



IEP Quality Series

*Part 4: Using Data to Propose
Appropriate Service Hours and Setting*

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Agenda

- Welcome & objectives
- Legal background: Serving students in the LRE
- Defining “inclusion”
- Identifying effective practices of inclusion
- Establishing a flexible continuum of specialized supports
- Using individual student data to propose appropriate service hours and setting

Objectives for the Series

To provide professional development and technical assistance to assist school administrators and special education leaders in ensuring that all IEPs that originate in their LEAs:

- 1) are reasonably calculated to enable the child to make progress that is appropriate in light of his or her circumstances (i.e., are **based on data** that will ensure they are both **individualized** and **impactful**)

Objectives for the Series

To provide professional development and technical assistance to assist school administrators and special education in ensuring that all IEPs that originate in their LEAs:

- 2) are drafted “in compliance with a detailed set of procedures” that “emphasize collaboration among parents and educators” (i.e., are guided by **internal protocols** that ensure both **quality** and **compliance**)

Today's Objectives

Participants will:

- Understand key legal requirements pertaining to special education service hours and settings
- Identify what does (and does not) constitute inclusion of students with disabilities
- Identify ways to foster effective practices of inclusion at the building and classroom level
- Collaborate with colleagues to practice using data to propose appropriate, individualized service hours and setting



Legal Requirements Pertaining to Special Education Service Hours and Settings

Legal Requirements Pertaining to Service Hours and Settings

Individuals with Disabilities Education Improvement Act (IDEA, 2004)

IDEA requires school districts to:

- educate students with disabilities in regular classrooms with their peers without disabilities to *the maximum extent appropriate*
- educate students in the *Least Restrictive Environment (LRE)* and provide them with access to the same curriculum as their peers without disabilities

Legal Requirements Pertaining to Service Hours and Settings

DC Municipal Regulations (DCMR)

- *To the maximum extent appropriate*, children with disabilities, including children in public or private institutions or other care facilities, should be educated with children without disabilities
- Special classes, separate schooling, or other removal of children with disabilities from the regular educational environment should occur *only when the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily*

Legal Requirements Pertaining to Service Hours and Settings

DC Municipal Regulations (DCMR)

- *A continuum of alternative placements should be available to meet the needs of children with disabilities for special education and related services, including instruction in regular classes, special classes, special schools, home instruction, and instruction in hospitals and institutions*
- *Provision for supplementary services, such as resource rooms and itinerant instruction, should be available in conjunction with regular class placement*

Legal Requirements Pertaining to Service Hours and Settings

Every Student Succeeds Act (ESSA, 2015)

ESSA requires:

- that *all students, regardless of disability status*, participate in annual testing in specific academic areas
- states, school districts, and schools to ensure that *all students are proficient* in grade-level math and reading



| What is Inclusion? What is It Not?

Inclusion or Definitely Not Inclusion?

1) A student receives his special education services in a co-taught general education classroom with peers who represent the full range of students served in the school.

Yes



No



2) A student with an IEP is enrolled in the “Inclusion Classroom” alongside all of the other SWDs in her grade, some English learners, some students receiving RTI supports, and that one kid who is academically advanced but super annoying.



Inclusion or Definitely Not Inclusion?

- 3) All students with disabilities learn in the general education classroom with intermittent push-in support from the SPED teacher. If they (or their teachers) are struggling, they might get a dedicated aide.
- 4) A student with disabilities spends half of her day in resource reading, writing, and math classes receiving targeted instructional interventions and the other half of her day applying her new learning strategies alongside her typical peers.

Yes



No



What is Inclusion?

In education, the word “inclusion” communicates a commitment to educating each child, to the maximum extent appropriate, in the general education setting, alongside their peers without disabilities.



What is Inclusion?

- The responsibility of all school staff
- Rigorous, accessible, and differentiated
- Flexible and individualized



What is Inclusion Not?

Inclusion is **not**:

- A place or a person
- Synonymous with co-teaching
- Education students in general education classrooms without support
- Getting rid of all resource or self-contained classrooms or alternative placements



Does Inclusion Work?

True or False?

In general, students who are “pulled out” for specialized instruction demonstrate greater gains in academic achievement than those who receive their support in the general education classroom.

