

# Special Education Playbook

for System Leaders



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# INTRODUCTION

The Louisiana Department of Education is devoted to the notion that Louisiana students are just as capable as all students in America. Students with disabilities in Louisiana are simply **students** first. Louisiana is a state that believes in inclusion, not as just a place or a program, but as a sense of belonging by giving each student what they need to succeed in a high-quality teaching and learning environment. Together with our educators, support professionals, leaders, community members, and families, it is our responsibility to make sure every student reaches their full potential as we actualize [Louisiana's six critical goals](#).

This playbook aims to ensure that all students with disabilities are challenged, held accountable, and provided with the necessary tools and support to reach their maximum potential. Across the state of Louisiana, staff, school-based and school system leaders, and community members are committed to meeting the needs of students with disabilities. Despite this effort, many are not yet mastering grade-level content.

Research and the experiences of gap-closing schools point to a set of instructional best practices that can greatly accelerate learning for students with disabilities. This guidance is intended to promote the widespread adoption of these best practices and is focused on teaching and learning strategies for students with disabilities; leadership of cross-departmental teams is required to implement these best practices. The following stakeholders are encouraged to review this guidance: general and special education teachers and leaders, central office staff, school-based leaders, school system and school-based instructional leadership teams, Individualized Education Program (IEP) team members, paraprofessionals, and pupil appraisal staff.

Additional equally important topics go beyond the scope of this document; however, they will be addressed in the future through separate guidance documents to be released on the Louisiana Believes website. These topics include

- identifying disabilities early and accurately;
- strengthening instruction and learning through effective [related services and specialized supports](#);
- coordinating effective transition planning and implementation;
- providing effective student [well-being](#) supports;
- providing access to high-quality early childhood education and early childhood educators to [young children with disabilities](#); and
- addressing the needs of students with [significant cognitive disabilities](#).

**Legal Disclaimer:** The information provided in this document does not, and is not intended to, constitute legal or regulatory requirements; instead, all information, content, and materials are intended to support school systems with improving outcomes for students with disabilities.

# BRIEF SUMMARY OF THREE INSTRUCTIONAL BEST PRACTICES

Over the last two decades, there has been a growing body of knowledge of “what works” to teach students to read and comprehend and to accelerate the learning of students who struggle. Research suggests that the same strategies used for typically developing students may also be effective for students with disabilities.

All students are unique and the following instructional best practices alone may not be appropriate for every student. Individualized Education Programs (IEPs) must be written to meet the individual needs of each student. Often, students with cognitive disabilities or severe needs will benefit from some practices, supports, and programs that differ from the best practices more appropriate for students with mild to moderate disabilities. All students with disabilities must be included to the maximum extent appropriate with students without disabilities in all educational environments and opportunities.

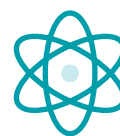
The instructional best practices summarized in this document are discussed at length, including the underlying research, in *Six Shifts to Improve Special Education and Other Interventions* (Harvard Education Press, 2020) and [Staffing and Scheduling Best Practices Guidance](#) (Louisiana Department of Education, 2021). The instructional best practices align with the research by John Hattie’s Visible Learning and the *What Works Clearinghouse*. The three key instructional best practices discussed in this document are the importance of core instruction, the need for extra time, and the critical role of highly skilled, content-strong teachers.



**Focus  
on Core  
Instruction**



**Extra  
Time to  
Learn**



**Content  
Strong  
Teachers**

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## INSTRUCTIONAL BEST PRACTICE 1: THE IMPORTANCE OF CORE INSTRUCTION

Students who struggle benefit from high-quality core instruction, high-quality curriculum, and instructional materials. Special education and intervention services should be in addition to, not instead of, core instruction, especially in reading, English language arts, and math for many students.

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## INSTRUCTIONAL BEST PRACTICE 2: THE NEED FOR EXTRA TIME INTERVENTION OR SUPPORT

Most students who struggle academically will require extra instructional time to master prior content, address skill gaps, pre-teach or re-teach current year content, experience material in multiple ways, and clarify misunderstandings. Extra instructional time most often requires direct instruction that is connected to a high-quality curriculum, rather than time spent on primarily independent work or computer programs utilized as a replacement for direct instruction. The quality of the instruction matters as much as the amount of instruction.

This extra time intervention is more impactful if the students are flexibly grouped by similar areas of need, such as a group of students struggling in phonics, a group struggling in comprehension, or a group struggling with number sense. The need for extra time intervention or support applies to both elementary and secondary students.

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## INSTRUCTIONAL BEST PRACTICE 3: THE CRITICAL ROLE OF HIGHLY SKILLED CONTENT STRONG TEACHERS

It is well known that teacher effectiveness is highly correlated to student achievement, and this holds true for students who struggle, including those with and without IEPs. Students who struggle academically benefit from having both core and academic intervention/support teachers who possess content expertise, interest, aptitude, and training in the subjects they teach.

## Implications for IEPs

Given that these best practices benefit many students with disabilities, the IEP teams should consider the following when developing an IEP:

### The Importance of Core Instruction

- Specifying that a student won't be pulled out of specific core instruction, such as reading and math, thus ensuring they receive 100% of crucial core instruction. Related services, math support, reading support, etc., will still be provided, but during non-core instructional periods.
- Delivering and managing various accommodations during core instruction time through the core classroom teacher, instead of the student being pulled out to receive these accommodations. For example, accommodations such as text-to-speech or word-prediction software can be accessed on the student's laptop to ensure the student can access and benefit from core instruction in the general education setting.
- Ensuring students with disabilities have access to the same high-quality curriculum and materials utilized by students without disabilities, with appropriate modifications, accommodations, and additional supports/interventions, as determined by the IEP team.

### The Need for Extra Time Intervention or Support

- Providing high-quality extra time intervention to all struggling students, including special education students (even when taught by general education teachers).
- Receiving extra time intervention may be a preferred support compared to supports that do not provide any additional instructional time.
- Convening small support groups of students with similar academic needs, such as groups focused on phonemic awareness, comprehension, or number sense.
- Affording students with disabilities the same, effective learning approaches (e.g., accelerated learning, explicit direct instruction, etc.) students without disabilities receive.
- Identifying all struggling readers and providing high-quality reading intervention delivered by a skilled teacher of reading.
- Avoiding writing generic "special education minutes" in IEPs or treating special education services as subjects of their own. IEP language should clearly define the content area or skill-gap that needs to be addressed.



### The Critical Role of Highly Skilled Content Strong Teachers

Teachers with deep content expertise, training, interest, and aptitude should provide extra time supports. This may include special educators with the requisite skills and expertise, certified reading teachers, certified math teachers, or appropriately trained and highly effective general education teachers.

Paraprofessionals should primarily support behavior, health, and safety needs, not academic needs, unless they are content strong in an academic subject (earned a college degree or certified in the subject matter). However, those paraprofessionals who do have deep knowledge and robust training may be appropriate providers of academic support with regular coaching and monitoring.

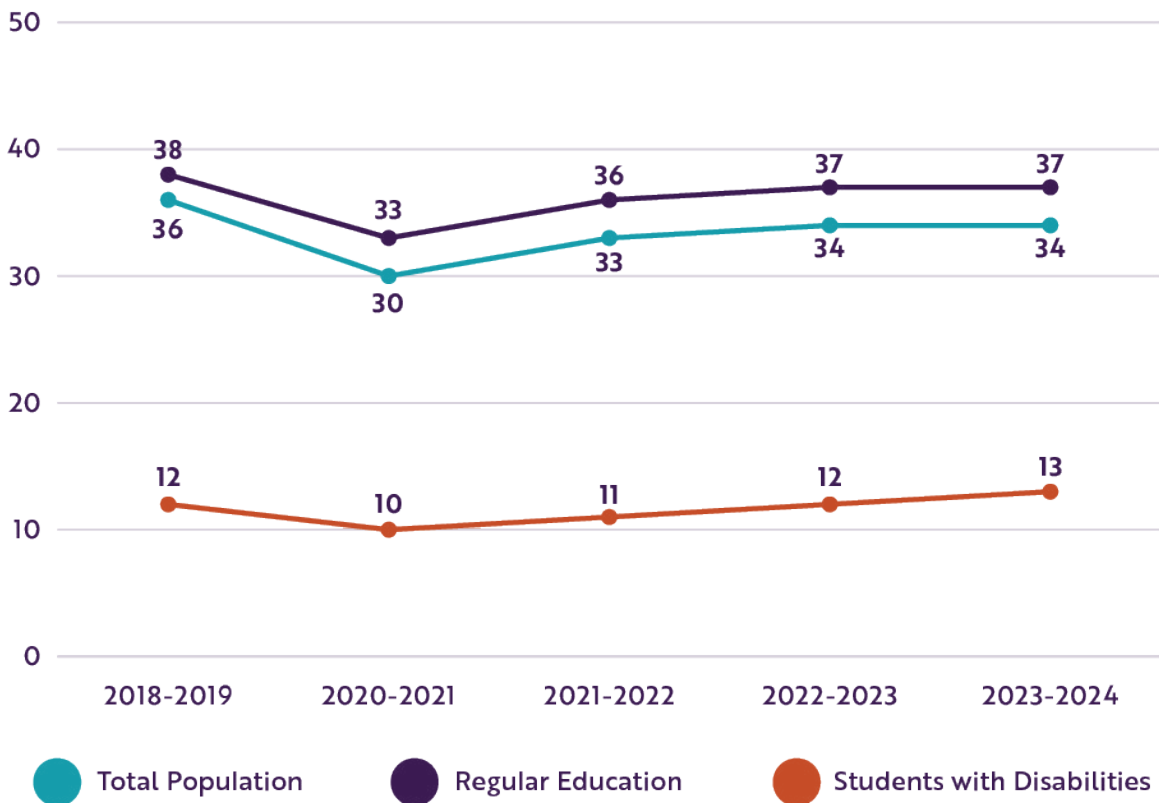


## INSTRUCTIONAL BEST PRACTICE 1: PROVIDE AND ENSURE ACCESS TO HIGH-QUALITY CORE INSTRUCTION

Despite substantial effort and some learning recovery for students with disabilities, the data in Table 1 shows significant and persistent achievement gaps. Approximately 90% of students with disabilities have not yet demonstrated mastery of state standards.

Disruptions caused by the pandemic, hurricanes, or even student absences resulted in many students' significant learning loss. This was particularly problematic for students with disabilities. As the data in Table 1 reveals, students with disabilities continue to perform below typically developing peers with an achievement gap of over 20%.

**Table 1: LEAP 2024 Shows Progress for Students with Disabilities: Grades 3-8 Mastery Third Year in a Row**



Given the significant learning loss that occurred during the disruption from the pandemic, it can seem rational to lower standards or focus on "catching up" students with disabilities. However, this will only keep students behind rather than [accelerate](#) their learning. Best practices, for nearly all students with disabilities, call for rigorous grade-level instruction that is scaffolded and supplemented by intervention/acceleration/supports.

## Start with a Culture of Achievement and Inclusion

A requisite for students with special needs is the premise that all children belong and can thrive in general education settings, when given the proper instructional supports and when adults uphold a culture of achievement and inclusion. Schools play an important role in helping staff recognize the potential of each student. This occurs when all the adults in the building are collectively responsible for the achievement of every student, including those with disabilities. Students with disabilities are not the sole responsibility of the special education team. This shared responsibility requires collaboration among educators to solve complex problems, and to ensure that all students receive high-quality core instruction.

The Department's [Professional Learning Roadmap](#) outlines best practices for building structures to increase collaboration among educators:

- Include a special education lead educator on the school's Instructional Leadership Team,
- primarily to support teaching and learning best practices.
- Provide weekly teacher collaboration time for general and special education teachers.
- Special educators who teach academic content or provide academic interventions join grade-level or department collaborative planning that may already exist in many schools.
- Include special education teachers in training on standards, curriculum, and assessments.
- Provide training for general education teachers on interpreting IEPs and implementing instructional accommodations.

## Ensure Access to Rigorous Core Instruction

Many students with disabilities will benefit from intervention, but nearly all need high-quality rigorous core instruction as a foundation. Some refer to this as "core plus more."

