

Considerations for Specially Designed Instruction



Kansas State Department of Education
Early Childhood, Special Education and Title Services

August 2017

Considerations for Specially Designed Instruction

The purpose of this document is to help define specially designed instruction as it relates to children with exceptionalities in Kansas. This document serves as *guidance* for IEP teams, administrators, educators and practitioners as they determine the need for, plan, and implement specially designed instruction (SDI) for students with exceptionalities who require an Individualized Education Program (IEP). In Kansas, the term *exceptionalities* includes both children with disabilities and the category of “gifted.” K.S.A. 72-962(g).

Children who receive special education services must receive SDI in order to be in compliance with the Individuals with Disabilities Education Act (IDEA) 2004 Individual and Kansas statute, but more importantly, because the design and delivery of instruction is what will enable children to achieve the highest outcomes. The design and delivery of SDI is the core of special education. SDI is the vehicle to ensure children with exceptionalities receive high-quality instruction and services that will result in progress toward academic and functional standards, graduation, and meaningful postsecondary outcomes.

The majority of children with disabilities spend 80% or more of the school day in general education settings where the delivery of SDI can become difficult to distinguish from high quality core instruction, especially as [differentiated instruction](#) and [universal design for learning](#) (UDL) approaches are more prevalent in general education settings. Furthermore, within the [multi-tiered system of supports](#) (MTSS) framework, some [supplemental](#) and many [intensive](#) interventions may not be substantively different from SDI. The distinctive features of SDI—or what makes special education “special”—is offered to promote common language and understanding for all stakeholders.

This document is not a policy brief or a compliance tool. The information that follows focuses on the practical aspects of designing and delivering SDI, to the end that high quality services and programs for children with exceptionalities are continuously offered and improved.

Contents of this guide are adapted from the North Carolina Department of Public Instruction *Considerations for Specially Designed Instruction* (2016, April) and the Utah State Board of Education *Specially Designed Instruction* (2016, Draft)

<p>WHAT IS THE DEFINITION OF SPECIALLY DESIGNED INSTRUCTION?</p>	<ul style="list-style-type: none"> • K.A.R. 91-40-1(III) "Specially designed instruction" means adapting, as appropriate to the needs of each exceptional child, the content, methodology or delivery of instruction for the following purposes: <ol style="list-style-type: none"> 1) To address the unique needs of the child that result from the child's exceptionality; and 2) to ensure access of any child with a disability to the general curriculum, so that the child can meet the educational standards within the jurisdiction of the agency that apply to all children.
<p>WHAT IS SPECIALLY DESIGNED INSTRUCTION?</p>	<ul style="list-style-type: none"> • Responsive, systematic evidence-based instruction in addition to and different from high quality differentiated instruction and universal design for learning (UDL) made available to all students • Customized, individualized instruction described in the IEP and lesson/treatment plans informed by: <ul style="list-style-type: none"> ○ Current/existing/ongoing student performance data ○ Evidence-based instruction and intervention known to be effective with students with disabilities, to the extent practicable • Instruction addressing student academic, behavioral, and/or functional needs related to a student's exceptionality(ies) that, in general education, inhibits proficient acquisition, retention, expression and/or application of knowledge and skills. • <i>The provision of accommodations alone does not suffice as SDI. Accommodations, including changes to general education environment, pacing, materials, equipment, grading, assignments, and/or testing structure, do not constitute SDI.</i> • Required, rather than merely beneficial, for student to meet educational standards.

Specially Designed Instruction: Adapting as appropriate the content, methodology or delivery of instruction (i) to address the unique needs of a child that result from the child's disability; and (ii) to ensure access of the child to the general curriculum, so that the child can meet the same educational standards within the Jurisdiction of the public agency that apply to all children.

[§300.39(b)(3)]

Is...

In addition to core instruction (supplemental)

A service

What a teacher does

Based on teaching specific skills a student does NOT have in order to access and make progress in the general curriculum

Unique instruction written into the IEP that is provided to the child to allow him/her to progress toward annual goal(s)

Specific to the child (individualized)

Instruction that allows a child to make progress in the general education curriculum and close the gap in academic performance as compared to his/her general education peers

Is Not...