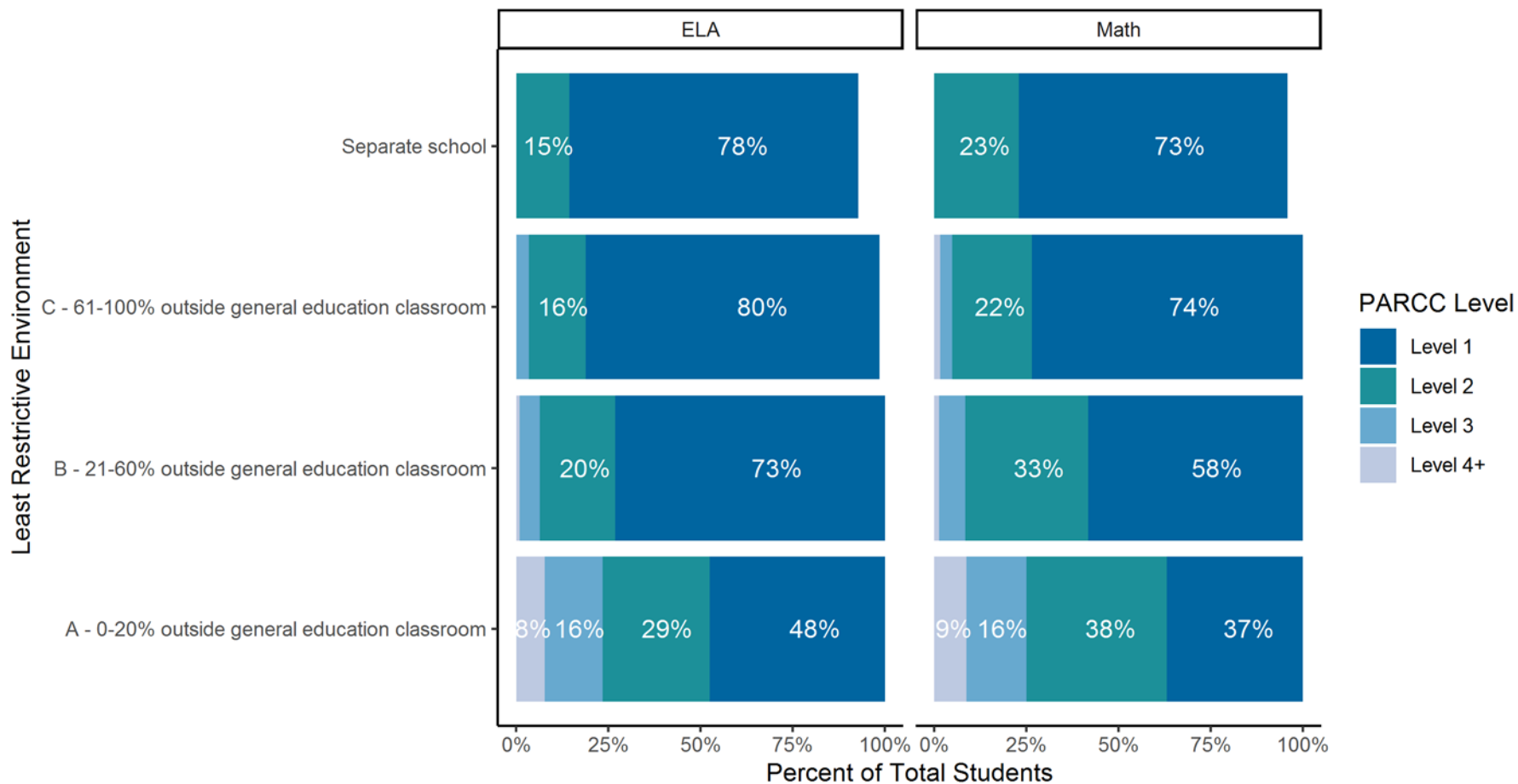
FALSE

The Research Says ...

Education researchers have confirmed a strong positive correlation between **time spent learning in the general education classroom** and **increased achievement** in both reading and math for students receiving special education services (Dessemontet, Bless, and Morin, 2012; Cosier, Causton-Theoharis and Theoharis, 2013).

The Data Say ...

LRE PARCC Results
SY2017-18



*SY17-18 LRE PARCC Results. Data from SY17-18 Child Count.

True or False?

When students with disabilities are taught in the general education classroom, it results in negative impacts on the achievement of their peers without disabilities.



The Research Says ...

- Students **without** disabilities who learn in inclusive settings demonstrate significantly greater gains in both reading and math than those who do not (Cole, et al., 2004).
- Academic gains are even more pronounced for typical students who provide peer support for classmates with disabilities as part of collaborative learning experiences (Cushing and Kennedy, 1997).

But the Research Also Says ...

- Please read the article *Does Inclusion Slow Down General Education Classrooms?*
- When you are done, work with your partner or small group to respond to the questions in Activity 1 in the participant workbook.
- You'll sharing your responses with the group a little later. Be ready.



BREAK

See you in 15 minutes!

The Bottom Line

Inclusion of students with disabilities is not just a best practice; it's the law, and it is up to us to make it work for ALL students. We must:

- Provide a continuum of services in each school to provide FAPE for all students with disabilities
- Ensure that all students are provided with access to the general education curriculum
- Educate students with disabilities with their peers without disabilities to the maximum extent possible
- Ensure that our scheduling, staffing, discipline, and instructional practices result in inclusive schools that improve outcomes for all learners



Fostering Effective Practices of Inclusion in Your LEA

How Will You Make It Work?

In the article we read earlier, what factors impacted the percent of time spent teaching in these classrooms?

Did the findings resonate with your own experiences?

How could we overcome these barriers to instruction without abandoning inclusion as an instructional model?

- What could LEA or state leaders do?
- What could school leaders do?
- What will YOU do?

What Will You Do?

Activity 2: Effective Practices of Inclusion Self-Assessment

Work in school teams (if applicable) to assess your school's present practices. Be rigorous in your assessment and look for growth areas that you have the power to impact through modeling best practice, through IEP development, or through advocacy for school-wide improvement plans.

Responding to Student Data	How well do we do this?	Do we have evidence of this practice?	Should this be a priority?	Will we develop a plan?
	☆ ☆ ☆	☆ ☆ ☆	☆ ☆ ☆	<input type="checkbox"/>

What is the current system for using student data to design the continuum of special education services available to meet the needs of all individual learners (the master schedule and staffing plan) each year?