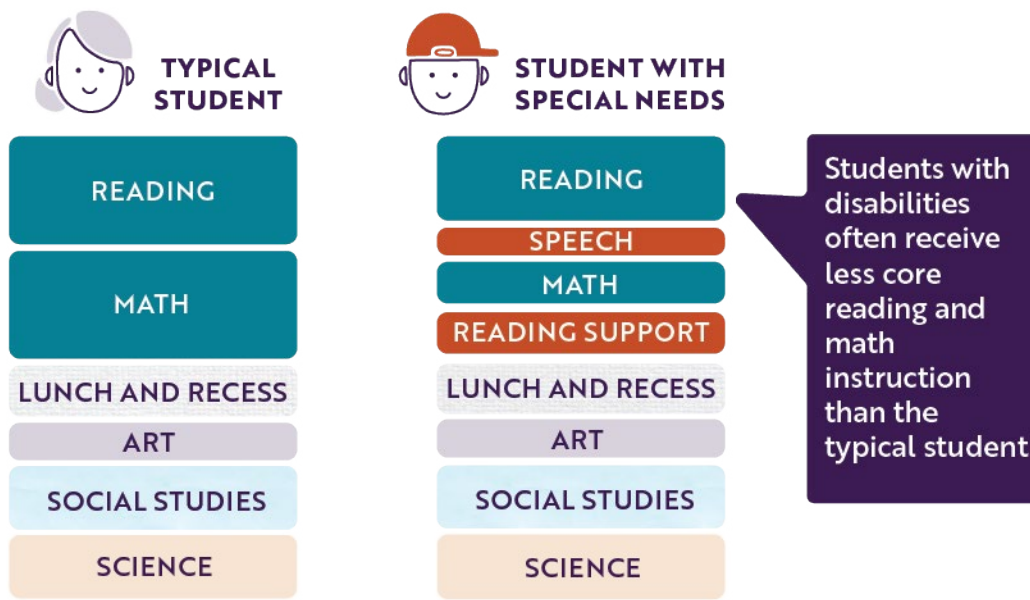
## Protect Core Instructional Time

- Students with disabilities access to high-quality rigorous core instruction can be impeded when students are intentionally pulled from core instruction for extra help;
- scheduled into lower-level classes for reading, math, ELA, or other subjects; and/or
- pulled from core instruction for related services or other supports.

Ensuring high-quality core instruction is fundamental to addressing academic challenges. While extra instructional time, intervention, and special education services are important, they are not a replacement for high-quality core instruction.

In many schools, students with disabilities actually receive less core instruction than their peers who are not struggling academically. Too often, students with academic challenges are pulled out of core reading, math, or ELA for related services or other supports, which results in less core instruction received.





A systems-thinking approach to scheduling can ensure students receive 100% of core reading and math, plus all other needed and required services. See [LDOE Staffing and Scheduling Guidance](#) for more details.

### Consideration: There are Drawbacks to Providing Push-In Services During Core Instruction

Some schools try to protect core instruction by providing push-in services. High-quality core instruction is only effective, however, if a student is able to fully pay attention and participate in it. While push-in may seem like a clever alternative to pulling out during core, it often impedes meaningful access to core instruction.

Push-in can cause the same shortcomings as pullout – less core instruction. Push-in often creates an invisible barrier between students with an IEP and the general education teacher. If a student is receiving related services or special education services during core instruction, access to the general education teacher is impaired. When both the general education teacher and special educator are communicating with a student at the same time, student confusion is likely.

Concentrating on the special education service provider limits a student’s ability to concentrate on core instruction, which can cause the student to miss some of the whole class lesson.

## A Second Consideration: More Services Aren't Always Better

It is important to remember that every time a student gets an extra minute of support, they are missing something else. Students should receive all the services and supports they need to be successful, but IEP teams should actively consider what a student will lose for each minute of services gained. Fading services, as they are no longer needed, should also be valued as a step forward, not as a loss.

## Core Instruction Must be on Grade Level, Always Rigorous, and Provided in the Least Restrictive Environment

It is essential that core instruction remains on grade level or students will fall further behind. This is true for students with and without disabilities. A small number, circa 1% of students with significant cognitive disabilities, will benefit from a modified curriculum. Nearly all students who struggle, including those with disabilities, will benefit from accelerated learning. (Jones et al., 2020)

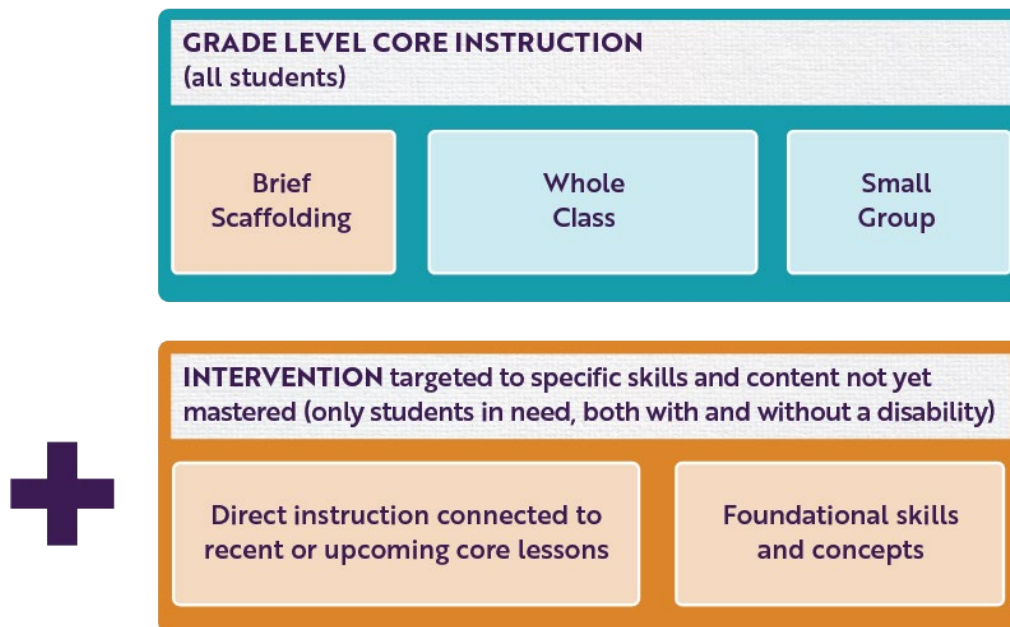
Accelerated learning is both a mindset and an approach to teaching and learning rather than a service, place, or time. Accelerated learning is the prioritization of access to high-quality, grade-level instruction for all students.

In mathematics for example, this approach leverages a high-impact cyclical instructional process that connects unfinished learning in the context of new grade-level learning by utilizing high-quality materials to provide timely, individualized supports throughout a variety of flexible instructional settings and groupings.

Lowering of expectations locks students into staying below grade level achievement. These students will need time during the day for additional instruction to address skill gaps and to learn content from prior years, but that should be *in addition to*, not instead of, rigorous core instruction. Instead of diluting the rigor, core instruction must be augmented with extra instructional time and scaffolding to address academic challenges.

The pressure to teach below grade-level content has increased given the significant amount of missed instruction during the pandemic. Grade-level core instruction will be more impactful with brief scaffolding of prior year content and skills woven into grade-level lessons.

### ACCELERATION FRAMEWORK



The needs of every student with a disability are of course unique, and IEP teams are charged with customizing the supports and services needed for that student. In most cases, the ultimate goal is for the student to master ambitious grade-level content and skills by providing supports and services that allow for mastery. The bar isn't lowered or changed, but the support provided to reach the goal is specially designed as needed.

## Most General Education Teaching Best Practices are also Best Practices for Students with Disabilities

The best practices for teaching students without disabilities are also appropriate and useful for most students with special needs. Teachers can and should use the teaching best practices they already know to also serve students with disabilities. They benefit from best practices, just like their nondisabled peers. At the same time, students who struggle but don't have a disability equally benefit from the same teaching best practices. The core of the Universal Design for Learning concept is that good teaching is good teaching, and it helps nearly all students.

### General Education (and Special Education) Teaching Best Practices include

- beginning a lesson with a short review of previous learning
- presenting new material in small steps with student practice after each step
- asking many questions and incorporating multiple opportunities for student response
- thinking aloud and providing models
- guiding students as they begin to practice
- checking for understanding and providing systematic feedback and corrections
- providing [scaffolds](#) for difficult tasks
- encouraging students to express their ideas verbally as scaffolding for writing
- offering ongoing opportunities for review and practice
- teaching skills and strategies that increase self-determination, so students achieve their goals with greater independence
- aligning instruction to what students should know and be able to do

### High-Quality Curriculum is Important

High-quality core instruction requires that all classrooms utilize high-quality curriculum and materials. This was true before the pandemic and continues to be true. LDOE's document, [High-Quality Materials and Resources](#), provides more information. High-quality general education curricula serve all students, with or without disabilities.

### Reading is the Gateway to all Other Learning

All topics covered by core instruction are important, but without mastery of reading, students may struggle in most academic subjects. Moreover, third grade reading proficiency is a strong predictor of lifetime achievement. Difficulty with reading is the most common reason for students to be referred to special education.

Best practices for [teaching reading](#), for students both with and without disabilities, are well established. The National Reading Panel, What Works Clearinghouse, the science of reading, and achievement-gap closing schools all agree on a clear set of best practices, which is summarized in Table 2.

**Table 2. Elementary Reading Best Practices**

<b>STANDARDS</b>	<ul style="list-style-type: none"> <li>• clear and rigorous grade-level expectations</li> <li>• identification of students with unfinished learning in reading beginning in early grades</li> <li>• frequent measurement of achievement</li> </ul>
<b>CORE INSTRUCTION</b>	<ul style="list-style-type: none"> <li>• at least 120 minutes per day of core instruction in grades K-2 and</li> <li>• at least 60 minutes per day in grades 3-5</li> <li>• explicit teaching of the foundations of language and literacy</li> </ul>
<b>INTERVENTION</b>	<ul style="list-style-type: none"> <li>• at least 30 minutes per day of additional time for all students who need acceleration</li> <li>• tight connection of acceleration to core instruction</li> </ul>
<b>EFFECTIVE TEACHING</b>	<ul style="list-style-type: none"> <li>• highly skilled and effective teachers of reading</li> <li>• K-3 teachers trained in the science of reading</li> </ul>

Special education services and supports should reinforce and amplify these best practices. Strategies to address IEP goals in reading should closely align with the science of reading.

**A common misconception:** Some teachers have equated the science of reading with phonics. While phonics is a key element of the science of reading, it is much more than just phonics. It is a comprehensive bundle that includes the teaching of background knowledge, phonemic awareness, language comprehension, and more. For a more comprehensive understanding of the science of reading see [LDOE’s Science of Reading FAQ](#).

## Teacher Collaboration can Supercharge the Effectiveness of Core Instruction

Teacher Collaboration (TC) is a research-based school improvement best practice that emphasizes teacher development through weekly, job-embedded learning and is facilitated by a skilled educator serving within the building. Teachers collaborate with peers to discuss

- the implementation of high-quality instructional materials;
- relevant, current student and teacher needs as evidenced by data/work samples; and
- the best strategies to use in meeting students’ needs throughout instructional settings and groupings (whole group, small group, or individual)

The needs of students and teachers drive the new learning in TC meetings. These meetings are facilitated in cycles of structured professional learning. Effective meetings include the analysis of student work; unpacking, planning, discussing, and annotating units and lessons from high-quality curriculum; planning for and addressing the needs of diverse learners; and addressing unfinished learning through acceleration. Ideally, collaborations occur among small groups of teachers in grade levels or content areas.

TC should always follow the high-quality professional learning cycle. This cycle allows for a clear purpose to be set for the meeting that is driven by teacher and student needs, for teachers to receive new learning from a skilled facilitator (a member of the school level [ILT](#)), and for internalization of new learning. Following TC, teachers implement new learning and collect student work to determine the impact of that implementation. This impact informs the next set of instructional decisions that teachers make to best serve the needs of all students.

TC meetings are designed to enable teachers to embrace collective teacher efficacy, thus creating the “collective self-perception that teachers in a given school make an educational difference to their students over and above the educational impact of their homes and communities” (Hattie, 2016). Teacher ownership of the TC structure will ensure teachers enter meetings prepared to plan, discuss, and truly engage in purposeful conversations to address the needs of all students.