In place of core instruction (supplant)

A place

What a child does

A restatement of the academic content standards being taught

A commercial program

A schedule

An excuse for setting low expectations or teaching below grade level (not making grade level content available/accessible to children with disabilities)

<p>WHY IS SPECIALLY DESIGNED INSTRUCTION PROVIDED TO CHILDREN WITH EXCEPTIONALITIES?</p>	<ul style="list-style-type: none"> • To meet the unique needs of children with exceptionalities as described in the IEP • To address gaps and/or accelerate academic, behavioral, and/or functional progress toward age- and grade-level standards • To ensure a free, appropriate, public education (FAPE) for children with disabilities. • To support graduation and meaningful post-secondary outcomes for children with disabilities • To ensure all school programs, activities, and environments are accessible
<p>WHAT IS SPECIALLY DESIGNED INSTRUCTION WITHIN A MULTI-TIERED SYSTEM OF SUPPORTS (MTSS)?</p>	<ul style="list-style-type: none"> • All children, including children with disabilities, receive core instruction and supplemental and intensive interventions as needed; children with exceptionalities also receive SDI • SDI occurs within an MTSS framework • SDI is required under IDEA and only available to eligible children with identified disabilities with an IEP or students identified as gifted with an IEP. • The intent of specially designed instruction is to accelerate child progress beyond that which is available in the provision of instruction in general education alone within the schoolwide MTSS framework.
<p>WHO SHALL DESIGN AND MONITOR SPECIALLY DESIGNED INSTRUCTION?</p>	<ul style="list-style-type: none"> • Qualified special education teachers and related service providers with specialized training and competency (e.g., license, education, and/or credentials) in the area of need, in collaboration with regular education teachers
<p>WHO CAN PROVIDE SPECIALLY DESIGNED INSTRUCTION?</p>	<ul style="list-style-type: none"> • Qualified special education teachers and related service providers with specialized training and competency (e.g., license, education, and/or credentials) in the area of need, in collaboration with regular education teachers • General education teachers, therapy assistants and paraeducators, under the supervision of the special education teacher or related service provider, may <i>assist</i> in the provision of SDI, but may not be the primary provider of SDI.

<p>WHERE AND WHEN IS SPECIALLY DESIGNED INSTRUCTION DELIVERED?</p>	<ul style="list-style-type: none"> • Any place or time school-related activities occur, as specified in the child’s IEP • For children with disabilities, to the maximum extent appropriate, with children who are not disabled, based on individual child need described in the IEP • Within intentionally selected settings most likely to result in child progress as specified in the child’s IEP.
<p>HOW IS THE DELIVERY OF SPECIALLY DESIGNED INSTRUCTION VERIFIED?</p>	<ul style="list-style-type: none"> • Classroom/therapy space walk-throughs and observations conducted by the building administrator or special education administrator • Documentation of service provision/treatment notes/logs • Completed data sheets/progress monitoring tools indicating student progress • IEP progress reports
<p>HOW IS SPECIALLY DESIGNED INSTRUCTION DELIVERED?</p>	<ul style="list-style-type: none"> • In an urgent, relentless, intense, precise, direct, highly structured and carefully monitored manner • Through customized changes to the content, methodology and/or delivery of instruction based on the student’s exceptionality, which may include alterations in: <ul style="list-style-type: none"> ○ the purpose and appropriateness of the task ○ the complexity of the task ○ the size of the task ○ the time allotted ○ the pace of instruction ○ the environment ○ the order of learning ○ the instructional procedures and routines ○ the resources and materials ○ the application and demonstration of knowledge ○ the level of support/assistance from specialists ○ student independence, participation, and motivation <p><i>Adjustments in delivery that equate to an accommodation alone do not suffice as SDI. Accommodations, including pacing, materials, equipment, grading, assignments, and/or testing structure, do not constitute specially designed instruction.</i></p>

Adapting as Appropriate

Content

- Relates to stated purpose and learning goals
- Moves learner beyond the basics and encourages higher levels of thinking; children are engaged in applying what they learn
- Content and context are consistent with the theme

Methodology

- The process by which instruction occurs; lecture, class discussion, small group discussion, simulation, experience, or individual project
- The process created to teach or deliver academic instruction and apply behavioral interventions to teach social and behavioral learning goals

Delivery

- The repertoire of instructional strategies a teacher implements to communicate and interact with children related to individualized academic and behavior content and to support child learning and engagement
- Teacher reflects on how effectively he/she is using the instructional strategies

