

**IEP Development of Specially Designed Instruction
Blueprint Special Education Workgroup
January 30, 2024 meeting**

January 2024

We are looking forward to our discussion on the topic of Specially Designed Instruction (SDI). As shared in a prior communication with the Workgroup, your feedback has led to making several changes that provide more opportunity for members to share their ideas, wisdom, and experience.

One such step is to share well in advance of the meeting a short reading on the topic and an option to provide written thoughts collected prior to the meeting. All submissions will be shared with all the members prior to the meeting as well.

In this packet you have:

1. Guiding questions for the session and related resources

2. A means to share some thoughts in writing before the meeting (Email to SEW.MSDE@Maryland.gov by January 28th)

3. Optional resources for your review:

- An interesting perspective on SDI recently adopted by the Louisiana Department of Education (LDOE) which was also adopted in Vermont and likely to be adopted in other states
- MSDE TAB Improving Outcomes for Students with Disabilities, Nov. 2019
- Each Child Means Each Child, Ohio's Plan... March 2021
- Excerpts about SDI from IDEA and ESSA

1. Guiding questions for the session and related resources

Guiding Question: What evidence-based instruction and related services will enable all students with disabilities to meet the standards and expectations under IDEA (per WG session #2)? (This discussion will provide input and support for the work of MSDE under the Recommendations on Expectations approved at our meeting on Nov. 28, 2023.)

Discussion questions:

1. Do IEP Teams generally understand the requirement under IDEA that IEPs must provide evidence-based specially designed instruction (SDI) as part of services that are reasonably calculated¹ to enable each student's goals to be achieved?
2. What are evidence-based services that are "based on peer-reviewed research to the extent practicable"? What expertise is required of IEP Teams to reconcile the "I" in IEP with the requirement for evidence-based services that are "based on peer-reviewed research to the extent practicable"? (What are general guidelines for teacher judgment in consideration of appropriate evidence-based instruction?)
3. What is the meaning of "reasonably calculated"? Again, what expertise is required of IEP Teams to reconcile the "I" in IEP with the requirement that evidence-based services be "reasonably calculated" to enable each student's goals to be achieved?
4. What technical assistance (TA) – i.e., what knowledge and skills should be included and how should the TA be structured and delivered – will IEP Teams need to respond to the above requirements?
5. How should SDI be integrated into RTI?
6. What is current MSDE guidance – in effect, menus of evidence-based best practices – on evidence-based best instructional practices associated with particular disabilities (e.g., SLD, Autism, ID) or generic practices (e.g., UDL). Are there priorities for where such guidance is required?
7. Who can design and deliver SDI? How should IEPs document the provision of SDI (e.g., primary/secondary provider)?

Resources

Excerpts Related to SDI from Louisiana Department of Education Playbook For Special Education System Leaders. See section 3 of this pre-reading.

[MSDE TAB 19-01 Improving Outcomes for Students with Disabilities, Nov. 2019](#) (see excerpts in Appendix below).²

[Each Child Means Each Child](#), Ohio's Plan to Improve Learning Experiences and Outcomes for Students with Disabilities (March 2021).³

¹ *Endrew v. Douglas* --- "[t]o meet its substantive obligation under the IDEA, a school must offer an IEP [individualized education program] that is reasonably calculated to enable a child to make progress appropriate in light of the child's circumstances." <https://sites.ed.gov/idea/questions-and-answers-qa-on-u-s-supreme-court-case-decision-endrew-f-v-douglas-county-school-district-re-1/>

² https://marylandpublicschools.org/programs/Documents/Special-Ed/TAB/19-01_Curriculum_Instruction_and_Assessment_Final-508.pdf

³ <https://education.ohio.gov/Topics/Special-Education/Improving-Educational-Experiences-and-Outcomes>

2. Member Thoughts on SDI by January 28th

In an effort to harness the wisdom of the members and to preload the conversation, we are providing an opportunity to Workgroup members to share thoughts on the topic in advance of the discuss. Your responses will be shared with all members before the meeting.

Please share your thoughts, if you wish, on any or all of the guiding or discussion questions listed above. Responses should be emailed to SEW.MSDE@Maryland.gov **by January 28th**.

We hope to focus the conversation on how to solve the long standing challenges and concrete steps MSDE can take to improve SDI across the state.

The responses will be collated and shared with Workgroup members the morning of January 29th. In the future we will aim to provide the responses a bit earlier.