## **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 by some 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.

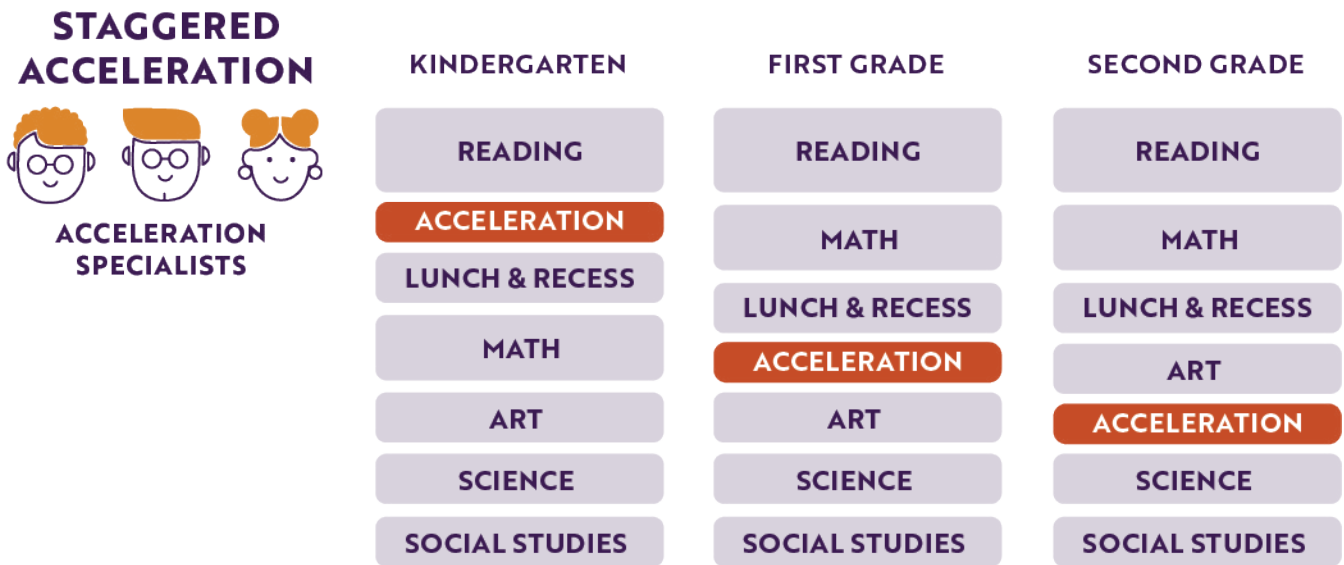
## When the Entire Elementary Grade has Intervention at the Same Time, Grouping by Area of Need is Easier

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.





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

## Relevant Resources

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

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## INSTRUCTIONAL BEST PRACTICE 2: PROVIDE ADDITIONAL INSTRUCTIONAL TIME EACH DAY FOR STUDENTS WITH ACADEMIC NEEDS

Students who have not mastered grade-level content need more than core instruction. They need extra support, which can come in many forms.

Extra support often has many names: acceleration, special education services, resource room support, intervention, scaffolding, specially designed instruction (SDI), remediation. There is much confusion about whether these terms are synonymous. To further complicate matters, different people have different definitions for each of these terms. It is easiest to understand these terms by defining three categories of extra support.

- **Scaffolding during core instruction:** Many students will benefit when teachers briefly preface current year content with a short, circa 10-minute, mini-lesson that refreshes or reintroduces prior year content and skills needed for mastery of the day's lesson. This is also referred to as acceleration by some; however, acceleration covers a broader range of strategies, and scaffolding during core instruction is just one part of a comprehensive acceleration strategy.
- **Providing extra instructional time:** Fundamental to effective academic support is students receive extra time to learn beyond core instruction. Special education services, resource room support, or pullout services cannot be used instead of core instruction or during core instruction; they are not extra instructional time strategies. The same type of services provided at a different time in the schedule can be extra instructional time.

Extra instructional time strategies that are also available to students without special needs can be used for students with IEPs. Extra instructional time need not exclusively be a special education service.

- **Teaching content from previous years:** Often times, remediation or lower-level courses focus on teaching prior year content that replaces the current year's content. This can result in students not having the opportunity to progress to the current grade level content or expectations as their nondisabled peers.

**YES:** scaffolding during core

**YES:** special education services, resource room, pullout support or general education in **addition** to core

**NO:** special education services, resource room, pullout support or general education **during** core

**NO:** teaching only or mostly prior year content

### Students with Academic Challenges Need Extra Instructional Time in Addition to High-Quality Core Instruction

Core instruction is the foundation of all learning, but students with unfinished learning or academic challenges will require more than just core instruction. Many students will need extra instructional time during the school day to master grade level content.

Academic support cannot take place only during time dedicated to grade-level core instruction. There simply is not enough time to teach current year material, as well as skills and content from prior years. It is unrealistic to expect a student with disabilities to master, for example, grade 7 math plus prior skills and content not yet mastered during the same time allotted for nondisabled peers to master grade 7 math. These students have more to learn and it will take them more time.

Most students requiring extra instructional time need at least 150 minutes a week (5 x 30 minutes) at the elementary level and 225 extra minutes a week (5 x 45 minutes) at the secondary level. Shanahan et al. (2010).

## Extra Instructional Time Should be Direct Instruction, Specifically Targeted to a Student’s Specific Needs and Misunderstandings

There is no one-size-fits-all game plan for what to teach during the extra instructional time. The specific skill and content needs of the students should drive instruction. For example, data from classroom assessments and universal screeners can be used to identify the specific academic deficiencies for each student. The extra instructional time is devoted to teaching these specific gaps.

The pacing of which skills and content to teach should be influenced by the pacing of core instruction, with extra instructional time addressing precursor skills and knowledge needed in the upcoming week(s).

Most students with disabilities will benefit most from direct instruction during this time, instead of homework help, completion of current year assignments, or computer-generated instruction.

Presenting the material in multiple ways can be very impactful, rather than repeating the same lesson or explanation presented during core instruction. Students, especially those with disabilities, don’t all learn the same way. Multiple ways of presenting the content increases the likelihood of students understanding the material.

LDOE has a robust set of lessons for math and ELA at the K-2 level and 3- 10 level that can serve as a guide for this type of extra time support. The Literacy Interventions and Foundational Tools (LIFT) Toolkit houses a library of resources for foundational reading skills including diagnostic tools and activities/lessons around phonemic and phonological awareness. The extra instructional time can come in many forms:

- during an elementary school’s intervention period or What I Need (WIN) time
- a course at the secondary level, like “extra help math 10,” taken in addition to a core math class
- reading intervention
- pullout with a special educator outside of the core reading block

**A caution:** As the list above makes clear, effective intervention is direct instruction. Seldom will a laptop, a computer program, or a student working alone be an effective means of intervention.

Extra time instruction need not be exclusively a special education service, nor even provided by special educators. What matters is that it’s extra instructional time designed to meet the needs of students.

## Additional Academic Support in Reading, ELA, and Math, Provides Support Across all Academic Subjects

Reading, ELA, and math are fundamental topics and skill sets that spiral throughout other subjects. Science, social studies, and world languages are difficult to master without strong skills in reading, writing, and math. Focusing first on strengthening these three areas will support learning in all subjects.

For some students, it may be advantageous to concentrate support into the single subject of greatest need so that substantial time and effort is provided. A focused effort is most likely to generate demonstrable learning gains, which will help motivate and engage the student.

## Grouping Students with Similar Needs Increases Impact of Extra Instructional Time

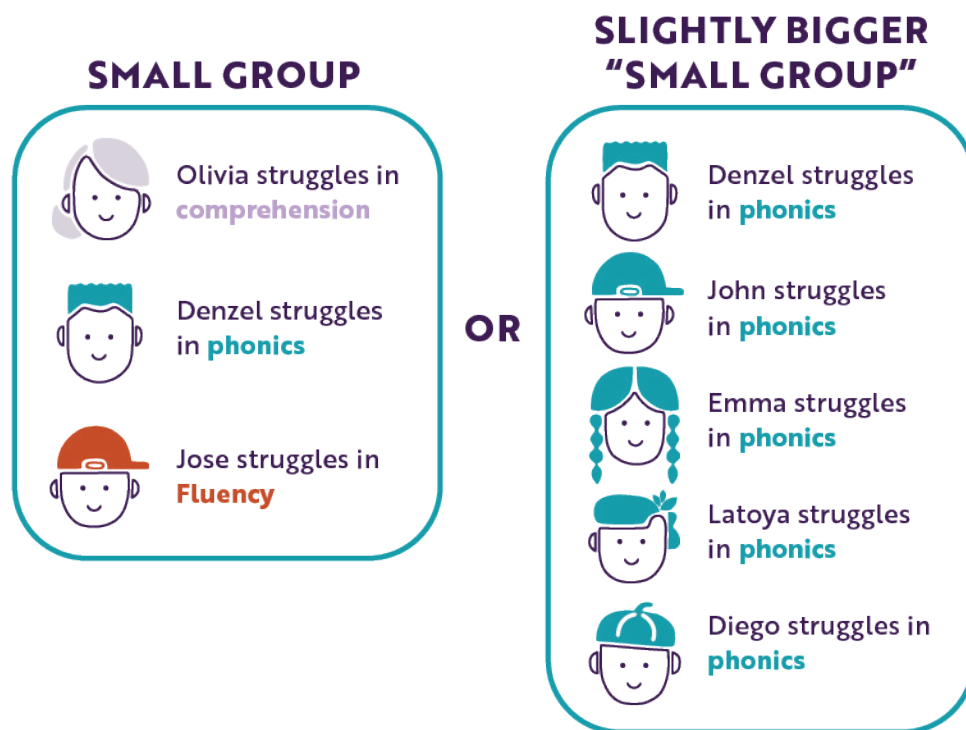
IEPs often call for small group support, but seldom address who should be in the group. Creating groups of students with similar needs makes the instruction more targeted, impactful, and easier to plan and deliver. Since extra instructional time for academic challenges should target the specific needs of the students, narrowing the range of needs can be beneficial for students and teachers alike. For example, at the elementary level, an extra instructional time group can be created for students who need additional support in phonics while another group may be created for students who need additional support in fluency.

At the secondary level, an extra instructional time group/ course in math might include students who need support with basic algebraic functions. While a separate group serves students who need support with fractions, number sense, and other more foundational concepts. Groupings should not be static and should be modified and updated on a regular basis as students move through content and develop additional needs.

Intentional grouping by similar areas of need allows teachers to target specific content standards and skill sets more easily than in a mixed group. (Levenson, 2020). It also provides more time to address a student's specific needs than in a group that must address a wide range of needs.

## Grouping by a Similar Area of Need Matters More than Group Size

Traditional special education supports often prioritized small groups over need-based groups. Consider the two groups below. Group A is smaller and consists of only three students, but with varying needs. Group B, alternatively, is slightly larger but consists of five students who have been grouped according to one common need (phonics). Because Group B has been grouped according to similar areas of need, these students are more likely to grow academically compared to their peers in the smaller, but mixed Group A.



At the elementary level, research has shown that in comparison to group size, the training and background of the instructor, the length of extra instructional time provided, and the type of instruction presented are more significant factors for increasing student achievement.

- Studies by the *What Works Clearinghouse* show that small instructional groups of up to five students are as effective as one-on-one instruction.<sup>1</sup>

<sup>1</sup> Gersten, R., Compton, D., Connor, C.M., Dimino, J., Santoro, L., Linan-Thompson, S., and Tilly, W.D. (2008). *Assisting students struggling with reading: Response to Intervention and multi-tier intervention for reading in the primary grades. A practice guide.* (NCEE 2009-4045). Washington, DC: National Center for Education Evaluation and Regional Assistance, Institute of Education Sciences, U.S. Department of Education. Retrieved from <http://ies.ed.gov/ncee/wwc/publications/practiceguides/>.