Methodology and Delivery

are often intertwined

<p>HOW IS SPECIALLY DESIGNED INSTRUCTION DOCUMENTED?</p>	<ul style="list-style-type: none"> • The IEP serves as the primary artifact of SDI. The needs that lead to the adaptations of content, methodology, and/or delivery of instruction that results in SDI are found in the Present Levels of Academic and Functional Performance (PLAAFP). • The LEA representative is responsible for ensuring that the IEP is implemented as written • Specific SDI documentation also may be found in lesson plans, intervention plans/logs, and treatment notes.
<p>HOW IS SPECIALLY DESIGNED INSTRUCTION PROGRESS COMMUNICATED TO PARENTS?</p>	<ul style="list-style-type: none"> • Through reports on the child’s progress towards meeting each annual goal provided concurrently with the issuance of report cards, or more often as determined by the IEP Team. K.S.A. 72-987(c)3 • By communicating objective measures of achievement that clearly indicates the child’s progress toward the IEP goals, • Through informative and in parent-friendly language • By utilizing data-informed (objective, not subjective) descriptions of performance
<p>HOW DO IEP TEAM MEMBERS MONITOR SPECIALLY DESIGNED INSTRUCTION FOR EFFECTIVENESS?</p>	<ul style="list-style-type: none"> • Through a specially designed progress monitoring plan • Through analysis of data that may include, but is not limited to: <ul style="list-style-type: none"> ○ repeated, individual child assessment data ○ comparison of child rate of growth to IEP goals ○ comparison of child rate of growth to grade level standards • Through analysis of multiple data sources that include common formative assessments, interim/benchmark assessments, outcome assessments and universal screening that indicates positive results for the child. • Through collaborative, systematic data review, analysis, and problem solving by the IEP team to determine when/if: <ul style="list-style-type: none"> ○ SDI needs to be modified ○ Goals need to be advanced or adjusted ○ There is a lack of expected progress ○ SDI is no longer required • Through IEP team feedback • The LEA representative is responsible for ensuring that the IEP is implemented as written <ul style="list-style-type: none"> ○ Instruction is being delivered with fidelity, using curriculum and practices consistently, accurately, and as intended

Glossary of Terms

Accommodations - allows a student to complete the same assignment or test as other students, but with a change in the timing, formatting, setting, scheduling, response and/or presentation; the accommodation does not alter in any significant way what the test or assignment measures (PACER Center, 2015).

Acquisition - early stages of learning in which the learner is: explicitly taught a new knowledge or skill; receives close/frequent support and feedback on initial attempts to use the knowledge or skill; and, is not yet accurate or fluent with the new knowledge or skill

Application – use or transfer of knowledge or skill in new situations; taking what is learned during the acquisition phase into novel, more variable situations

Content – substance of the knowledge, skills and dispositions that is taught that is specific to the student with a disability; directly links to standards, and may be an underlying, prerequisite needed to meet the standards; answers *what* students will learn

Design – creation of an individualized education program (or some of its components) by the IEP team, including a specialist or group of specialists trained and qualified to synthesize student performance data, knowledge of how the student’s disability affects learning and participation, and information about the instructional/school environment;

Delivery - the instructional context or conditions, specific to the student with a disability, that results in access to, participation in and progress in the curriculum ; answers **where and when** the learning will occur

Differentiated instruction - “... a process to teaching and learning for students of differing abilities in the same class. The intent of differentiating instruction is to maximize each student’s growth and individual success by meeting each student where he or she is, and assist in the learning process.” (NCAC, n.d.)

Evidence-based Instruction and intervention - “...when used with respect to a State, local educational agency, or school activity, means an activity, strategy, or intervention that – (i) demonstrates a statistically significant effect on improving student outcomes or other relevant outcomes based on – (I) strong evidence from at least one well-designed and well-implemented experimental study; (II) moderate evidence from at least one well-designed and well-implemented quasi experimental study; or (III) promising evidence from at least one well-designed and well-implemented correlational study with statistical controls for selection bias; or (ii) (I) demonstrates a rationale based on high-quality research findings or positive evaluation that such activity, strategy, or intervention is likely to improve student outcomes or other relevant outcomes; and (II) includes ongoing efforts to examine the effects of such activity, strategy, or intervention (§8101(21)(A), ESEA 2015).

NOTE: “For some students with the most intensive needs, evidence-based practices may be limited or unavailable. This is particularly true for students with [low incidence] disabilities. When no relevant evidence-based practice can be found, we recommend that educators apply the same principles used to identify evidence-based practices to locate practices supported as effective by the best available evidence (i.e. evidence-based reviews, practice guides, meta-analyses, and narrative literature reviews). No practice, even an evidence-based practice or a promising practice supported by the best available evidence, is guaranteed to work for every individual learner. Educators should monitor the progress of each individual learner to gauge each learner’s responsiveness to instruction and adjust instruction according to the data.” (Council for Exceptional Children, 2014)

Expression – student demonstration of knowledge, attitudes, skills, aspirations, and behaviors by whatever individualized means he/she is able to use (e.g., speech, written language, assistive technology, gestures, etc.)

Free, Appropriate Public Education (FAPE) - an individualized educational program that is designed to meet the student's unique needs and from which the student receives educational benefit, and prepares them for further education, employment, and independent living

Methodology – the process created to teach or deliver academic instruction and apply behavioral interventions to teach social and behavioral learning goals

Modifications - an adjustment to an assignment or a test that changes the standard or what the test or assignment is supposed to measure (PACER Center, 2015).