Who participates in collecting, analyzing, and applying student data to inform special education programming in your school?

Do students' data-driven IEPs drive scheduling and staffing or does scheduling and staffing drive student IEPs?

Effective Practices of Inclusion

Researchers have identified six practices of inclusion that correlate with improved academic and social-emotional outcomes for all learners (Kugelmass, 2006; McMaster, 2013.)

**Responding
to Student
Data**

**Improving
IEP Quality**

**Inclusive
Staffing and
Scheduling**

**Engaging
Families in
the Work**

**A UDL-based
Approach to
Instruction**

**Cultivating a
Culture of
Inclusion
School-wide**

Responding to Student Data

Data-driven plans for school transformation are most successful when ownership of the interpretation of results and identifying solutions rests with school leaders and their staff (Wohlstetter, et. al., 2008).



Improving IEP Quality



School teams that produce data-driven, internally coherent IEPs experience fewer students being excluded from the general education setting. Once included, students enjoy IEPs that feature higher-quality goals and objectives. (Hunt and Farron-Davis, 1992).

The Sample IEP Quality Rubric

Sample
Protocol



DISTRICT OF COLUMBIA
OFFICE OF THE STATE SUPERINTENDENT OF

EDUCATION

Section 1: Description of Present Levels of Academic Achievement and Functional Performance (PLAAFP)				
Criteria	Unsatisfactory	Developing	Proficient	Exemplary
1.A. The PLAAFP statements are based upon current data obtained using technically sound, grade-level, general education-aligned assessments for all relevant areas of academic and functional performance.	<p>All relevant areas of academic and functional performance are not addressed, <i>and/or</i></p> <p>Assessments used are not technically sound, grade- and age-appropriate, and aligned to general education standards, <i>and/or</i></p> <p>An inadequate number of assessments are used</p>	<p>Assessments used are technically sound, grade- and age-appropriate, and aligned to general education standards</p> <p>A limited number and/or type of assessments are used, or</p> <p>Limited comparison of the student's PLAAFP to general education standards is evident</p>	<p>For all relevant areas of academic and functional performance:</p> <p>Assessments used are technically sound, grade- and age-appropriate, and aligned to general education standards</p> <p>An adequate number and/or type of assessments are used</p>	<p>Assessments used are sound and reliable <i>and</i> provide continuous monitoring information</p> <p>There is evidence of triangulation of data</p> <p>Extensive evidence of comparative analysis is present</p>
<i>Score for Section 1.A.</i>	<input type="checkbox"/> Majority of criteria = 0	<input type="checkbox"/> Majority of criteria = 1	<input type="checkbox"/> Majority of criteria = 2	<input type="checkbox"/> Majority of criteria = 3
1.B. The PLAAFP statements describe how the student's strengths and needs relate to his or her ability to access and progress in the general education curriculum for all relevant areas of academic and functional performance.	<p>Strengths/needs statements are missing or vague</p> <p>There is no description of the relationship between the student's strengths and the general education curriculum</p>	<p>The PLAAFP is missing a statement of the student's strengths in one or more areas of academic or functional performance, or</p> <p>The description of the student's strengths/needs are not explicitly aligned to the general education curriculum</p>	<p>For all relevant areas of academic and functional performance, assessment data is analyzed to:</p> <ul style="list-style-type: none"> compare the student's PLAAFP to general education standards identify the student's specific strengths and needs <p>The student's strengths/needs are explicitly connected to access points in the general education curriculum</p>	<p>Strengths statements for all relevant areas of academic and functional performance are explicitly supported by relevant data</p> <p>Each statement explicitly connects the student's strengths/needs to access points <i>and</i> strategies for progressing in the general education curriculum</p>
<i>Score for Section 1.B.</i>	<input type="checkbox"/> Majority of criteria = 0	<input type="checkbox"/> Majority of criteria = 1	<input type="checkbox"/> Majority of criteria = 2	<input type="checkbox"/> Majority of criteria = 3

Improving IEP Quality

Step 1

- Create LEA- or school-wide protocols and timelines for IEP draft development, review, and revision.

Step 2

- Take baseline data.