- Similarly, studies by the National Institute of Health show that groups of three students can be as effective as one-on-one instruction, and that even groups of up to ten students can provide benefits, although with smaller outcomes on achievement (notably, this study did not test or include groups of 4-9 students).<sup>2</sup>
- More specifically, the RTI Action Network recommends utilizing groups of 5-8 students for the majority of students who struggle (~15% of all students receiving 30 minutes of additional instruction 5x a week), and recommends smaller groups of 1-3 students for only students with severe reading disabilities (approximately ~3% of all students).<sup>3</sup>

(Refer to the framework of tier 3 interventions which are designed to address significant difficulties for students needing intensive interventions; often utilizing a direct, systematic approach to instruction with increased practice opportunities.)

In keeping with this research, an elementary extra instructional group size of up to five students is recommended, as it allows students to succeed while providing support which maximizes available resources.<sup>4</sup>

## Extra Instructional Time does not Include Low-Level Courses, Push-In, or Co-Teaching

In many schools, students with academic challenges are placed in courses with lower standards or provided with push-in or co-teaching support during core instruction. These strategies do not provide extra instructional time and often reduce the role of the general education teacher in providing core instruction.

Best practices for students with academic challenges ensure they attend grade-level core content classes and have additional instructional time in their schedules to master prior skills and content. Co-teaching and push-in augment extra instructional time, but not replace it. Extra help courses that address prior skills can be effective but should not replace core instruction for most students.

**A common misconception:** All students who struggle benefit from extra time intervention, including students with disabilities. A common misperception is that only special educators can deliver services and supports to students with disabilities to help them access FAPE. This misconception leads to either excluding students with disabilities from high-quality intervention or duplicating the services and removing the student from other general education instruction. General education staff can provide instruction and supports to address IEP goals. For instance, a general education teacher who is a content expert in math can provide interventions to a student who has an IEP goal that targets a math skill. Students with IEPs can and should receive general education interventions.

MORE OF THIS	LESS OF THIS
<ul style="list-style-type: none"> <li>• intervention is connected to core class instruction</li> </ul>	<ul style="list-style-type: none"> <li>• support during intervention is disconnected from core instruction</li> </ul>
<ul style="list-style-type: none"> <li>• active, hands-on, individualized supports are utilized</li> </ul>	<ul style="list-style-type: none"> <li>• activities are not individualized to match learning styles of each learner</li> </ul>
<ul style="list-style-type: none"> <li>• emphasis on <i>forward movement</i>; goal is for students to <i>learn on time</i> with peers</li> </ul>	<ul style="list-style-type: none"> <li>• emphasis on <i>backward movement</i>; goal is for students to catch up to peers</li> </ul>
<ul style="list-style-type: none"> <li>• foundational skills are hand-picked just in time for new concepts and opportunities to build key prior knowledge are provided ahead of time</li> </ul>	<ul style="list-style-type: none"> <li>• instruction attempts to reteach every "missing" skill or concept</li> </ul>

## Relevant Resources

- [Literacy Library](#)
- [Small Group Instruction](#)

2 Vaughn, S., Denton, C., & Fletcher, J. (2010). Why Intensive Interventions Are Necessary For Students With Severe Reading Difficulties. *Psychol Sch.*, 47(5), 432-444. doi:10.1002

3 Harlacher, J., Sanford, A., & Walker, N. (2015). Distinguishing Between Tier 2 and Tier 3 Instruction in Order to Support Implementation of RTI.

4 Vaughn, S., Wanzek, J., Murray, C. S., Roberts, G. (2012). Intensive interventions for students struggling in reading and mathematics: A practice guide. Portsmouth, NH: RMC Research Corporation, Center on Instruction.

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## INSTRUCTIONAL BEST PRACTICE 3: BOTH CORE INSTRUCTION AND EXTRA INSTRUCTIONAL TIME ARE MORE IMPACTFUL WHEN PROVIDED BY CONTENT STRONG STAFF

Who provides core instruction and extra instructional time matters as much as *how much* core instruction and extra instructional time is provided. It is not sufficient to simply have the right number of full-time equivalents (FTE) in these critical roles, or the right number of minutes. It is important that they have the appropriate skills. Jim Collins in his book *Good to Great* said it best, "It's critical to have the right people on the bus in the right seats."

### Knowing the Content Deeply Improves Instruction and Learning

Research shows that the content expertise of a teacher has significant bearing on the student's likelihood of mastering the material taught. (Hattie, 2013).

Content strong staff can teach concepts multiple ways, identify missing skills, correct misconceptions, and break down complex ideas in ways that are more accessible for students with learning disabilities. Because students with academic challenges have been taught a concept in the past but haven't yet mastered it, the teacher will need multiple means of reteaching the concept. Reteaching material in the same manner may not be beneficial to the students.

Ideally, content strong teachers will be able to infer a student's misunderstanding of a concept. For example, if a student thinks the answer is 7, but it is actually 11, a teacher with deep content expertise could infer that the student divided by 2 in the second step instead of multiplying by 2 and could then pinpoint the instruction to address this misunderstanding.

Extra instructional time is most effective when math is taught by teachers with expertise in math, writing by teachers skilled in teaching writing, and reading by staff specifically trained in teaching reading. This holds true for struggling students both with and without disabilities.

Middle and high school students who struggle academically are in especially great need of teachers with deep content expertise. These students need content presented in multiple ways by staff who can reteach content from many prior grades and can infer specific misunderstandings from wrong answers.

Extra instructional time should be taught by staff with content expertise. Some special education teachers are content strong teachers and are well-equipped to deliver highly-effective content specific support, while others may not be. Special educators have a wide range of expertise including academics, case management, the law, behavior support and more. Few, however, can be expected to have expertise in everything.

#### Indications of content expertise could include

- certification in the subject
- college major in the subject
- extensive professional experience such as engineering for math or journalism for ELA; and
- 9 hours of college or graduate level coursework in the science of reading or ACT 108 training



**CORE INSTRUCTION AND EXTRA INSTRUCTIONAL TIME ARE MORE IMPACTFUL WHEN PROVIDED BY CONTENT STRONG STAFF**

WHY	HOW
<ul style="list-style-type: none"> <li>• have formal training in the content they teach</li> <li>• possess a love and aptitude for the subject matter</li> <li>• able to see a mistake and infer the misconception</li> <li>• can teach a concept three or more ways</li> </ul>	<ul style="list-style-type: none"> <li>• believe that all students, with the appropriate supports, can achieve</li> <li>• participate in teacher collaboration structures</li> <li>• attend professional development on high-quality curriculum</li> <li>• ongoing feedback cycles</li> </ul>

## The Best Indicator of a Content Strong Teacher is Past Student Growth

*Skills, training, and aptitude matter.*

Required skills of the extra instructional time provider should be considered. For example:

- **Elementary teachers of reading:** Teaching students who struggle to read and comprehend well is a skill. At the elementary level, effective teachers of reading may possess different types of certifications, but most have specific training in the science of reading and past success in helping students who struggle to read. Training in the science of reading and related best practices are beneficial to all struggling students, including most students with dyslexia and other disabilities that impact reading. Some content strong staff are certified reading teachers, many are general education classroom teachers, and some are special educators or speech language pathologists. A highly effective teacher of reading can be expected to help struggling readers gain at least 18 months in reading in a single school year, as measured by literacy screeners.
- **Secondary teachers of reading:** Unfortunately, many middle and high school students across the country and the state struggle to read and comprehend. Teaching these students requires specialized training, but the skills needed to teach older students to read differ from those required to teach younger readers. While all students who struggle to read benefit from increasing their background knowledge, this is doubly true for students at the secondary level. Many older students may not need the same emphasis on phonics and phonemic awareness as their younger peers. Their fluency and comprehension will grow as their mastery of relevant background knowledge grows.
- **Content strong secondary math and ELA teachers:** The complexity of middle and high school content has led nearly every secondary school to have general education teachers teach just one subject. Unlike at the elementary level, few would expect a high school teacher to teach English, math, social studies, biology, chemistry and physics. Specialization based on content expertise is the norm. Students who struggle academically at the secondary level will benefit from staff with subject specific training and expertise.

## **Some Special Education Staff are Content Strong Teachers and Others Are Not. That's OK.**

There are special educators who have deep content expertise and are well equipped to provide extra instructional time. Special educators who do not already have content expertise could have the interest and aptitude, but have not been provided the opportunity to develop expertise in a specific subject. Including special educators in general and content specific professional learning communities, instructional coaching sessions, department meetings, and other professional development can increase the number of content experts in a school.

Not all special educators, however, need to be content experts. There are a multitude of other critical responsibilities necessary for the successful implementation of special education programming, such as IEP development, related services, compliance monitoring, and case management. Students and staff are best served when special educators are allowed to work to their strengths and when school systems don't assume every special educator is strong in every subject and aspect of an overly broad job description.

Too often students with disabilities receive extra instructional time from staff who lack content expertise. At times IEPs are written for students to receive extra help from special educators or paraprofessionals even if these staff members lack content expertise or subject specific training. This is not as likely to lead to accelerated learning, closing the achievement gap, or mastery of grade level content. (Nathan et al., 2020).

## **Content Strong General Education Staff Should Play a Major Role in Providing Extra Instructional Time for Students with Disabilities**

Increasing the role of content expert general education staff can improve results for students with disabilities and students with academic challenges.

All students with academic challenges benefit from extra instructional time taught by teachers with content expertise, which includes general education staff. Too often schools and systems incorrectly assume that only a special educator can provide support to a student with an IEP. While special educators have content expertise in some areas, they may not be experts in all subjects. Many schools with successful accelerated learning use content strong general education staff to provide the majority of extra instructional time, including for students with disabilities. The general education teacher maintains frequent collaboration with the special educator to ensure that the students' needs are being supported and met.

For example, middle and high school students with disabilities who struggle in math benefit from extra instructional time with a certified general education math teacher. This may include a math support class in addition to a core math class. Similarly, at the elementary level, a student with an IEP and reading challenges, including most students with dyslexia, can benefit from reading support from a certified general education reading specialist. (Reenie Center for Education Research & Policy, 2009).

Some schools and school systems have assumed that students with IEPs must receive all of their supports from special educators or special education paraprofessionals. This is not an accurate understanding of the requirements. IDEA's emphasis on serving students in the least restrictive environment reinforces the need and right to include students with disabilities in appropriate supports that are available to students without disabilities.

If a general education teacher is providing support to a student with special needs, the special educator continues to play an important role which can be reflected in the IEP as consultation, instead of direct service.

## Small Group Intensive Tutoring Also Requires Content Strong Tutors

Utilizing small group tutoring for extra instructional time to address academic challenges has grown in popularity since the pandemic. This strategy has recently been discussed widely in education journals and has been endorsed by extensive research and LDOE guidance. (National Student Support Accelerator. (n.d.). <https://studentsupportaccelerator.com/research/to-date>).

Some have assumed that tutors can be a typical paraprofessional or community volunteer. While a few effective tutoring models use non-certified staff, it is important to note that such staff are usually college students or recent college graduates with deep content expertise in relevant fields. For example, tutors who are college students majoring in math or engineering might support math, while English or history majors might support ELA and writing.

When staffing tutoring, the following hierarchy can best ensure skilled staff members are supporting students with disabilities or academic challenges:

1. Content strong certified teachers
2. LDOE approved vendors
3. College graduates with specific, relevant expertise
4. Current college students with specific, relevant expertise
5. Well trained and closely supervised paraprofessionals (although, their impact is marginal compared to options 1, 2, 3, and 4)

## Paraprofessionals Should Not be Tasked with an Instructional Role Exceeding their Training and Expertise

Paraprofessionals play an important role in the lives of many students with disabilities. They support inclusion, manage behaviors, monitor health and safety issues, and serve students with severe special needs. Across the state, however, many paraprofessionals are charged with helping address academic challenges in reading, math, and ELA for students with special needs.

Some paraprofessionals are, in fact, content strong. They possess the requisite training and content expertise and are, of course, appropriate to provide academic support. However, paraprofessionals lacking deep content expertise should not be expected to provide extra instructional time or other academic supports.