3. Optional resources for your review:

1. Excerpts Related to SDI from Louisiana Department of Education Playbook For Special Education System Leaders.

The few pages that follow are taken from recent guidance on SDI and IEP services. This document addresses only academic needs. It does not address many other needs addressed in IEPs.



SPECIAL EDUCATION PLAYBOOK FOR SYSTEM LEADERS

MAY 2023

Specially Designed Instruction (SDI) Must Meet the Needs of Each Individual Student but Needn't Exclude Best Practices that Help Other Students

At the core of special education is the concept that services should be individualized to meet the needs of each student with an IEP. The “I” in IEP stands for *individualized*. If a service, support, accommodation, or modification is needed, it must be provided. If it is needed by a single student, it must be provided for that one student. A focus on what each student needs is central to specially designed instruction (SDI) as outlined in IDEA regulations.

Unintentionally, the concept of SDI, i.e., giving every student with a disability exactly what they need, has been misinterpreted to *exclude* providing services and supports if they are also provided to students *without* special needs. This is unfortunate because SDI is intended to increase options, not decrease them.

For example, imagine a student with a specific learning disability who struggles in reading and deficits have been noted in phonics. For this student, their SDI should include everything they need, including intervention that targets phonics. A teacher who is an expert at teaching reading and utilizes best practice teaching strategies, such as presenting new material in small steps with student practice after each step, is exactly what this student needs.

Additionally, the student might also need extra time intervention from a reading teacher in a small group of students who all struggle in phonics. This is exactly what the student with a disability needs, targeted specifically to their needs. This is SDI for this student, even if it includes some general education instruction and general education intervention that students without special needs also receive.

Can SDI be a service or support that is also provided to other students who don't have a disability? Yes, if it's what the student needs and no, if it's because that's simply “what we do in this school”.

Can the support be provided by a general education teacher? Yes, if that's the best person to provide what the student needs and no, if it's because there is no one else available.

If a student with a disability receives general education supports, must they also receive special education supports in the same area? No, duplication of supports reduces a student's access to general education instruction.

All available services and providers should be considered, none excluded, including supports provided by core classroom teachers and general education interventionists, as well as supports and services provided by special educators and related service providers.

School and Staff Schedules Must Support the Best Practice Strategies

The best practice strategies outlined in this guidance often can't be shoehorned into existing school and staff schedules. Instead, schedules should be intentionally designed to facilitate the implementation of the recommended strategies.

Elementary Master Schedules Must Enable Staff to Avoid Pulling Students from Core Reading and Math for Special Education and Related Services

Imagine a special educator or related service provider who wants to embrace all of these best practices, but the school master schedule wasn't designed with these goals in mind.

For example, if all the teachers in the school teach reading from 8:30 a.m. to 10:00 a.m. then every speech therapist, occupational therapist, and physical therapist must pull some students out of reading to receive services. If, on the other hand, the schedule staggered the reading block and math block throughout the day, these related service providers can provide services without denying students 100% of core reading and math instruction.

When the Entire Elementary Grade has Intervention at the Same Time, Grouping by Area of Need is Easier

Imagine a special education teacher forming a group of five students struggling with phonics. These five students are likely to be distributed across three or four different first grade classrooms. This highly focused group is only possible if grade 1 interventions occur simultaneously.

If the Whole School has Intervention at the Same Time, it is Harder to Provide Content Strong Teachers for the Extra Instructional Time

If the whole school has intervention at the same time, then a large number of students need extra help at once. There typically aren't enough special educators to work with all the students who need support during this time; therefore, some groups will inevitably be supported by paraprofessionals. If the intervention blocks are staggered by grade but common across the grade, say first grade at 9:00 a.m., second grade at 10:00 a.m. and so on, then a much smaller number of students need support each hour.

Similarly, when middle or high schools have a schoolwide or even gradewide extra help block, too many students need extra instructional time to be supported by staff with content expertise.

STAGGERED ACCELERATION



KINDERGARTEN	FIRST GRADE	SECOND GRADE
READING	READING	READING
ACCELERATION	MATH	MATH
LUNCH & RECESS	LUNCH & RECESS	LUNCH & RECESS
MATH	ACCELERATION	ART
ART	ART	ACCELERATION
SCIENCE	SCIENCE	SCIENCE
SOCIAL STUDIES	SOCIAL STUDIES	SOCIAL STUDIES

Secondary Schedules Should Include Extra Time Intervention Courses

Unlike elementary schools, most middle and high schools build their schedules around a course catalog. Often intervention is not part of the official lists of courses and exists parallel to all other courses, which unintentionally magnifies the divide between special education and general education.