Step 3

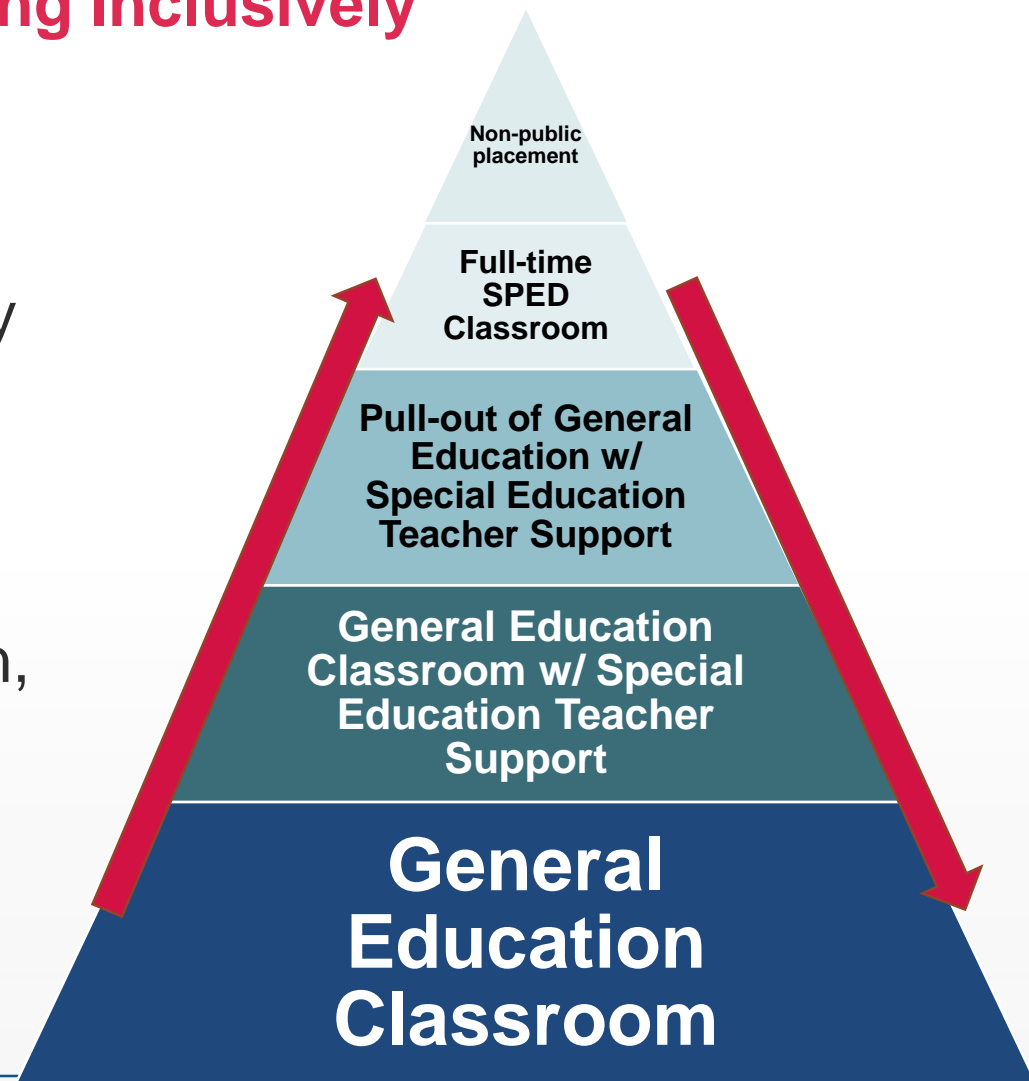
- Train staff on IEP quality standards and protocols for IEP draft development, review, and revision.

Step 4

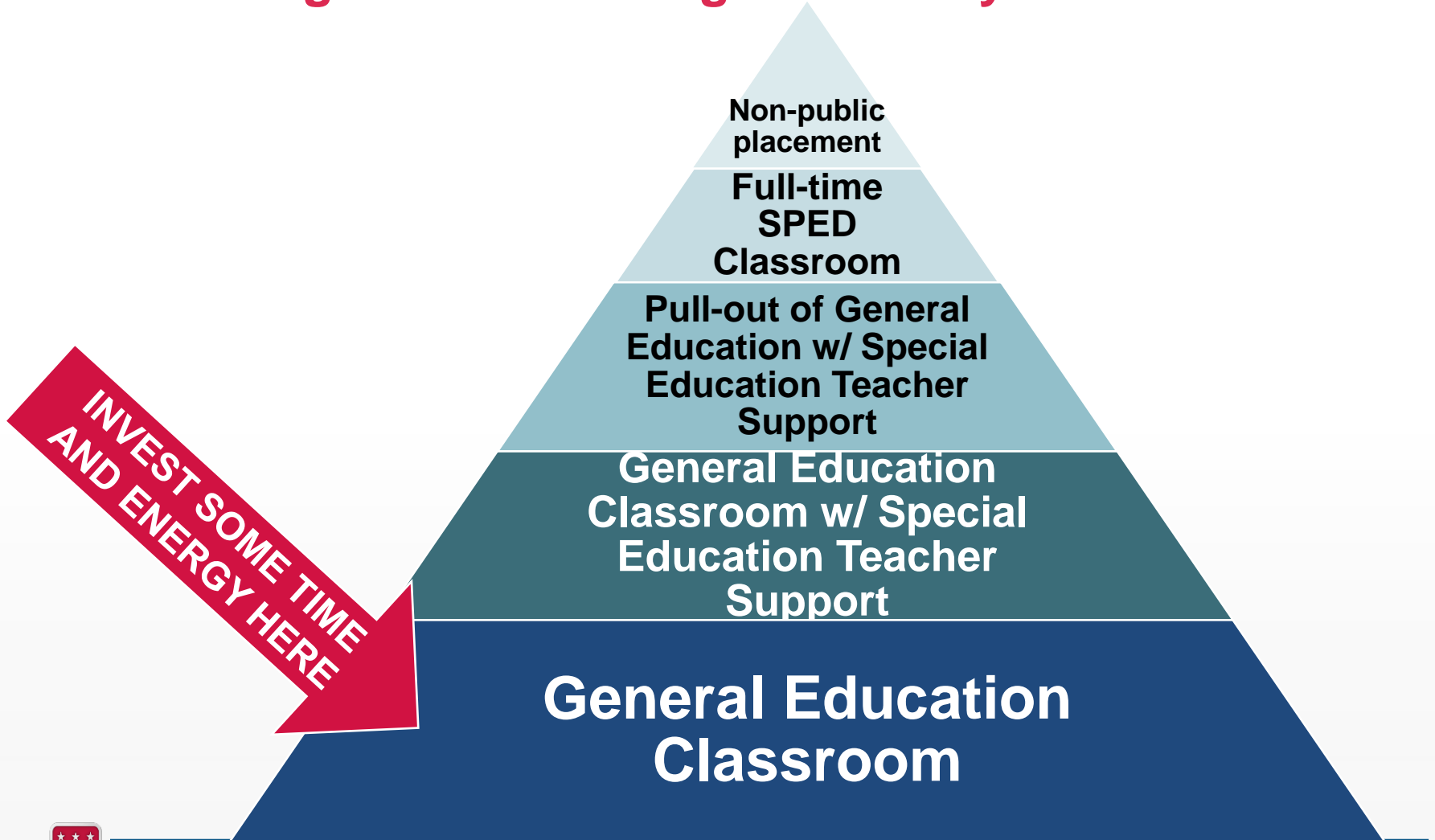
- Review draft IEPs and provide feedback for revision.