## IEP Language Must Support the Best Practices

For students with special needs, language used in their IEPs can unintentionally impact their learning trajectory and, ultimately, achievement outcomes both in the short and long term. Although IEPs are intended to describe the *who*, *what*, *when* and *how* services are to be delivered, traditional IEP writing practices can undermine best practices. The service table or grid shown in IEPs are often limited to small spaces and checkboxes to document services, providers, start and end dates, and service minutes. For this reason, special educators should use the "comments" section of the LDOE IEP forms to describe in more detail the types of services provided, by whom, and the reasoning behind the decisions.

## Sample Statement of Service Delivery Language in IEPs:

- › Given (student's) learning disability in the reading areas of phonemic awareness, fluency, and comprehension, the reading specialist will provide extra reading support (30 minutes/daily) outside core instruction in reading and math. The special education teacher will serve in an indirect consultative role with (student's) general education teacher and reading specialist for 15 minutes/week to review progress and adjust practices, if necessary.
- › (Student) will receive 100% of core reading and math instruction daily with special education and related services provided at other times.
- › (Student) will participate in the high school's "38th week" summer program, which is an intensive week-long program intended to help students gain high school credits for catch-up and/or acceleration purposes. This summer program is available to all students who wish to participate, including students with special needs, and will include intensive intervention support as needed.
- › (Student) will be pulled out daily for 30 minutes of math intervention, focusing on operations, measurement, and algebraic thinking. The student will not be pulled from core math class while receiving additional math intervention support outside the general classroom to prevent interruption of new learning.
- › Phonemic awareness skills will be taught by the speech-language pathologist and a reading specialist in addition to 100% of core reading and math.
- › During the school's 45-minute WIN (What I Need) block available to all children, (student) will receive extra reading support by content interventionists or a general education teacher. The special education teacher will consult with these interventionists regularly, at least 60 minutes monthly.
- › (Student) will be enrolled in the Math Lab course, taught by a general educator qualified in teaching math, with twice monthly progress checks conducted by the special education teacher to determine program effectiveness and adjustments, if needed. This is in addition to grade level core math class.
- › A college student majoring in math or sciences will provide high school math tutoring outside core math instruction to (student) for 60 minutes on Tuesdays, Wednesdays, and Thursdays with regular progress checks by the special education teacher on a bi-weekly basis.
- › Communication skills taught by the speech-language pathologist will be reinforced by the assigned classroom aide who is trained on the techniques required to support (student's) skills in the natural classroom setting.
- › Math instruction in (student's) classroom utilizes a small-group rotated approach intended to pin-point the math-related needs of all the students; therefore, specially designed instruction conducted by the grade 3 team of general educators will address direct math services during the fall semester. This approach will be reviewed, along with the student's progress, on a regular basis by the special education teacher through consultation (30 minutes/monthly).
- › Due to significant regression of reading skills over prolonged breaks from instruction, (student) qualifies for the Extended School Year (ESY) summer program that will focus primarily on maintaining reading skills as taught by the reading specialist. Progress checks will occur throughout ESY.

**A Caution:** It's important to avoid writing in generic "special education minutes" in IEPs. Special education should not be treated as a subject of its own and IEP language should clearly define the content area or skill-gap that needs to be addressed.

This playbook aims to ensure all students with disabilities can thrive in Louisiana and reach their full potential. These research-based instructional best practices set the foundation for the services and supports needed to greatly accelerate learning for students with disabilities.

Implementing this guidance will require the efforts, skills, and leadership of cross-departmental teams and will take time.

## Relevant Resources

- [Content Leader](#)
- [Literacy Professional Growth](#)

# HOW IDEA REGULATIONS SUPPORT THE SPECIAL EDUCATION PLAYBOOK BEST PRACTICES.

The ideas in this playbook are based on three research-backed principles:

1. Students who struggle benefit from high-quality core instruction and curricula.<sup>5</sup>
2. Most students who struggle academically need extra instructional time and support.<sup>6</sup>
3. Students who struggle benefit from having both core and academic intervention teachers who have content expertise, interest, aptitude and training in the subjects they teach.<sup>7</sup>

These principles are important for all students who need additional academic supports, including students with disabilities who are entitled to a free appropriate public education that, to the maximum extent possible, ensures access to the general education curriculum in regular classrooms.<sup>8</sup>

Sometimes, however, misunderstandings about federal special education rules drive practices that are inconsistent with the above principles. This document summarizes the IDEA regulations that are relevant to the LDOE Special Education Playbook for System Leaders and highlights how current IDEA regulations can support more effective services for students with disabilities. This document was developed with support from Federal Education Group.

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## 1. IDEA AND THE IMPORTANCE OF HIGH-QUALITY CORE INSTRUCTION

The federal Individuals with Disabilities Education Act (IDEA) is based on decades of research that shows education for students with disabilities is more effective when they have access to the general education curriculum in the regular classroom.<sup>9</sup> Accordingly, IDEA requires that students with disabilities be educated in the [least restrictive environment](#) and provided with [services, aids, and supports needed to access the general curriculum](#).

### 1a. Educating Children with Disabilities in the Least Restrictive Environment

IDEA has a strong preference for educating students with disabilities in regular classes with appropriate aids and supports.<sup>10</sup> To the maximum extent possible, students with disabilities:

- Must be educated with nondisabled students, and
- May only be removed from general education settings if the nature or severity of the student’s disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.<sup>11</sup>

A student with a disability may not be removed from education in age-appropriate regular classrooms solely because of needed modifications in the general education curriculum.<sup>12</sup>

Accordingly, IEP teams must consider what supports are needed to enable students to be involved in, and make progress in, the general education curriculum.<sup>13</sup> They must also specifically explain the extent to which students will be removed from the regular education classroom.<sup>14</sup>

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5 See Section 2.1 of LDOE’s [Staffing and Scheduling Best Practices Guidance](#).

6 See Section 2.3 of LDOE’s [Staffing and Scheduling Best Practices Guidance](#).

7 See Section 2.4 of LDOE’s [Staffing and Scheduling Best Practices Guidance](#).

8 [20 U.S.C. §§ 1400\(c\)\(5\), 1412\(a\)\(5\), 1414\(d\)\(1\)\(A\)\(i\)\(II\)\(aa\)](#).

9 [20 U.S.C. § 1400\(c\)\(5\)](#).

10 See <https://sites.ed.gov/idea/topic-areas/#LRE>.

11 [20 U.S.C. § 1412\(a\)\(5\)](#), [34 CFR § 300.114\(a\)\(2\)](#).

12 [34 CFR § 300.116\(e\)](#).

13 [20 U.S.C. § 1414\(d\)\(1\)\(A\)\(i\)\(IV\)\(bb\)](#), [34 CFR § 300.320\(a\)\(4\)\(ii\)](#). IDEA does not define the term “general education curriculum,” but ED regulations consider it to be “the same curriculum as for nondisabled children.” [34 CFR § 300.320\(a\)\(1\)\(i\)](#). For more information about ED’s interpretation of “general education curriculum” please see U.S. Department of Education, [OSERS Policy Guidance on Free Appropriate Public Education](#), 2015. This will be referred to as [ED 2015 FAPE Guidance](#) for the rest of this document.

14 [20 U.S.C. § 1414\(d\)\(1\)\(A\)\(i\)\(V\)](#), [34 CFR § 300.320\(a\)\(5\)](#).

In practice, this means IEP teams should generally start with the premise that students with disabilities will remain in regular education classrooms with access to the same curriculum as their nondisabled peers unless the nature or severity of a student’s disability warrants otherwise.

IEP teams, for example, have the authority to stipulate, when they believe it is appropriate, that students receive 100% of core reading and math in order to provide for students with disabilities to remain in regular education classrooms to the maximum extent possible. Care should be taken to not remove students from critical general education instruction to receive special education services, if possible.

Of course, IEP teams may decide a student with disabilities needs additional supports outside of the general education classroom. Such supports should still be designed to ensure access to the general curriculum, and as discussed below, they can be aligned to supports provided to other students with similar needs where appropriate.

## Ib. Services, Aids, and Supports to Ensure Access to the General Curriculum

To ensure students with disabilities can remain in regular education classrooms to the maximum extent possible it is vital they can access appropriate services, aids, and supports in those classrooms.<sup>15</sup> This is a key part of providing a free appropriate public education (FAPE) to students with disabilities, which requires access to the general curriculum as follows:

- **FAPE** means special education and related services that (1) are provided at public expense, under public supervision, and without charge, (2) meet state standards and IDEA requirements, (3) include an appropriate preschool, elementary school, or secondary school education, and (4) are provided consistent with an IEP that meets legal requirements.<sup>16</sup>
- **Special education** is specially designed instruction, at no cost to the parents, to meet the unique needs of a student with a disability.<sup>17</sup>
- **Specially designed instruction** means adapting... the content, methodology, or delivery of instruction to address the unique needs of a student with disabilities so the student can access the general curriculum.<sup>18</sup>
- **Related services** means transportation and the developmental, corrective, and other supportive services required to assist a child with a disability to benefit from special education.<sup>19</sup>

In other words, a key part of FAPE is adapting what and/or how a student with a disability is taught and supported so the student can access the general curriculum.<sup>20</sup>

**FAPE requires that students with disabilities receive specially designed instruction (SDI), but SDI can include practices that are provided to students without disabilities.**

FAPE-related adaptations can occur in a variety of settings, including general education classrooms,<sup>21</sup> but it is a common misperception that services provided through the regular education program in regular education settings cannot be considered special education, specially designed instruction or related services. This misperception is not correct. As ED has clarified:

The fact that some services may also be considered “best teaching practices” or “part of the school system’s regular education program” does not preclude those services from meeting the definition of “special education”

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15 [20 U.S.C. § 1400\(c\)\(5\)\(D\)](#).

16 [20 U.S.C. § 1401\(9\)](#), [34 CFR § 300.17](#). See also [ED 2015 FAPE Guidance](#).

17 [20 U.S.C. § 1401\(29\)](#), [34 CFR § 300.39](#).

18 [34 CFR § 300.39\(b\)\(3\)](#).

19 [20 U.S.C. § 1401\(26\)](#), [34 CFR § 300.34](#).

20 This also applies to students with the most significant cognitive disabilities who are able to participate in the general curriculum when provided with specially designed instruction, as well any needed related services, supplementary aids, and services. These students can succeed in learning academic content aligned to their chronologically age-appropriate grade-level content standards and adapted to alternate achievement. In other words, the content is the same, but at a less complex performance expectation. See, for example Ricki Sabia et al., [Providing Meaningful General Education Curriculum Access to Students with Significant Cognitive Disabilities](#), 2020.

21 As noted in the section discussing [Least Restrictive Environment](#) above, students with disabilities may only be removed from the regular educational environment “if 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.” [20 U.S.C. § 1412\(a\)\(5\)](#), [34 CFR § 300.114\(a\)\(2\)\(ii\)](#). LEAs must have a continuum of placements available, including instruction in regular classrooms. [34 CFR § 300.115\(b\)](#).



or “related services” and being included in the child’s IEP. The LEA must provide a child with a disability specially designed instruction that addresses the unique needs of the child that result from the child’s disability, and ensures access by the child to the general curriculum, even if that type of instruction is being provided to other children, with or without disabilities, in the child’s classroom, grade, or building.<sup>22</sup>

IEP teams are responsible for determining what services and supports are needed to meet a student’s individual needs, but they can choose – and include in the IEP – services delivered through the regular education program (like adapting instruction in general education classrooms). IEP teams can note where those services and supports will take place and the individual responsible for the services.

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## 2. IDEA AND THE IMPORTANCE OF EXTRA TIME AND SUPPORT FOR STUDENTS WITH DISABILITIES

Many students, particularly in light of the pandemic, will need extra intervention and support to master learning. Often, students with disabilities benefit from the same interventions and supports as their nondisabled peers, but it is a common misperception that the services provided to students with disabilities must be different from those provided to other students. This misperception is not correct but stems from confusion around two IDEA principles – (1) meeting the unique needs of students with disabilities and (2) supporting the “excess cost” of special education.

