

2% Regulation Technical Assistance Teleconference

Today's Topic: Standards-based IEPs and IEP Goals based on Grade-Level Standards

May 17, 2007, 1:00 Eastern Daylight Time

Opening and introductions

Assistant Secretary for the Office of Special Education and Rehabilitative Services (OSERS), John Hager:

States have up to two years to develop assessment, guidelines, and training for IEP teams prior to first administration of the assessment. This will allow time for states to thoughtfully develop not only the assessment, but the infrastructure that will ensure high expectations and achievement for these students.

Acting Assistant Secretary for the Office of Elementary and Secondary Education (OESE), Kerri Briggs:

In early April, the Department released regulations permitting alternate assessments based on modified achievement standards (AA-MAS), and aligned to grade-level content.

A small group of students can take the AA-MAS, to ensure that all students with disabilities are counted in the accountability system, and are appropriately assessed. These are students whose disabilities preclude them from achieving grade level proficiency in the same timeframe as other students. Since all students with disabilities are to be receiving instruction in the grade-level curriculum, these tests will not only ensure their inclusion in accountability systems, but also inform their instruction.

It is called the 2% regulation because it has a limit on use of scores for AYP purposes. There are charts in the Regulation and in the accompanying Guidance that give examples. We will speak to those issues on a future call.

Modified achievement standards must be aligned to grade level content in order to ensure students have instruction in the grade level curriculum, as required in IDEA. OSERS and OESE have been working hand in glove, with assistance from the Deputy Secretary's office, with oversight at high levels, to ensure that IDEA and NCLB work well together to ensure all kids are held to high expectations.

There are 12 million dollars in General Supervision Enhancement Grants (GSEG) from IDEA funding, and 13.5 million in Enhanced Assessment Grants (EAG) from OESE that are due the end of May. These can be used for development of these assessments.

John Hager: As Kerri noted, all students with disabilities must have access to, and instruction in, grade level content. To ensure that this occurs, the 2% participants must have IEPs that have goals based on grade level content. Although IDEA 2004 reinforces this powerful connection to NCLB, it has been since IDEA 1997 that IDEA has required

that students with disabilities must have access to the general curriculum, and that their instruction must be aligned to content standards.

In other words, for students with disabilities, these standards should form the basis for the academic needs portion of the IEP. These standards drive the specialized instruction necessary for these students, thereby ensuring access and progress in the same content as all other children. The IEP should be designed to measure progress toward these goals.

Deputy Director of the Office of Special Education Programs (OSEP), Patty Guard:
Responses to questions asked in advance.

1. What are standards-based IEPs?

Generally they are IEPs in which the IEP team has incorporated state standards in development. The process begins with discussion of state standards, focusing on the skills and knowledge already acquired. These form the foundation. Then the team identifies the skills and knowledge still needed to be successful. The 2% Regulation does not say standards-based IEP, but instead, for students who participate in the AA-MAS, they must have IEP goals based on grade-level content standards.

2. What do standards-based IEPs look like?

They simply incorporate goals designed to ensure the student makes progress in the grade-level content. There is no required form, and states or districts can use current ones or develop a different form. We have a model form on the ed.gov Web site:

<http://idea.ed.gov> To access the model IEP form, (1) click on the Part B link, then (2) click on "model forms" towards the bottom of the page in the left margin, then (3) scroll down to the bottom of the page and download the model IEP form in Word or PDF.

The IEP requirements are clear in IDEA. The IEP must show how progress will be measured, and include present levels of academic achievement, needs, and how the needs affect the student's progress in the general curriculum. Then annual goals are developed, along with defining how progress will be measured. It addresses how and when the parents will be informed. It describes supplemental services, modifications, specialized instruction, and support the student will need to make progress in the grade-level content, and an explanation of the extent to which the student will receive these services and supports in the general education classroom. Accommodations are described, and assessment participation determined.

3. What are IEP goals based on grade-level standards?

These goals should address skills specified in content standards for grade in which the student is enrolled – that is the starting point from which the goals are developed. These goals define or drive the instruction and services the student receives that will enable him to access and make progress in the grade-level content.

4. Why is it important to align to the content standards?

The primary reason is to ensure that the students who participate in the 2% option actually get instruction in grade level content. We have three years of experience in

several states that special education services can be made more effective by having high expectations for these children, instructing them in the least restrictive environment possible, and meeting the same challenging expectations for all children to maximum extent possible.