Staffing and Scheduling Inclusively

A school's plan to provide specialized instruction should be characterized by a continuum of supports that is flexible enough to respond effectively to the needs of a wide range of students (Black and Simon, 2014).



Staffing and Scheduling Inclusively



Engaging Families in the Work

Leaders in successful inclusive schools are directly involved in initiating, planning, and implementing school initiatives **alongside** school staff and students' families, rather than simply appearing at events intended to engage families in the work of inclusion (Auerbach, 2007).



Engaging Families in the Work

Make It Fun

- Make events fun and engaging, but be sure to maintain a focus on preparing families to meaningfully support student success. Build capacity!

Make Contact

- Establish multiple means of communication with families.

Make It Meaningful

- Ensure reciprocity. Communication with families cannot be a one-way street.

Make It Often

- Expect teachers to maintain ongoing, specific, positive communication with all families.

Adopting a UDL-based Approach to Instruction

The Universal Design for Learning (UDL) approach to instructional planning ensures that all learners are able to access and engage in rigorous, standards-based grade-level curriculum.

Representation

- Content and information is presented in multiple ways to promote understanding across a wide range of learning differences

Expression

- Learners are provided multiple ways to express what they know to provide options for communication and expression and support executive function

Engagement

- Student interest is stimulated to enhance learning and promote self-efficacy among all students

Adopting a UDL-based Approach to Instruction

Students with disabilities in classrooms using a UDL approach report higher levels of self-efficacy, even as they continue to be supported and scaffolded in their learning through interactions with both general education and special education teachers (Katz, 2013).



Cultivating a Culture of Inclusion School-wide

Schools that deliberately foster and sustain a culture of inclusion are successful in improving outcomes for all students (McMaster, 2013).



Cultivating a Culture of Inclusion

School-wide

Researchers have identified six features of inclusive schools that correlate with improved academic and social-emotional outcomes for all learners (Kugelmass, 2006).

1. An uncompromising commitment to inclusion
2. The belief that differences are a resource
3. Collaboration is the norm – for staff and for students
4. Willingness to struggle in order to be truly inclusive
5. An understanding the inclusion is a social justice issue
6. Sharing the commitment to inclusion within the school with the broader community



BREAK

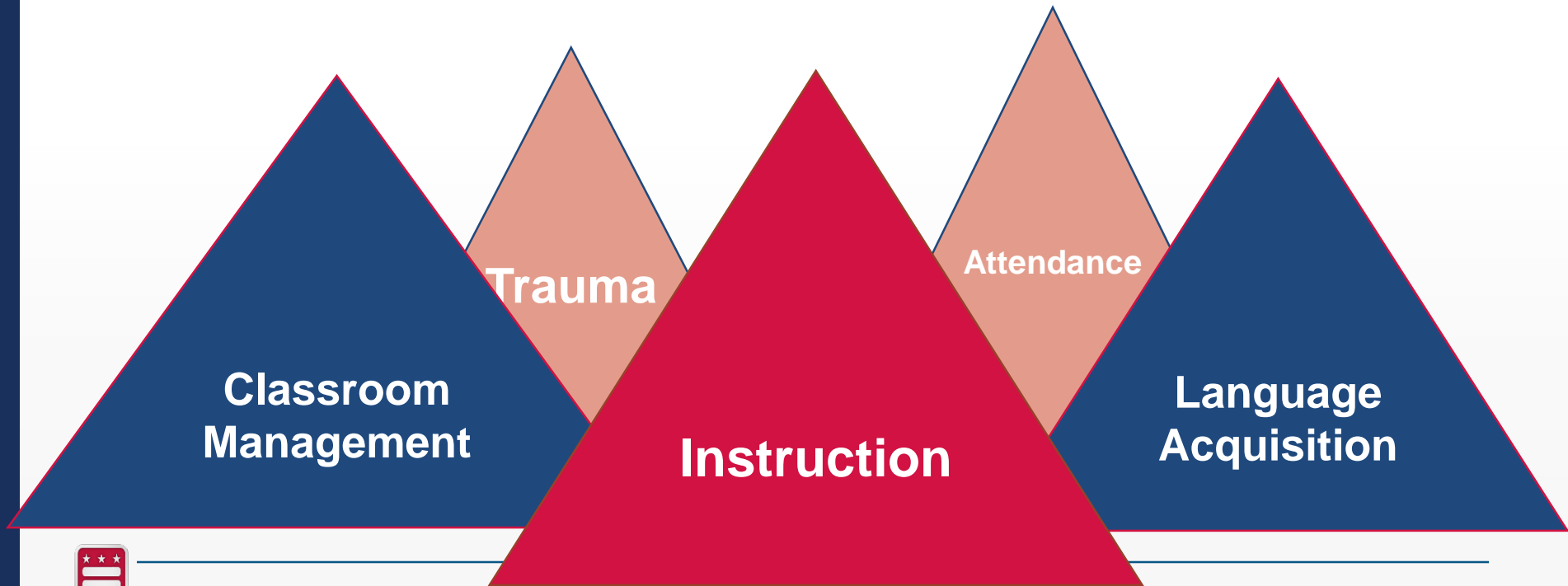
See you in one hour!