### Meeting the Unique Needs of Students with Disabilities

As noted above, a key part of FAPE is providing students with disabilities specially designed instruction to meet their unique needs. This is often interpreted to mean FAPE services are limited to those that are exclusively provided to students with disabilities and no others. In other words, many believe that a service delivered to students with disabilities cannot be considered a special education service if also delivered to students without disabilities. This is not correct. As noted above, ED has clarified that a service can be considered a special education service, and included in an IEP, even if nondisabled students receive the same service.<sup>23</sup>

Consider this example from ED:

- A school has three students with disabilities whose IEPs call for five hours of specialized reading instruction per week.
- The school has two additional students without disabilities who would benefit from the same instruction.
- The school can group all five students together even though it would mean students with and without disabilities receive the same instruction.<sup>24</sup>

In practice, this means schools can provide the same interventions to students with similar academic needs regardless of disability status without violating IDEA rules. Please see [LDOE Special Education Playbook](#) for recommendations on structuring and delivering best practice interventions.

Please note that, generally, IDEA cannot pay the full cost of an intervention provided to both students with and without disabilities.<sup>25</sup> As discussed in more detail below, however, an LEA could use IDEA, Part B funds to provide an intervention to a student with disabilities and use another funding source to provide the same intervention to a nondisabled student. See the related document LDOE guidance on use of funds for a more detailed discussion.

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22 U.S. Department of Education, [Letter to Chambers](#), 2012, p. 2. This will be referred to as [ED Letter to Chambers](#) for the rest of this document.

23 [ED Letter to Chambers](#).

24 U.S. Department of Education, [Letter to Couillard, 2013](#). This will be referred to as [ED Letter to Couillard](#) for the rest of this document.

25 See, however, page 2 of [ED Letter to Couillard for a scenario where an IDEA-funded special educator could deliver an intervention to a mixed group of students with and without disabilities](#).

## The Principle of “Excess Cost”

IDEA includes spending rules to ensure LEAs use IDEA funds to expand services for students with disabilities rather than replace the state and local money they would otherwise spend on such students.

One of these rules is known as the “excess cost” rule, and it requires LEAs to spend, on average, the same amount of non-IDEA money on children with disabilities as they spend on children in the LEA as a whole.

This rule, however, is often misinterpreted to mean each IDEA-funded service provided to a student with a disability must be “excess” and that a service cannot be considered to be “excess” if a nondisabled student receives the same service. As a result, LEAs will often use different interventions for students with and without disabilities.

The term excess cost, however, does not refer to whether any particular service or expense is “excess.” Instead, excess cost is defined as the costs to educate students with disabilities that are above and beyond what an LEA spends, on average, to educate students generally.<sup>26</sup> In other words, LEAs spend a certain amount of money to provide services to all students. Students with disabilities need extra supports that generate additional costs for LEAs. IDEA is meant to help defray these additional costs, not the entire cost of educating a student with a disability.<sup>27</sup> Determining excess cost is done through a process that looks at an LEA’s aggregate spending.<sup>28</sup> It is not determined by looking at individual expenses.

An LEA could, for instance, use IDEA funds to deliver a reading intervention for students with disabilities and use another funding source to deliver the same reading intervention to other struggling readers. The LEA could also hire a reading specialist to work with all struggling readers with a combination of IDEA and other funds.<sup>29</sup>

## Supplement not Supplant

Another IDEA spending rule, known as supplement not supplant, is also often misinterpreted to mean IDEA-funded services for students with disabilities must be different from services provided to other students. The supplement not supplant rule requires LEAs to use IDEA funds to add to (supplement) the state, local, and other federal funds spent for special education and related services to students with disabilities, not to replace (supplant) those funds.<sup>30</sup> LEAs comply with IDEA’s supplement not supplant requirement by meeting IDEA’s maintenance of effort (MOE) obligations.<sup>31</sup> In other words, an LEA that satisfies MOE satisfies supplement not supplant as well. There is no separate supplement not supplant test for IDEA, and unlike some other ED programs, LEAs do not have to show individual IDEA-funded activities are supplemental.<sup>32</sup>

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26 [34 CFR § 300.16](#).

27 The excess cost requirement does not prevent an LEA from using IDEA, Part B funds to pay for the entire cost of educating a child with a disability aged 3-5 or 18-21 if the LEA does not use state and/or local funds to provide services to non-disabled students in those age ranges. [34 CFR § 300.202\(b\)\(1\)\(ii\)](#). In other words, if the LEA does not normally serve students in those age ranges but serves a student with disabilities solely because of the LEA’s responsibilities under IDEA, Part B, the LEA may use IDEA, Part B funds to pay for the entire cost of educating a student in that age range.

28 [34 CFR § 300.16](#), [34 CFR § 300.202\(b\)\(2\)](#). See [Appendix A](#) of the IDEA, Part B regulations for an example of how to calculate excess cost.

29 [ED Letter to Couillard](#). See also U.S. Department of Education, [Letter to Chief State School Officers on Granting Administrative Flexibility for Better Measures of Success](#), 2012, specifically [Enclosure B](#) which provides an example of how an LEA could split an instructional aid’s salary between IDEA and other funding sources without triggering overly burdensome paperwork requirements. Although this guidance is archived on ED’s website and is based on a prior version of the regulations governing time and effort, in a 2015 document about the new regulations, ED advised the 2012 guidance is still valid. See U.S. Department of Education, [Questions and Answers Regarding 2 CFR Part 200](#), Question 7.

30 [20 U.S.C. § 1413\(a\)\(2\)\(A\)\(ii\)](#), [34 CFR § 300.202\(a\)\(3\)](#).

31 See, for example, U.S. Department of Education, [Letter to Kennedy](#), 2009.

32 For example, the federal guide auditors use to review local compliance with federal requirements as part of an annual process known as a Single Audit, says supplement not supplant is “not applicable” to local level IDEA, Part B spending. Office of Management and Budget, [2 CFR Part 200, Appendix XI, Compliance Supplement](#), 2022, p. 4-84.027-10.

### 3. IDEA AND THE IMPORTANCE OF CONTENT STRONG TEACHERS FOR STUDENTS WITH DISABILITIES

As noted in LDOE’s [Staffing and Scheduling Best Practices Guidance](#) and *LDOE’s Special Education Playbook for System Leaders*, research shows an instructor’s content expertise has significant bearing on the likelihood a student will master material. IDEA recognizes this and puts a strong emphasis on ensuring all personnel who work with students with disabilities have the skills and knowledge necessary to improve student outcomes.<sup>33</sup>

A common misperception is that only special educators can deliver services and supports to students with disabilities to help them access FAPE. Under IDEA, special education services and supports listed in a student’s IEP can be delivered by any trained personnel that meet state qualification requirements.<sup>34</sup> Nothing in state requirements prevents general education staff from providing IEP services.

Importantly, LEAs must ensure that personnel providing IDEA services are appropriately and adequately prepared consistent with state personnel qualification standards.<sup>35</sup> For special education teachers, this includes, among other things, ensuring teachers meet state certification and licensure requirements which cannot be waived on an emergency, temporary, or provisional basis.<sup>36</sup> There are also qualification considerations for related service providers and paraprofessionals.<sup>37</sup> Other staff can also support students with disabilities as long as they are appropriately and adequately prepared and trained consistent with state qualification requirements. As ED explains:

[IDEA] does not require general education teachers who teach children with disabilities to be certified in special education. Further, the legislative history of the Act would not support these changes. Note 21 in the U.S. House of Representatives Conference Report No. 108–779 (Conf. Rpt.), p. 169, clarifies that general education teachers who are highly qualified in particular subjects and who teach children with disabilities in those subjects are not required to have full State certification as a special education teacher.

For example, a reading specialist who is highly qualified in reading instruction, but who is not certified as a special education teacher, would not be prohibited from providing reading instruction to children with disabilities.<sup>38</sup>

In other words, a variety of trained personnel can support students with disabilities as long as consistent with federal and state standards.

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33 [20 U.S.C. § 1412\(a\)\(14\)](#).

34 IDEA requires SEAs to establish and maintain qualifications to ensure personnel carrying out IDEA activities are appropriately and adequately prepared and trained, including that those personnel have the content knowledge and skills to serve children with disabilities. [20 U.S.C. § 1412\(a\)\(14\)](#), [34 CFR § 300.156](#). Please note that personnel who work with both students with disabilities and nondisabled students generally cannot have their entire salary supported with IDEA funds. IDEA can only pay for the portion of time spent on special education or related services.

35 [20 U.S.C. § 1413\(a\)\(3\)](#), [34 CFR § 300.207](#). See also U.S. Department of Education, [Memorandum: OSEP 22-01 – Personnel Qualifications under Part B of the Individuals with Disabilities Education Act \(IDEA\)](#), October 2022.

36 [20 U.S.C. § 1412\(a\)\(14\)](#) (as amended by ESEA, Sec. 9214(d)), [34 CFR § 300.156\(c\)](#).

37 [20 U.S.C. § 1412\(a\)\(14\)](#) (as amended by ESEA, Sec. 9214(d)), [34 CFR § 300.156\(b\)](#).

38 [Assistance to States for the Education of Children with Disabilities and Preschool Grants for Children with Disabilities; Final Rule](#), 71 Fed. Reg. 46540, August 14, 2006, at p. 46556. This language is from commentary ED published in the Federal Register together with the 2006 IDEA regulations. It includes a reference to “highly qualified” teachers, a federal teacher qualification standard that is no longer in effect. (For more background on this change, please see [Assistance to States for the Education of Children With Disabilities and Preschool Grants for Children With Disabilities Program; Early Intervention Program for Infants and Toddlers With Disabilities](#), 82 Fed. Reg. 29755, June 30, 2017.)

# BEST PRACTICE IMPLEMENTATION FAQs

## 1. HOW CAN SCHOOL SYSTEMS AND SCHOOLS FIND TIME IN THE DAY FOR EXTRA TIME INTERVENTION?

Daily extra instructional time is critical to helping students who struggle academically catch up. However, extra time intervention requires extra time, and often it can't just be shoehorned into current schedules. There are a number of options to create time in the day for this best practice support.

### 1a. Repurpose time already in the IEP.

Many IEPs already have extra time requirements that have already been scheduled. Often students with disabilities already have in their schedule time for resource room, study skills or other pullout services in their IEP. Rather than looking for more time in their schedule, the extra time intervention with a content strong teacher should, when appropriate, replace this time. The "simple" solution is to amend the IEP to include the second period of math or English or reading support instead of the resource room or other pullout time already devoted to academic support.

The most common misstep is forgetting that extra time best practice intervention is often a replacement of current practice, not in addition to existing services.

Since time in a student's schedule is both limited and precious, it can be helpful to evaluate all existing services as part of finding time for extra time intervention. Sometimes IEP teams, intending to do the best for students, consider the value of adding services, without weighing the demands on a student's schedule. For example, as a student ages, IEP teams often discuss whether related services should continue for another year, be scaled back or eliminated. Sometimes the thinking is to continue for another year, because it would be helpful. And it would be, but what will the student miss as a result?

The IEP team could ask, "What will the student miss while receiving each IEP service?" It is sometimes assumed that IEP services just get woven into the daily schedule when in fact it is a juggling act to determine how a student will maintain access to core instruction and also receive other services. When there is a focus on both what will be lost and what will be gained, more informed decisions can be made.

### 1b. Schedule content-specific intervention courses during existing WIN or Flex blocks.

Many elementary schools already have a daily What I Need (WIN) block built into the schedule for all students, and middle and high schools may have a grade or school wide flex block or other general academic support period. For students with disabilities, this time is often used for pull out support into a resource room or study skills class, or as informal drop in support across a variety of subjects. By scheduling content-specific intervention courses during this time (such as phonics support at the elementary level or Algebra I lab at the secondary level), students with disabilities and other students who struggle are able to get targeted extra time to learn without missing any core instruction time.

### 1c. Avoid double blocking English or Math for all students and run intervention for only those that need it instead.

At the middle school level, some schools will choose to run a double block of math or English for all students as a way to provide extra time on these core subjects. While a double block does provide additional time to learn, it is a very staff-intensive strategy and assumes that all students need extra time in those subjects. Instead, schools can repurpose this extra time and redeploy the staff teaching these sections to run subject specific intervention classes for students with designated need only. Teachers can use this time to go back and teach prior year content or fill in missing skills for students who need it, while students who do not need additional support take other more relevant classes or receive enrichment.

## **Id. Replace an elective or non-core class to free up time for extra time intervention when appropriate.**

At the secondary level, intervention time can be scheduled in place of an elective or non-core subject, such as foreign language, art, or music.

