered in grades 3 through 8 and grade 11. The science assessment is administered in grades 5, 8, and 11. Students who participate in the alternate assessment participate in all content areas (34 CFR § 300.160).
SUMMARY

Specially designed instruction is most effective when delivered within an Integrated Tiered System of Supports framework and serves as the roadmap for students with disabilities to make progress toward grade level content standards and close the gap.

The development, implementation, and evaluation of SDI is reliant on the collection and analysis of data attributed to student growth over time; data that originates as part of the general education framework, where high expectations drive results. In order for IEP teams to make informed decisions about how to narrow the gaps, support attainment of grade-level standards, and accelerate student growth, the IEP team is responsible for developing the SDI that supports positive outcomes.

SDI, as determined by the IEP team, is implemented in each tier of instruction/intervention, and is in addition to, not a replacement for, the proactive planning that incorporates Universal Design for Learning for ALL students, and/or the reactive adjustments that are supported for select students through Differentiated Instruction. Consequently, SDI serves to complement the existing tiered framework and supports the formula for success, where each student is provided a continuum of supports through one, effective system for ALL.

---

**Effective Specially Designed Instruction within an INTEGRATED TIERED SYSTEM OF SUPPORTS**

**Tier 1 Core Instruction**
- Universal screening for ALL students
- Formative and summative assessment
- Explicit teaching of behavior expectations
- Differentiated instruction based on UDL principles

**Tier 2 Supplemental Instruction**
- Input from specialists
- Diagnostic assessment
- Integrates behavior and academic data for planning
- Monthly or bi-monthly progress monitoring
- More intensive instruction

**Tier 3 Intensive Intervention**
- Designed to remedy error patterns
- Weekly or daily progress monitoring
- Integrates comprehensive behavior supports
- Family involvement and individual student planning

---

Specially designed instruction identified in standards-aligned IEPs for students with disabilities is provided in each tier, as appropriate.
APPENDIX A

Developing Standards-Aligned IEPs

DATA SOURCES FOR PLAAFP DEVELOPMENT
Assessments, current work samples, purposeful observations, family input

Developing Standards-Aligned IEPs

Analyze performance in academic areas compared to grade-level standards or alternate achievement standards, and Early Learning standards for preschool students

Analyze the student’s social/emotional, behavioral, communication, self-management, and self-care skills as compared to age-appropriate expectations, as applicable

Analyze the instructional data attributed to implementation of evidence-based practices, specially designed instruction, supports, and interventions, including trends in rate of growth and progress

Present Level of Academic Achievement and Functional Performance (PLAAFP) Statements:
- Summarize information from a variety of sources;
- Translate information from technical evaluation reports to clear, concise statements;
- Identify the instructional implications of evaluations; and
- Describe, in language the parents and professionals can understand, the unique needs of the student that the IEP will address and identify the student’s level of performance in each identified area of need

For each area of need identified in the PLAAFP, target skills essential to narrow the gap that require specially designed instruction, including the critical/functional skills necessary to facilitate student independence in order to access and participate in the general education curriculum

Special Considerations, Instructional and Assessment Accommodations, and Supplementary Aids, Services, Program Modifications, and Supports: Use data-informed decision making to minimize the impact of the disability and enhance the student’s engagement, participation, and progress in the GRADE-LEVEL curriculum and educational environments, including extracurricular and nonacademic settings

Develop SMART goal(s) that reflect an “ambitious but attainable” amount of growth based on previous trends: SPECIFIC, MEASURABLE, ACHIEVABLE, RELEVANT, TIME-BOUND

Align academic content goals with standard to grade level enrollment
Intended to enable the student to make progress toward grade level performance and reduce or close the achievement gap

Align academic content goals to standards for below grade level missing critical skills
Important for current and future grade level skill development to reduce or close the achievement gap

Align goals to age/grade appropriate skills that are impacted by the disability and interfere with, prevent, or affect communication and interpersonal interactions, participation in school and learning activities, and independence in school and potential post-school environments (college, career, and community)

Develop objectives that reflect scaffolded components of the goal(s), including prerequisite skills, as appropriate, and/or benchmarks of increasing accuracy, fluency, and independence

IEP Services: When considering the intensity and frequency of special education and related services and, when reasonably calculating specially designed instruction, the IEP team should consider the effectiveness of services provided in the past, including previous rate of academic growth, whether the student is on track to achieve or exceed grade-level proficiency, any behaviors interfering with progress, and parent input to determine the necessary services to enable the student to make progress and narrow the achievement gap

MSDE: DSE/EIS 2/5/18
APPENDIX B

Definitions for Clarification

- **Access**: Access to the curriculum occurs when students **participate** in the learning activities designed to teach the general education curriculum, so that they **make progress toward grade level standards**. This is accomplished when students are valued learners in the school community and provided with instructional tools, environments, supports, and services that are customized to their abilities and unique learning needs.