Many schools have found it easier to implement extra time interventions taught by content strong staff when this intervention is treated as a course. Students, both with and without an IEP, can be scheduled into these extra time interventions just like any other course.

Best practice calls for these courses to

- be content specific, e.g., math lab, reading comprehension, or writing support
- address a narrow range of needs, e.g., one class for students with challenges in math fundamentals such as fractions and number sense, and a different course for students struggling with equations
- off credits at the high school level

While these are general education courses open to all students, they can be written into IEPs as the means to address a student's academic needs. Students who are enrolled in general education intervention classes should not also receive additional special education services for the same needs.

At the secondary level, it's also important to protect electives and Career Technical Education courses that may align with a student's transition plan or strengths. For example, a student who plans to enter the carpentry industry after graduation should not miss woodworking for extra academic support. Similarly, students who excel in or enjoy a specific elective should remain in that class as much as possible. Knowing which classes outside of core are most impactful or important to the student will facilitate the creation of a more student-centric schedule that maximizes student growth and achievement.

MORE OF THIS	LESS OF THIS
<ul style="list-style-type: none">• Use high-quality materials to accelerate learning and use student formative data to determine where supports will be needed	<ul style="list-style-type: none">• Use lower-level materials or removing students from core instruction
<ul style="list-style-type: none">• Use scaffolding techniques to support student success	<ul style="list-style-type: none">• Avoid challenging activities altogether
<ul style="list-style-type: none">• Collaborate and intentionally plan (sped and content) for instruction supports prior to each lesson; annotating lessons for specific student supports	<ul style="list-style-type: none">• Omit individualized supports and avoid intentional lesson planning
<ul style="list-style-type: none">• Provide accommodations consistently during classroom instruction to support students in mastering grade-level content	<ul style="list-style-type: none">• Only provide accommodations on statewide assessments

Relevant Resources

- [10 Steps to Implementing Inclusive Practices](#)
- [Vendor PD Course Catalog](#)
- [Louisiana's Staffing and Scheduling Guidance](#)
- [Professional Learning Roadmap](#)

2. IDEA

Under IDEA, specially designed instruction means:

[300.39](#) Special education.

(a) General. (1) Special education means specially designed instruction, at no cost to the parents, to meet the unique needs of a child with a disability

(3) Specially designed instruction means adapting, as appropriate to the needs of an eligible child under this part, the content, methodology, or delivery of instruction—

(i) To address the unique needs of the 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 educational standards within the jurisdiction of the public agency that apply to all children.

The IEP must include:

Sec. 300.320 (a) (4)

(4) A statement of the special education and related services and supplementary aids and services, based on peer-reviewed research to the extent practicable, to be provided to the child, or on behalf of the child, and a statement of the program modifications or supports for school personnel that will be provided to enable the child—

(i) To advance appropriately toward attaining the annual goals;

(ii) To be involved in and make progress in the general education curriculum in accordance with paragraph (a)(1) of this section, and to participate in extracurricular and other nonacademic activities; and

(iii) To be educated and participate with other children with disabilities and nondisabled children in the activities described in this section;

3. MSDE TAB 19-01, Improving Outcomes for Students with Disabilities (November 2019)

Excerpts:

Specially designed instruction (SDI) should narrow the gap in the performance of students with disabilities compared with their same age peers.

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 reduce or close the gap.***

- Develop, as appropriate, IEP goals that are:
 - Aligned to academic content standards of grade level enrollment, and
 - Aligned to academic content standard from earlier in the learning progressions, or
 - Aligned to age/grade appropriate functional skills 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 settings.
- Implement evidence-based instructional practices and strategies or approaches that have proven to be effective in leading to desired outcomes;

4. Every Student Succeeds Act (ESSA)

A focus on the use of evidence-based practices and supports is also emphasized in 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.

Specially designed instruction (SDI) is most powerful when 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, and unique learning needs stemming from that disability, will require specially designed instruction to make progress in the curriculum. A student's unique SDI is based on individual learning characteristics and combines evidence-based practices, intensive instruction, accommodations, supplementary aids and services, program modifications, and personnel support. The following chart describes the qualities that distinguish SDI.

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 reduce or close the gap.