Many IEP teams don't want to take from a student the "fun" part of the day. A common lament is, "We don't want to take away the very course they look forward to most. It's why they come to school!" And yes, IEP teams should avoid taking away from students the class they most enjoy. But too often, teams assume they know what students enjoy most.

For students struggling academically, middle school foreign language is not often their most favorite class. And while some students really love art or music, others don't care for one of these subjects or the other. It's best to ask the student what they would prefer to miss in order to receive the extra time intervention they need.

IEP teams can balance the interests and passions of students, while also providing the life changing supports they need.

## **Ie. In high school, delay taking a subject that doesn't require 4 credits to graduate.**

At the high school level, intervention during 9th and 10th grade can be scheduled by delaying subjects that do not require four credits for graduation. For example, the TOPS University Diploma in Louisiana requires only 2 units of foreign language, so a student could delay scheduling Spanish until 10th or 11th grade. For students pursuing the TOPS Tech (Career) Diploma, only 2 units of science and social studies are required, and no foreign language units are required.

By delaying some of these courses until later in high school in favor of intervention courses, students can first master the foundational content that will set them up for success in later years. Very often students with disabilities have packed schedules in grades 9 and 10, but study halls in their last two years. A better gap-closing approach is to frontload the extra time intervention at the start of their time in high school.

**An important note about credits:** Sometimes guidance counselors and others push back on this strategy, fearing that students might not earn enough credits to graduate if they reduce the number of credit bearing courses they take in grades 9 or 10. This assumes the extra time intervention isn't credit bearing. While special education resource room doesn't earn a credit, extra time intervention can be treated as a course and be credit bearing.

## **If. Don't schedule extra time intervention before or after school.**

One plan for finding extra time that means well, but seldom achieves well, is the before or after school option. It's an easy, don't rock the boat solution, adding without having to subtract or delay. Unfortunately, this outside the regular day approach messages to teachers and students alike that it's not that important and it's okay if some kids don't get it due to lack of transportation or other commitments. A better variation on this theme is to offer the missed elective or delayed course before or after school, and the intervention during the day.

## **Ig. Create larger groups, paired with grouping students by common area of need to ensure sufficient staff.**

Sometimes, it's the teacher's schedule that limits the ability to schedule extra time intervention or provide it for all the students who need it. Teachers and interventionists only have so much time in the day, and many schools focus on serving students in very small groups for intervention (i.e. 2-4 students per group). A hyper focus on keeping groups small can limit the number of students each teacher can help in a day or week. It also puts the focus on group size, rather than student need. By creating slightly larger sized groups, but ensuring groupings are based on students' academic needs, the instruction can be more targeted, more impactful, and easier to plan and deliver. It also expands the capacity of teachers and allows the same number of teachers to support more students in the same amount of time.

At the elementary level for example, WIN blocks should focus on grouping students by specific need. This might result in a teacher working with five students who struggle in phonics rather than a slightly smaller group of three students with one struggling in phonics, one with fluency, and one with comprehension. Since extra instructional time for academic challenges should target the specific needs of the students, narrowing the range of needs in the room can be beneficial for students and teachers alike, all while expanding the reach of these same teachers. This approach likely requires a partnership between the school principal and central office. While this can't be done unilaterally by special education directors, they can and should champion this effort through a cross functional team.

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## 2. HOW CAN SCHOOLS BEST USE SPECIAL EDUCATORS TO PROVIDE SUPPORT IF THEY ARE NOT CONTENT-STRONG?

Special educators are talented, hardworking, and asked to do more than almost anyone else in a school. However, no one can be an expert at everything, and it's unrealistic to assume all special educators have deep content expertise in everything. The fact that not all special educators are content strong teachers isn't a bad thing, but ignoring this reality is.

Some school systems have been reluctant to shift IEP supports to content strong staff, including general education teachers, for fear that the non-content strong staff will be underutilized. Students and adults both will benefit from assigning only content strong staff to academically support students with mild to moderate special needs.

### 2a. Allow staff to play to their strengths.

This solution is deceptively straightforward and greatly appreciated by special educators. Let staff play to their strengths. Sure, we all have some aspects of our jobs we don't love, but for at least 80% of every day staff should be able to focus on what they enjoy and have the requisite skill and aptitude to support. The four most common areas of specialization are:

**Academic content/Academic intervention:** Some special educators are well prepared to support student academic learning. Allowing specialization within academics also helps. Some will focus on reading, others math and others writing, for example.

**Behavior support:** Whether it's identifying the root cause of a student's outbursts, conducting an FBA or helping classroom teachers prevent problematic behavior before it happens, some staff want to focus on addressing behavioral needs of students.

**Case management:** Managing the IEP process from assessment, to writing the IEP to scheduling meetings and ensuring full compliance is important. Some staff thrive on this part of the job and are better than others.

**Pedagogical coaching:** A key skill of many special educators is how to modify instruction, design accommodations, scaffold content and other teaching and learning practices. Some staff are well suited to help build the capacity of their general education peers and collaborate with general educators to ensure students get the needed support to be successful in the general education curriculum.

The process for allowing staff to play to their strengths usually takes two paths. For existing staff, just ask. If you create a safe environment, they will self-identify their strengths and areas of expertise. Sometimes, there may not be a good balance, such as too many want to do the IEP process and reading, not enough want behavior or math. Over time, through attrition and hiring, a better balance between need and interest occurs.

### 2b. Targeted hiring.

The second path is through targeted hiring. Rather than post for a special educator or school psychologist, post for a special educator to manage IEPs or a school psychologist to spend 80% of their time counseling. Staff will self-select for the roles they want, the school system gets teachers with the appropriate expertise, and turnover diminishes. Interestingly, the number of applicants often increases because playing to your strength is very appealing.

In a time of growing special educator shortages and a long-standing shortage of special educators with deep math content expertise, targeted hiring of general education certified staff to provide academic support to students with mild to moderate disabilities can also address both the shortage issue as well as the need for content strong teachers. Remember, general education certified teachers can provide IEP services. See the full IDEA regulation analysis in the appendix for more details.

One school system that very successfully implemented the best practices outlined in the playbook hired a number of general education reading and math teachers to backfill when a special educator retired or moved away. This allowed more of the special education team to play to their strengths, since too few special educators expressed an interest in specializing in math or reading.



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### 3. HOW CAN SCHOOL SYSTEMS AND SCHOOLS EFFECTIVELY BUILD THE CONTENT EXPERTISE OF SPECIAL EDUCATORS?

Finding enough content strong staff to support all students who are struggling is difficult, especially during a time of staffing shortages. Fortunately, schools can help build the content expertise of many of the special education teachers already working in the school system.

Not all special educators will be interested in building their content expertise, so it's important to first identify the teachers and staff who are willing and interested in building their content expertise capacity and in what academic areas.

Building the content expertise of special educators is a long-term commitment—it cannot be done in a few days or a few professional development sessions. It will require dedicated time and training in the high quality curriculum and ongoing coaching and support as part of Teacher Collaboration on behalf of both the teachers and the school system. General education math teachers, for example, spent years studying and applying math concepts in college to become a content expert.

It's also important to consider which content areas are most practical to build content expertise. Content expertise is easiest to build in elementary reading and writing, and much harder to do in math.

To be content strong in teaching reading, teachers will need the equivalent of 12 college level semester hours in reading instruction in order to build their content expertise.

Special educators must have a baseline interest and aptitude for math if they wish to become a content strong math teacher, and they must have training in the high-quality math curriculum. For secondary math, where the content is even more complex, the ability to become a math content expert typically aligns with high levels of mastery in high school or college math classes.

Some secondary staff will already have both an interest and basic aptitude in a particular content area. These teachers should be allowed to focus on that one subject and should be integrated into the content department (the math department, for example). These teachers should join the team for all professional development, department meetings, teacher collaboration, and trainings.

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### 4. HOW CAN STUDENT IEPs REFLECT AND SUPPORT THE BEST PRACTICES?

When school systems decide to develop, expand and implement the playbook's best practices, the most commonly voiced obstacle is, "Well these might be helpful, but they aren't in the IEP so we can't provide them." In many school systems, students without disabilities are more likely to access best practice interventions than students with disabilities because student's IEPs were written for the old services and supports, not the new practices.

While it's certainly true that IEP services can't be ignored or changed unilaterally, these are not reasons to deny students with disabilities best practice supports and access to high quality teaching and learning. IEPs can and should be changed, alongside the IEP team, if more effective and more appropriate supports are available. In fact, if general education interventions such as reading groups or double dose math classes are available and appropriate, it can be a denial of the least restrictive environment if students with disabilities aren't included in these supports. Without updating IEPs to reflect the current best practices, many students will unintentionally be left out from these services and supports.

#### 4a. Share the best practices widely.

Before any IEPs are changed or discussions with IEPs teams take place, school system leaders should communicate the best practices clearly and widely across the school system. It can be challenging if staff are considering changing IEPs and first hear about the best practices during an IEP meeting. It's best to share and discuss these best practices well before the IEP meetings are scheduled. This is often accomplished through road shows where school system leaders meet with each school's faculty to explain the new practices, why they're needed, and what their expectations are for adoption. These road shows are most impactful if led by the principal, chief academic officer, and special education director as a team. This will ensure a consistent message from school to school, highlight the importance of the effort to the school system, and emphasize that it is a cross-departmental initiative.

## 4b. Changing students' IEPs.

### **Option 1: Change many IEPs at once in the spring for the start of the next school year.**

After the best practices and upcoming program changes have been communicated clearly and widely within the school system, the next step is to begin communicating with parents. School system and building leaders can inform all relevant families that their child could benefit from the new services and suggest the change to the IEP for the start of the next school year. Principals are often the best spokesperson to communicate this change to parents because national studies have repeatedly shown that principals are the most trusted spokesperson in a school system. While all administrators are trustworthy, research has shown that sometimes families worry that central office leaders might be recommending changes due to budgeting or staffing constraints.

To streamline this process, IEP teams can opt to amend the IEP rather than redrafting the entire IEP and give parents the option to approve these changes without the need for a meeting. Louisiana's IEP Handbook for Students with Exceptionalities outlines that when amending an IEP, the parent of a student with a disability may agree not to convene an IEP Team meeting for the purposes of making the changes, instead may sign a waiver agreeing to amend or modify the student's current IEP, and receive a revised copy of the IEP with the amendments incorporated once the changes have been made.<sup>39</sup> This waiver is often included in the Letter of Prior Notice of Proposed or Refused Action by the Local Education Agency that is already sent to parents.

When the communication is clear, consistent, and thorough, school systems can expect 80%–90% of parents/guardians to sign the waiver without the need for a meeting.

It's important to remind parents that IEP changes will never be done without their approval and that those who want to meet to discuss the options in more detail will have the opportunity to do so.

### **Option 2: Change IEPs as they come in normally during the school year, but have IEP services differ over two timeframes.**

It is impractical to have some student schedules change every day of the year or to constantly add and remove students from interventions. Often the transition to new service offerings will start at the start of a new school year. This eases implementation of new approaches but it complicates IEP writing. What services should be written into an IEP that runs from January to December, for example?

Rather than have two IEP meetings, one in December and then another in the spring, it's better to have one IEP cover two explicit timeframes. For example, the IEP could say to provide current practice services from January to May and then state that come August the supports and services will switch to the new best practices. This allows for multiple students to shift to new services at once, even if IEP meetings take place over many months. This also eliminates the need to have a second IEP meeting.

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## **5. ARE THESE PRACTICES RELEVANT FOR STUDENTS WITH SIGNIFICANT COGNITIVE DISABILITIES?**

The instructional best practices outlined in this playbook are most appropriate for students who struggle academically, including those with mild to moderate disabilities such as specific learning disabilities. Roughly 95% plus of students with disabilities have mild to moderate disabilities. Students with cognitive disabilities, including mild cognitive disabilities or severe needs may benefit from some of these best practices and school systems are encouraged to implement these practices with those students to the maximum extent possible, but those students will often benefit from other services and supports that differ from the best practices outlined in this document as well.