- **Accommodations**: Accommodations are practices and procedures that provide students with disabilities equitable access during **instruction and assessment** in the areas of: presentation of content, student response, setting for instruction, and schedule. Examples include communicating through oral speech or a communication device instead of writing, extra time to complete assignments or tests, or reduced distractions in the classroom. The student is expected to demonstrate the same knowledge and skills as other students.

- **Adapted Content** means that the targeted content when teaching a student with a disability is different from the instructional targets of other students, based on the learning needs posed by the student’s disability. The instructional content for a student with an IEP is aligned with grade level standards and is intended to help the student move toward that standard.

- **Adapted Delivery** means that the way in which instruction is delivered is different than what is provided to typically developing peers. This may mean reducing instructional group size, using alternative language (e.g., sign language or alternative communication system), or using material or equipment that are different than that offered to all students, even when UDL and differentiated instruction are in place.

- **Adapted Methodology** means that different or adapted instructional strategies and approaches are being used to teach skills to the student with a disability. Some evidence-based interventions have been demonstrated to be effective in teaching specific reading, math, or behavioral skills. These may be offered to any student though a tiered system of supports. Other specific interventions, such as the Orton-Gillingham Reading Method, are demonstrated through research to teach skills that are affected by a child’s disability. Strategies that are designed to address the learning challenges of a specific disability in addition to the schools tiered intervention system, are modified methods.

- **Differentiated Instruction**: Differentiated instruction is the way in which a teacher anticipates and responds to a variety of students’ needs in the classroom. To meet students’ needs, teachers differentiate instruction by modifying the content (what is being taught), the process (how it is taught), and the product (how students demonstrate their learning).

- **Disproportionality**: Disproportionality occurs when there is an over-representation or under-representation of a specific group of students relative to the presence of this group in the overall student population. This may be influenced by differences in access to, or inequitable opportunity for: intervention services, resources, programs, rigorous curriculum and instruction, environments, or treatment when compared to other groups.

- **Equity**: An equitable education exists when **supports and services are intentional, student and family-centered, and applied differentially to ensure equal opportunity and outcomes**.
Supports and services are based on individual need, to enable students to achieve similar post-school outcomes regardless of wealth, home language, zip code, gender, sexual orientation, race, or disability. Creating equitable access for students with disabilities involves making content accessible, designing activities that foster student engagement, and ensuring that students can communicate their knowledge and skills.

- **Integrated Tiered System of Supports**: An Integrated Tiered System of Supports (ITSS) is a school-wide system to provide an equitable education to ALL students in a school community. Through tiered instruction, students who are at risk for academic or behavioral problems, as well as students with extraordinary abilities, are provided interventions that allow them increased opportunities for success. Schools identify and develop evidence-based instructional strategies and interventions, based on valid assessment of student performance, that will help each and every student to succeed. Schools implement supplemental and individually designed interventions and monitor the fidelity of implementation of those practices and their impact on student progress. In a school-wide tiered system of support framework, there are effective collaborative teams that use integrated data sources for evaluating the impact of evidence-based interventions. Data decision cycles are in place, according to best practices for integrating academic and behavioral supports in a framework to promote student success.

- **Modifications**: Modifications change what a student is taught or expected to learn. Examples of modifications may include lowering the reading level of text, simplifying questions on assessments, or reducing the range of skills taught. Modifications may limit the student's ability to master grade level standards and ultimately meet graduation standards. Consequently, IEP teams should carefully consider their impact on student progress.

- **Specially Designed Instruction**: Specially designed instruction, or SDI, means adapting, as appropriate to the needs of a child with a disability, the content, methodology, or delivery of instruction to:
  - address the unique needs of the child that result from the child’s disability;
  - ensure access of the child to the general curriculum; and
  - enable the child to meet the educational standards that apply to all children.