Multi-tiered system of supports (MTSS) – Is a coherent continuum of evidence based, system-wide practices to support a rapid response to academic, behavioral, and social-emotional needs with frequent data-based monitoring for instructional decision making to empower each Kansas student to achieve high standards (Kansas MTSS, 2017, July).

Core instruction- evidence-based practices and programs demonstrated to produce good academic and behavior outcomes for the majority of students; Core instruction includes all students

Supplemental instruction- evidence-based practices and programs demonstrated to improve academic and behavior performance in Core; provided in addition to Core instruction

Intensive Instruction- evidence-based practices and programs demonstrated to improve academic and behavior performance; provided in addition to Core

Progress monitoring plan - a written plan developed by the IEP team that considers the following:

- Identifying and operationally defining the behavioral or functional knowledge, action/skill or ability that will be measured
- Identification and description of the data collection method/tool
- Description of how often, time of day and where student progress will be assessed
- Identification of team members responsible for data collection, fidelity checks, data interpretation and writing progress reports

Retention - student is fluent and accurate enabling ready access to acquired knowledge, attitudes, skills, aspirations, and/or behaviors over time

Universal Design for Learning (UDL) – 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 (§ 103(a)(24) HEA, 2008).

References

Council for Exceptional Children. (2014, November/ December). Evidence-Based Special Education in the Context of Scarce Evidence-Based Practices: The Council for Exceptional Children's Interdivisional Research Group. *Teaching Exceptional Children*, 47, pp. 81-84.

ESSA (2015). Every Student Succeeds Act of 2015, Pub. L. No. 114-85.

HEA (2008). Higher Education Act of 2008, Pub. L. No. 110-315.

Kansas MTSS (2017, July). Kansas State Department of Education Kansas Multi-Tier System of Supports Integrated Framework Fact Sheet 2017. Retrieved May 25, 2017, from https://ksdetasn.s3.amazonaws.com/uploads/resource/upload/1127/_2nd_MTSS_fact_sheet_with_resource_info.pdf.

NCAC (n.d.). Differentiated instruction and implications for UDL implication: Effective classroom practices report. Retrieved May 25, 2017, from www.cast.org/udlcourse/DifferInstruct.doc.

North Carolina Department of Public Instruction Exceptional Children Division. (2016, April) Considerations for Specially Designed Instruction. Retrieved May 25, 2017, from <http://nceln.fpg.unc.edu/sites/nceln.fpg.unc.edu/files/events/SDI%20Considerations%20April%202016.pdf>

PACER Center (2015). School Accommodation and Modification Ideas for Students who Receive Special Education Services. Retrieved May 25, 2017, from <http://www.pacer.org/parent/php/PHP-c49a.pdf>.

Utah State Office of Education. (2016, April 26). Providing Special Instruction in the General Education Classroom. Retrieved May 25, 2017, from <http://www.schools.utah.gov/sars/Partnerships/USEAP/Meetings/2016April/SpecialInstructionGeneral.aspx>



DISTRICT 1
Janet Waugh



DISTRICT 2
Steve Roberts



DISTRICT 3
John W. Bacon



DISTRICT 4
Ann E. Mah



DISTRICT 5
Sally Cauble



DISTRICT 6
Deena Horst



DISTRICT 7
Kenneth Willard



DISTRICT 8
Kathy Busch, Vice chair



DISTRICT 9
Jim Porter, Chairman



DISTRICT 10
Jim McNiece

Mission

To prepare Kansas students for lifelong success through rigorous, quality academic instruction, career training and character development according to each student's gifts and talents.

Vision

Kansas leads the world in the success of each student.

Motto

Kansans CAN.

Successful Kansas High School Graduate

A successful Kansas high school graduate has the

- **Academic** preparation,
- **Cognitive** preparation,
- **Technical** skills,
- **Employability** skills and
- **Civic** engagement

to be successful in postsecondary education, in the attainment of an industry recognized certification or in the workforce, without the need for remediation.

Outcomes for Measuring Progress

- Kindergarten readiness
- Individual Plan of Study focused on career interest
- High school graduation rates
- Postsecondary completion/attendance
- Social/emotional growth measured locally



Kansas State Department of Education
Landon State Office Building
900 S.W. Jackson Street, Suite 600
Topeka, Kansas 66612-1212
(785) 296-3201

www.ksde.org



Dr. Randy Watson
Kansas Commissioner of Education



Dale M. Dennis
Deputy Commissioner
Division of Fiscal and Administrative Services



Brad Neuenswander
Deputy Commissioner
Division of Learning Services

The Kansas State Department of Education does not discriminate on the basis of race, color, national origin, sex, disability, or age in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups. The following person has been designated to handle inquiries regarding the non-discrimination policies: KSDE General Counsel, Office of General Counsel, KSDE, Landon State Office Building, 900 SW Jackson, Suite 102, Topeka, KS 66612-1212, (785) 296-3204