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39 Part XCVII. Bulletin 1530—Louisiana's IEP Handbook for Students with Exceptionalities, §113

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## 6. CAN THE PLAYBOOK BEST PRACTICES BE USED FOR STUDENTS WITH DISABILITIES GIVEN THE IDEA REQUIREMENT FOR SPECIALLY DESIGNED INSTRUCTION?

Many teachers agree with the best practices in theory but often worry if they are allowed under the law. One of the main concerns cited is the requirement to provide specially designed instruction (SDI) for students with special needs.

### Imagine the following situations:

The school system has purchased a phonics intervention program, and the program is both research-based and being well implemented at an elementary school. A student who struggles to read is receiving this intervention but is then identified as having a mild to moderate disability.

In too many schools, the student would stop receiving the tier 2 phonics intervention and might instead receive co-teaching, resource room, or help from a paraprofessional.

This change didn't occur because the IEP team thought the resource room or small group push in support from a paraprofessional would be more effective but because of a misunderstanding of the requirements for specially designed instruction.

At the high school level, a school might introduce a double block class for Algebra I that provides students who struggle twice as much time each day to master this important subject. The first block addresses grade level algebra standards, and the second block teaches prior grade level precursor skills needed for algebra. This approach will help many struggling students to fill in past knowledge gaps and master the current year content.

Unfortunately, many schools exclude students with disabilities from such classes. Instead of providing extra time, they provide extra adults through co-teaching or a below grade level class. Again, this happens as a result of the misunderstandings around the requirements for specially designed instruction. We can't put the double block math class in the IEP because it's available to general education students and this isn't specially designed, or it isn't considered special if everyone gets it, are common misconceptions.

In both of these cases, both general educators and special educators didn't feel these supports served the student best, but "the law's the law."

### The best practices outlined in the playbook are specially designed instruction.

Implementing the best practice of extra time intervention taught by content strong teachers, regardless of their title, is legal, meets the requirements for specially designed instruction, and should be available for all students, including students with mild to moderate disabilities. For more details, see the full IDEA Regulations Analysis in the appendix.

#### 6a. Defining specially designed instruction.

According to the IDEA law, specially Designed Instruction "means adapting... the content, methodology, or delivery of instruction to address the unique needs of a student with disabilities so the student can access the general curriculum."

In other words, specially designed instruction is providing what students with disabilities need to access the general education curriculum. It is special, because it is exactly what they need.

The intent of SDI was to prohibit a school from not providing a needed service on the grounds that "we don't do that in our school." 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.

However, nothing in the law suggests that if what a student needed most was provided to other students, including students without disabilities, that it is no longer specially designed instruction. In fact, the U.S. Department of Education addressed this issue in writing specifically because so many schools were uncertain. They said:

“The fact that some services may also be considered “best teaching practices” or “part of the school system’s regular education program” does not preclude those services from meeting the definition of “special education” or “related services” and being included in the child’s IEP. The LEA must provide a child with a disability specially designed instruction that addresses the unique needs of the child that result from the child’s disability, and ensures access by the child to the general curriculum, even if that type of instruction is being provided to other children, with or without disabilities, in the child’s classroom, grade, or building.” – [ED Letter to Chambers, p. 2](#)

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## 7. CAN STUDENTS WITH DISABILITIES RECEIVE GENERAL EDUCATION INTERVENTIONS?

IEP teams have always assumed that general educators play an important role in providing accommodations and modifications for students with mild to moderate disabilities. However, some see their role as stopping there. This sentiment often stems from a common misconception that services and support don’t “count” as specially designed instruction or special education services if they aren’t taught by a special education teacher (or special education paraprofessional).

For example, some will assume that because a tier 2 reading intervention is taught by a general education reading teacher or a double block algebra 1 support class is taught by a general education math teacher, these can’t be services that go on an IEP. This is simply not true.

### 7a. General education teachers can provide services for students with disabilities.

Nothing in IDEA requires that teachers providing services to students with disabilities be certified special education teachers. In fact, the law explicitly states that qualified general education teachers do not need to be certified in special education in order to provide services to students with disabilities. Simply put, if a student struggles to read and there is a highly skilled teacher of reading helping some students, they should be helping all students, including students with mild to moderate disabilities. It’s legal, and the best thing for the student. For more details, see the full IDEA Regulations Analysis in the appendix.

### 7b. Implications for the IEP.

IEPs require schools to indicate who will provide a student’s services, and while it is common to indicate that it will be a special educator or special education paraprofessional, it is equally allowed to be a general education teacher.

When determining the supports and services for a student’s IEP, all available services and providers should be considered, none excluded. This includes supports provided by general education teachers and interventionists, as well as supports and services provided by special educators and related service providers.

Some school systems will identify the provider as a “content strong teacher” to create more flexibility and allow either a special education or general education teacher with the appropriate background to provide the services.

### 7c. General education supports count towards a student’s IEP services.

If a student with a disability receives general education supports, they do not also need to receive special education supports in the same area. In fact, duplication of supports can reduce a student’s access to general education instruction by over scheduling them throughout the day.

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## **8. WHAT HAVE WE LEARNED FROM EARLY ADOPTERS OF THE PLAYBOOK ABOUT HOW TO SUCCESSFULLY TRANSITION TO THE BEST PRACTICES?**

The school systems in Louisiana that generated the most growth in academic achievement for students with disabilities in the two years following the pandemic were all early adopters of the playbook’s recommendations. Lessons learned from the early adopters can provide a valuable roadmap for others looking to embark on a similar path.

### **8a. Set up an inclusive leadership team.**

To ensure a successful process, early adopters and top-growth school systems set up a leadership team that included a decision-making voice from both general and special education stakeholders to plan the transition to adopting the best practices.

This inclusive approach –involving administrators, general and special education leaders, and teachers– extended to the highest level through key planning meetings, instructional leadership teams, and various professional leadership communities. This created a collaborative environment where diverse perspectives were considered and collective responsibility was fostered.

Everyone had a voice, equal access to training and learning opportunities as well as resources was provided, and focus extended beyond special education to encompass the entirety of education as a whole.

### **8b. Review the data and plan effectively.**

To guide early conversations and begin planning, the leadership team spent time reviewing their LEA and school-level data, understanding the training and resource needs for special and general education staff, and assessing the scheduling support they might require. A full list of guiding questions that were provided by early adopters and top-growth school systems as a starting point is available in the appendix.

### **8c. Provide equal access to resources and training.**

Ensuring both general and special education staff receive the same resources and training opportunities led to a stronger understanding of responsibilities and fostered collaboration between both departments.

Training should focus on making special education teachers content strong and familiar with standards, curriculum and assessments, while ensuring general education teachers and leaders are familiar with the best practices, well-resourced to support special education, and able to contribute to IEPs.

### **8d. Learn from early adopters and top-growth schools.**

Learning from other early adopters and top-growth schools through conversations, learning walks, and regional tours provided valuable guidance and insights from practical experience and created an opportunity to ask specific questions to those who have gone through the process.

While there is diversity across schools and school systems, top growth schools highlighted the importance of not only learning from the data but also learning from the experiences of others as this can provide practical insights, mentorship, and inspiration for improving educational practices.

Specifically, as the best practices in the Special Education Playbook are based on research and the experience of gap-closing schools and are aimed at a goal – improved student outcomes – that is shared across schools and school systems, the experience of others is a valuable resource. Learning walks or tours can be most beneficial with a representative team of leaders and teachers, across departments.

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## 9. WHAT ARE THE CHALLENGES SCHOOLS HAVE RUN INTO WHEN IMPLEMENTING THE PLAYBOOK?

### 9a. Getting buy-in.

Getting buy-in at all levels was challenging without strong leadership from the top and if the rationale behind adopting the best practices was not clearly communicated from the onset. Notably, the transition was more successful when buy-in was achieved through forceful leadership from the top, with leaders setting the tone for change and this buy-in filtering down to all stakeholders within the school system.

Securing support was often accomplished through strategic communication which played a pivotal role in driving the transition forward. Words were carefully chosen to get buy-in and navigate change effectively. Opting for terms like “pivots” and “improvements” conveyed the feasibility of the transition. Phrases like “polishing” or “refining” were used to suggest ongoing practices were being tweaked and improved rather than changed altogether. Emphasizing the refinement or polishing of existing practices signaled a shift in current methods rather than the introduction of entirely new practices which was often perceived as overwhelming and time-consuming.

Additionally, using language around adding X to ensure Y which has Z benefits was better received than language around removing a particular activity or resource setting when having to schedule extra time interventions or supports.

### 9b. Shifting mindsets.

Shifting mindsets requires strategic communication to drive the transition and foster a common understanding of shared responsibilities, regardless of specific roles. Clearly communicating that “students with disabilities are children first” proved to be instrumental in shifting perspectives, placing the emphasis on the fundamental identity of these students as children, and prioritizing their development and right to succeed at the forefront of all educational efforts. This assertion redistributed the responsibility to encompass all educators, both in special education and general education, urging a collective commitment.

### 9c. Collaboration between general and special education.

Collaboration between general and special education is successful only through inclusive planning and decision-making which reinforces shared responsibility and accountability.

Fostering collaboration amongst departments and teachers was actively promoted through various strategies, such as ensuring general education had access to the Special Education Playbook for best practices, ensuring special education staff had access to and training on curriculum and assessments, or using class pairing, joint teaching or co-lesson planning strategies, for example.

Instructional Leadership Teams (ILTs) and Teacher Collaboration (TC) structures and key planning meetings also played a crucial role in facilitating collaboration and communication between general and special education teachers and leaders. This collaborative approach enhanced communication and coordination and contributed to a more cohesive and productive learning environment.

### 9d. Scheduling extra time.

Scheduling challenges, such as staggering intervention blocks, can be more manageable with support from the school system or a third-party and by grouping students by area of need to ensure sufficient staff and use of available resources. See question 1 in this FAQ document for more detail.



# FAQ APPENDIX

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## QUESTIONS TO CONSIDER FOR EFFECTIVE PLANNING

Early adopters and top growth school systems highlighted important questions to consider that will assist in planning for the adoption of the best practices and navigating conversations with stakeholders.

### Getting Started

- What is the data saying?
- What is the current mindset about students with disabilities? About the responsibility toward students with disabilities?
  - » What language is being used?
- Are the instructional best practices well understood?
- What does each mean for your school system? What would this look like at your school system?
- Is there a shared vision and understanding of the best practices among all stakeholders?
- How can you create an opportunity to talk this through with teachers and staff, be open to questions, and provide clarification?
- Have special education and general education staff alike been included in the discussions?
- What are current staffing practices? How can general and special educators be better supported?
- Do you have a team to lead the transition?
- What can you start right away and what will need more of a gradual shift?
  - » What can you do with what you have?
- Which grade levels can you start with? Are there ideal points of entry (e.g., within elementary, middle or high school schedules)? Might starting with a sample or cohort of grade levels at specific schools be more feasible?

### Instructional best practice 1 – the importance of core instruction

- Are students who struggle being pulled out of core instruction?
- Are accommodations being offered to students who struggle during core instruction?
- Are students being taught at grade level?
- Are general education and special education teachers communicating and collaborating on lessons plans and IEPs?
- Is the Special Education Director/lead included in the instructional leadership team?
- Has special education staff received training on standards, curriculums, and assessments?
- Has general education staff received training on the special education instructional best practices, IEPs and instructional accommodations?
- Is external support needed for training and professional development?

## **Instructional best practice 2 – the need for extra time intervention or support**

- Is classroom data being reviewed to identify academic deficiencies?
- Do IEPs include detailed minutes on special education services being provided?
- Do schedules include time for intervention?
- Is intervention scheduled at staggered intervals throughout the school or grade level?
- What does extra time intervention or support look like?
- Are students who struggle being grouped by area of need?
- Is external support needed for scheduling intervention time?

## **Instructional best practice 3 – the critical role of highly skilled, content strong teachers**

- Are there sufficient, highly skilled content strong staff to lead intervention time?
- Is additional training for existing staff required to meet content strong requirements?
- Are general education and special education staff offered the same training and professional development opportunities?
- Are general education and special education staff collaborating often to meet student needs?

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## BEST PRACTICE REFERENCES

This guide draws on the wisdom of much published research and the success of gap closing schools and districts. Some of the key research materials include

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