SDI is planned, organized and meaningful. It is an intentional and systematic process to address the student's needs based on their current performance and the unique impact of their disability on learning. (34 CFR §300.39 (b)(3)).

- **Universal Design for Learning**: Universal Design for Learning, or UDL, is an instructional framework that focuses on teaching learning processes in a way that will serve the needs of the greatest number of students in an educational setting regardless of their learning characteristics and/or perceived abilities. The UDL framework for teaching and learning includes proactive planning of curricula (goals, assessments, methods, and materials) and takes into account the variability of all learners and is based on research from the learning sciences (e.g., education, psychology, neuroscience). UDL has three guiding principles: engagement, representation, and action and expression (www.cast.org):
  - **Engagement**: Offer flexible options to engage learners in the learning environment.
  - **Representation**: Present information in multiple ways.
  - **Action and expression**: Provide students a variety of opportunities and avenues to express what they know.
## APPENDIX C

### The Five-Step Process for Selecting Accommodations For Students with Disabilities

<table>
<thead>
<tr>
<th>Step</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1)</td>
<td>Start with a mindset of high expectations. Students with disabilities should be expected to achieve grade-level academic content standards.</td>
</tr>
<tr>
<td>2)</td>
<td>Educators should be familiar with the intention of each accommodation and with Maryland policy regarding accommodations during instruction and assessment.</td>
</tr>
<tr>
<td>3)</td>
<td>The process of making decisions around the selection of accommodations starts with gathering and reviewing information about the student’s disability and present level of academic achievement and functional performance in relation to State and local academic standards. The process of making decisions about accommodations is one in which IEP team members work to provide the student with equitable access to the general education curriculum.</td>
</tr>
<tr>
<td>4)</td>
<td>Accommodations are intended to reduce or eliminate the effects of a student’s disability. The accommodations provided to students must be the same for classroom instruction, classroom assessments, district assessments, and where allowable, on State assessments. The administration of an assessment should not be the first time the accommodation is introduced to the student. It should be noted that, although some accommodations may be appropriate for use in instruction, some accommodations may not be appropriate for use in a Statewide standardized assessment.</td>
</tr>
<tr>
<td>5)</td>
<td>Accommodations must be selected on the basis of the individual student’s strengths and needs. Data on the use, impact, and effectiveness of individual accommodations should be gathered and evaluated regularly. These data drive evidence-based decision making for the selection of, or elimination of, accommodations.</td>
</tr>
</tbody>
</table>

**Best practice includes ongoing professional learning to support the appropriate selection, implementation, and evaluation of instructional and assessment accommodations for general and special education staff, including IEP team chairpersons and families, as appropriate.**

**Source:** Maryland Assessment, Accessibility, and Accommodations Policy Manual, October 2017
APPENDIX D

Individualized Supplementary Aids, Services, Program Modifications, and Supports

SAMPLE

“Supplementary aids, services, program modifications, and supports” means aids, services, and other supports that are provided in general education classes, other education-related settings, including extracurricular and nonacademic settings, to enable a student with a disability to be educated with students without disabilities.

Equipment
- Wheelchair or adapted chair
- Computer access, special software
- Assistive communication device, voice generating device
- Specialized utensils, cups, plates, pencils
- Adapted toilet
- Hearing aids, FM system
- Braille writer
- Audio-books
- Subtitles/Closed-captioned videos

Materials
- Scanned tests and notes into a computer
- Shared note-taking by peer or instructional assistant
- Large print or Braille
- Highlighting tape
- Graphic organizers
- Modified assignment work sheets (e.g., fewer problems, graphics added)
- Visual / picture schedule on wall
- Personal schedule for self-monitoring
- Manipulative items for math or calculators
- Color code materials (folders, papers, markings)

Environmental Supports
- Preferential seating in the classroom, at lunch, and in other locations
- Altered physical arrangement of desks, chairs, or other material and equipment
- Reduced sound or lighting

Adapted Assignments
- Shorter assignments
- Recorded lessons
- Less complex assignments
- Alternate methods of demonstrating knowledge through assignments

Instructional Modifications
- Altered or modified assignments
- Additional time to complete work
- Chunking of text
- Pre-teach vocabulary/ content
- Re-teach concepts taught
- Targeted instruction for specific skills