Recall DC Municipal Regulations (DCMR)

Special classes, separate schooling, or other removal of children with disabilities from the regular educational environment should occur *only when the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily*

Identify and Address External Barriers

When evaluating whether or not “education in regular classes *with the use of supplementary aids and services* can be achieved satisfactorily,” you must **first** identify and address potential barriers posed by factors other than manifestations of the student’s disability.



What Will You Do?

Activity 3: Identifying and Addressing External Barriers Self-Assessment

Work in school teams (if applicable) to assess how you currently identify and address external barriers to student achievement. Be rigorous in your assessment and look for barriers that you have the power to impact through modeling best practice, through IEP development, or through advocacy for school-wide improvement plans.

Instructional Design and Delivery	How well do we do this?	Do we have evidence of this practice?	Should this be a priority?	Will we develop a plan?
	☆ ☆ ☆	☆ ☆ ☆	☆ ☆ ☆	<input type="checkbox"/>

Are instruction and assessment for all learners designed to remove barriers?

Are all teachers trained in and observed for the HLPs for students with disabilities?

Do all teachers plan, deliver, and assess the efficacy of specialized instruction toward students' IEP goals?

What's Happening in the Classroom?

Universally Designed Instruction

Are instruction and assessment for all learners designed to remove barriers?

High-leverage Practices (HLPs) for Students with Disabilities

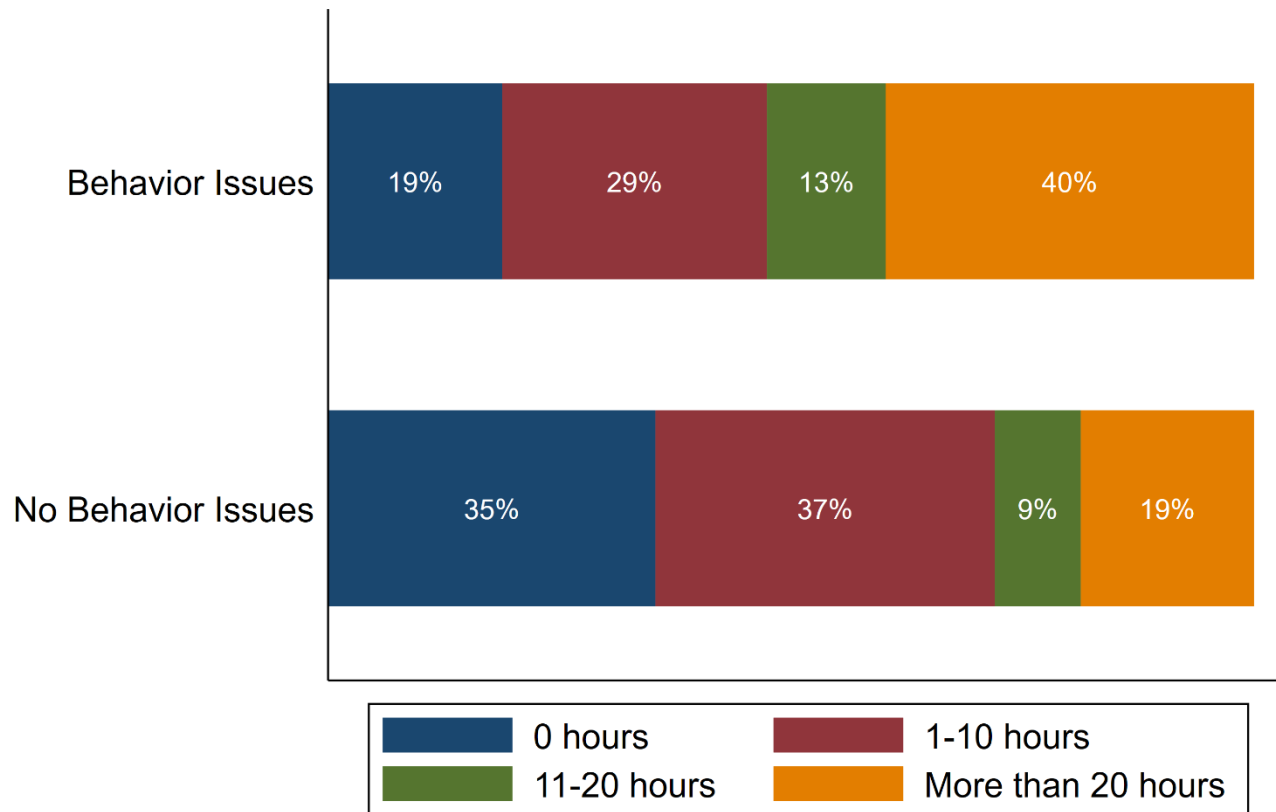
Are all teachers trained in and observed for the HLPs for students with disabilities?

Provision of Specialized Instruction

Do all teachers plan, deliver, and assess the efficacy of specialized instruction toward students' IEP goals?

The Data Say ...

Weekly Specialized Instruction Hours
Outside GenEd



Classroom Management

**An
organized,
predictable
classroom
environment**

**Clear,
concisely-
stated
expectations**

**Classroom
routines that
build
independence**

**Student-
driven
development
of classroom
rules and
routines**

**Culturally-
responsive,
inclusive
climate**



Language Acquisition

What's Happening in the General Education Classroom?

**Instruction for
ELs is Aligned to
WIDA Standards**

Are teachers promoting growth in academic language by aligning instruction to the WIDA English language proficiency standards?

**Collaborative
Planning**

Do all teachers serving the student work together to plan lessons address both IEP and language development goals?

**Instructional,
Material, and/or
Grouping Scaffolds**

Are dually-identified students provided with linguistic scaffolds to support them in successfully engaging in grade level academic instruction?





Addressing Trauma

In a trauma-informed classroom environment

**Potential triggers
are minimized.**

Sensory triggers:

- Touch
 - Sound
 - Visual stimuli
- Unstructured time
Unpredictability

**Students are
empowered.**

Choice
Involvement in
classroom decision-
making
Collaborative problem-
solving

**Students are
seen.**

Noncontingent
attention
Timely positive
feedback
Checking in through
eye contact or signals
Validation



Addressing Attendance Concerns

Document attendance issues, as well as interventions

Look for patterns, evaluate the impacts of supports

Poor attendance is not a rationale for more service hours or more restrictive settings

What Will You Do?

Part 1: Focus on ONE Effective Practice of Inclusion

Area of Focus: <input type="checkbox"/> Responding to Student Data <input type="checkbox"/> IEP Quality <input type="checkbox"/> Staffing and Scheduling <input type="checkbox"/> Family Engagement <input type="checkbox"/> UDL-based Instruction <input type="checkbox"/> Inclusive Culture			
Goal:			
Improvement Strategy: <input type="checkbox"/> Develop systems and protocols <input type="checkbox"/> Training and PD <input type="checkbox"/> Learn more about present practice <input type="checkbox"/> Other _____			
TASKS		PERSON	COMPLETION DATE
OUTPUTS/PRODUCTS	EXPECTED OUTCOMES	INDICATORS	DATA SOURCES
<i>What will you produce or create?</i>	<i>How will it impact outcomes for SWDs in your school?</i>	<i>How will you measure the impact of your plan?</i>	<i>Where will you get this data?</i>
Who should be involved?			
What additional resources are needed?			
What training or technical assistance is needed?			



Using Data to Propose Appropriate, Individualized Service Hours and Settings

The Dangers of Predetermination

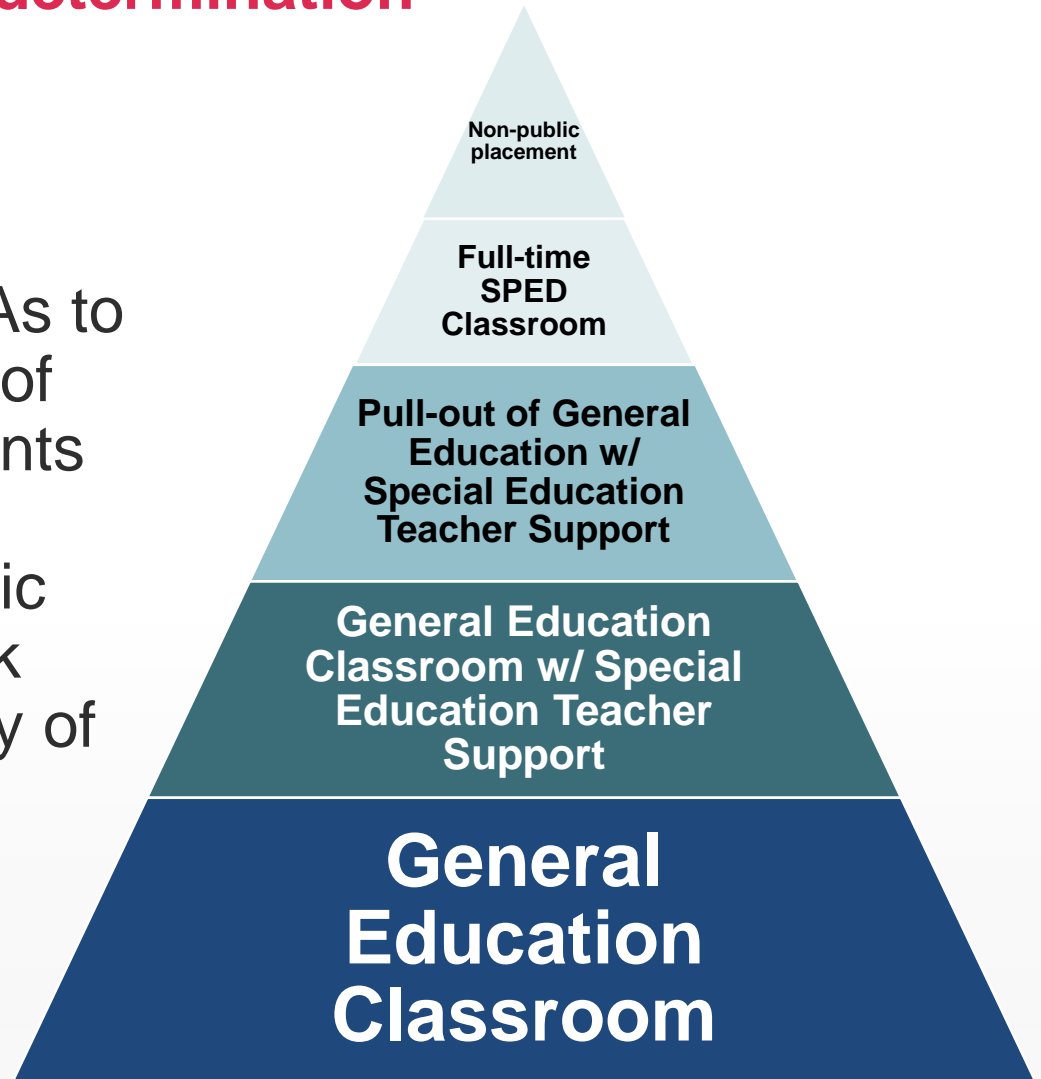
1. Pre-set service options limit IEP development