Social Supports
- Advance preparation for schedule change
- Encourage student to ask for help, when needed
- Direct instruction in social interactions

Educator Knowledge and Skill Development
- Specific interventions and instructional strategies
- Use of special equipment and materials
- Adapting materials and modifying lessons
- Understanding the student’s disability
- Delivery of specially designed instruction
- Data collection and progress monitoring
APPENDIX E

Resources

General Information

- **Maryland Learning Links**: A dynamic website developed by the Division of Special Education/Early Intervention Services that provides stakeholders, including families and professionals, with current educational information, guidance about the IEP process and the provision of special education and related services, best practices, and other special education related resources. [https://marylandlearninglinks.org/](https://marylandlearninglinks.org/)

Standards

- **Core Content Connectors**: Maryland’s alternate achievement standards for English/language arts and mathematics for students with the most significant cognitive disabilities. [https://wiki.ncscpartners.org/index.php/Core_Content_Connectors](https://wiki.ncscpartners.org/index.php/Core_Content_Connectors)

- **Essential Elements for Science**: Maryland’s alternate achievement standards for science for students with the most significant cognitive disabilities. [http://dynamiclearningmaps.org/sites/default/files/documents/Science/Science_EEs_Combined_final_Sep_2017.pdf](http://dynamiclearningmaps.org/sites/default/files/documents/Science/Science_EEs_Combined_final_Sep_2017.pdf)

- **Maryland Content Standards**: Maryland College and Career Ready Standards for English/Language Arts and Mathematics, as well as previously adopted standards for other content areas. [http://mdk12.msde.maryland.gov/instruction/commoncore/](http://mdk12.msde.maryland.gov/instruction/commoncore/)


- **Maryland Early Learning Standards**: Key aspects of development and learning for the youngest learners (birth through age 8), which may be used to align goals for preschool students. [http://earlychildhood.marylandpublicschools.org/node/284](http://earlychildhood.marylandpublicschools.org/node/284)

- **Next Generation Science Standards**: Maryland standards for science. [https://www.nextgenscience.org/](https://www.nextgenscience.org/)

Standards-Aligned IEPs


- Standards-Aligned IEP modules. [https://marylandlearninglinks.org/online-iep-learning-modules/](https://marylandlearninglinks.org/online-iep-learning-modules/)


Alternate Assessment

• *Maryland Guidance for Individualized Education Program Teams on Participation Decisions for the Alternate Assessments:* Information, tools, and frequently asked questions to assist IEP teams in determining whether or not a student should participate in the alternate assessment. Use of Appendix A is mandatory in determining eligibility for participation in the alternate assessments and alternate educational framework. http://marylandpublicschools.org/programs/Documents/Special-Ed/TAB/AlternateAssessmentParticipationGuide.pdf

• *National Center and State Collaborative* website contains information for parents and professionals relating to the alternate assessment system and related content to assess the English Language Arts and Mathematics achievement of students with the most significant cognitive disabilities. http://www.ncscpartners.org/

Family Engagement


FOR MORE INFORMATION
CALL 410-767-0249

Karen B. Salmon, Ph.D.
State Superintendent of Schools

Andrew R. Smarick
President
State Board of Education

Carol A. Williamson, Ed.D.
Deputy State Superintendent for Teaching and Learning

Marcella E. Franczkowski, M.S.
Assistant State Superintendent
Division of Special Education/Early Intervention Services

Larry Hogan
Governor

© 2018 Maryland State Department of Education

200 West Baltimore Street
Baltimore, Maryland 21201
Phone: 410-767-0249

www.MarylandPublicSchools.org

This document was produced by the Maryland State Department of Education, Division of Special Education/Early Intervention Services, using grant funding provided to the agency from the U.S. Department of Education (Office of Special Education and Rehabilitative Services/Office of Special Education), under the Individuals with Disabilities Education Act (IDEA). Users must credit the Division of Special Education/Early Intervention Services. The Maryland State Department of Education, Division of Special Education/Early Intervention Services. The Maryland State Department of Education does not discriminate on the basis of age, ancestry, color, creed, gender identity and expression, genetic information, marital status, disability, national origin, race, religion, sex, or sexual orientation in matters affecting employment or in providing access to programs. For inquiries related to departmental policy, please contact the Equity Assurance and Compliance Office, 410-767-0433 (voice) 410-333-6442 (TTY/TDD).