IEPs are required to be *individualized* and all options or proposals must be considered. These can not be limited to a pre-established list.

The Dangers of Predetermination

2. The continuum requirement

IDEA requires all LEAs to provide a continuum of placements for students with disabilities. Pre-conceived or formulaic service proposals risk limiting the availability of this continuum.



The Dangers of Predetermination

3. Predetermination is contrary to IDEA

Formulaic approaches service hour proposals suggest the LEA has predetermined student needs. IEP teams must make this decision, without limitations based on school resources, and in consultation with the parent. Courts have decided that predetermination violates IDEA requirements.

The Dangers of Predetermination

4. Preparation vs. predetermination

Parental involvement in the development of IEP services is integral. Draft IEPs can be helpful roadmaps for discussion, but LEAs should clearly communicate the purpose of the draft, consider alternatives, and document parental input.

Using Data to Propose Service Hours and Settings

Step 1: Ensure that a flexible continuum of supports is available in your LEA to meet the needs of students with disabilities.

Using Data to Propose Service Hours and Settings

Step 2: As you prepare for the IEP, make it part of your data collection to identify and address potential barriers to access or progress posed by factors *other than* manifestations of the student's disability.

Using Data to Propose Service Hours and Settings

Step 3: Ensure that the data that you have used to describe the student's present levels of academic achievement and functional performance is current, comprehensive, and complete.

Using Data to Propose Service Hours and Settings

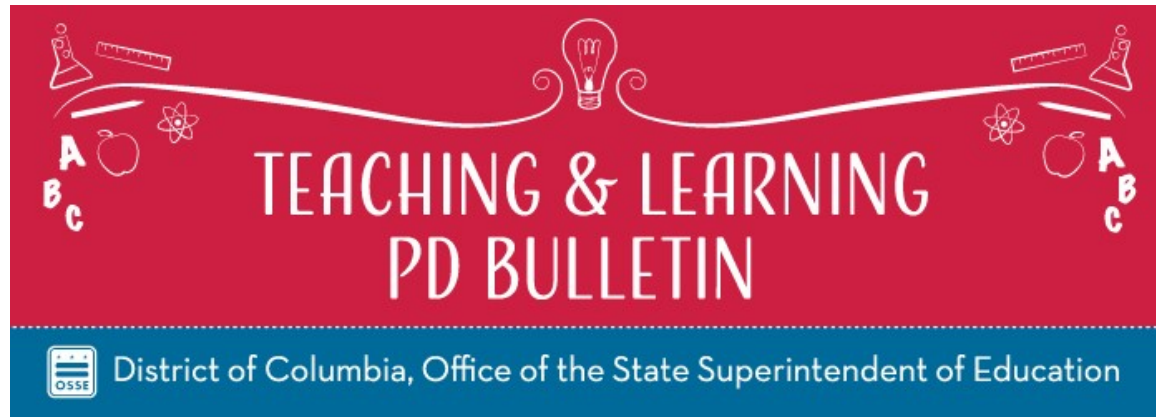
REMEMBER:

Before special classes, separate schooling, or other removal of children with disabilities from the regular educational environment is considered, the data in the PLAAFP statements must *demonstrate “that the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily”* (DCMR)

Using Data to Propose Service Hours and Settings

Step 4: Work with all members of the IEP team, including and especially the student and their family, to use data to identify the combination of service hours and setting will allow that individual student to be educated “in regular classrooms with their peers without disabilities to *the maximum extent appropriate.*” (IDEA)

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| Thank you!