There are other reasons too: to monitor progress, to focus the IEP team on identifying educational services and supports need to achieve the challenging standards, and to align students' instruction with general curriculum as required in IDEA.

When IEPs are aligned to the challenging content, and improved instruction with collaborative teaching is provided, we find that teachers focus on high expectations.

5. What guidelines should states develop to help IEP teams?

The Regulation has monitoring language specifying that states must develop clear and appropriate guidelines and training to ensure that teams develop and implement IEPs based on grade-level standards-based goals, and that the state will monitor whether that is occurring. They must ensure that the student has access to curriculum for the grade in which he is enrolled, in such a way that it does not preclude earning a high school diploma. Each IEP team must review the decision annually, and the decision may vary from year to year.

6. Who must have a standards-based IEP?

The laws (NCLB and IDEA) do not require standards-based IEPs, but they do require that all students have access to the same challenging curriculum as their peers. Goals based on grade-level content standards are required in the 2% Regulation for those students who are to be assessed based on modified achievement standards. This is a procedural safeguard to ensure these students are not denied access to the challenging content because of participation in an AA-MAS. There is no requirement for benchmarks or short term objectives.

All students with disabilities will benefit from having their IEPs based on how they will access and make progress in the grade-level curriculum, but the only specific requirement for IEP goals aligned to grade-level content is from the 2% Regulation, to ensure these students who participate in a 2% option are still accessing the challenging content expected for all students.

7. When must these goals be developed?

Once the student decision is made for the coming year's assessment, based on multiple objective measures from large-scale assessments, classroom assessments, and other high quality data sources, typically at the IEP annual meeting to plan for the coming year. Then the team has time to develop IEP goals based on grade level content and develop instruction aligned to this. The 2 year timeline for development gives the state and district time needed for required changes, and to train teams on the procedures.

8. How will IEP teams decide which students will take the AA-MAS?

In the initial review of evidence, the IEP team must consider the student's progress in the grade-level curriculum based on multiple objective measures. They must also review whether the student has received appropriate instruction and access to general curriculum up to this point. If not, that lack of appropriate instruction and access must be addressed prior to assuming they could not achieve to proficiency if they had been taught. The team must make changes to the student's program to ensure instruction and access, and then collect the evidence to determine if, when instructed on the grade-level content, the student can achieve proficiency in the following year.

9. How will standards-based IEPs differ from state to state, and district to district?

States', and in some cases, districts', content standards may differ in level of specificity, and in the sheer number of standards. For example, if there are numerous standards, at fine grain specificity, there may not be an IEP goal for each standard in an area of student need. For general or broad based standards, in an area of need, a student may have more than one goal. The differences may be based on individual child. The Regulation requires goals only for the subject(s) in which they will participate in a 2% assessment. If they are assessed in two subjects on a 2% test, then they would have goals for both; if only assessed in one subject, then goals are only required by the Regulation in that subject.

10. Where do you start this process?

Prior to developing the annual goals, all IEP team members including parents have to be familiar with state standards and assessments. Next, the team will review multiple sources of data to determine how well the student is performing now in the grade-level content, or they will determine whether the student has been getting appropriate instruction in the grade-level content (see question 8, above). If the student has been getting appropriate instruction in the grade-level content, the team determines how are the student is performing in relation to grade-level achievement standards.

In other words, the team must consider the grade-level content for grade in which the student is enrolled – what should all children in the enrolled grade know and be able to do. Next consider classroom data – has the student been taught the content? Were multiple measures used to assess their progress? If so, then what are the present levels of achievement – and what accommodations, services have been successful? From this discussion the team can develop annual measurable goals to assess over the year. Then the team would identify the specially designed instruction necessary for success, including accommodations to access and progress in the general curriculum. Finally, the team determines the most appropriate assessment option for the next year.

11. How do you measure progress?

The team will have determined how different the rate of progress is from typical peers, and based on what the content standards state students should know and do, they will design methods to monitor progress. (see the section on Progress Monitoring in the Toolkit on Teaching and Assessing Students with Disabilities: http://www.osepideasthatwork.org/toolkit/ta_progress_mon.asp). There are multiple methods to consider, among them several formal progress monitoring tools. These are

scientifically-based processes to evaluate the effectiveness of instruction – with a student or an entire class – in order to make meaningful decisions about instruction. Current level of performance is determined, goals will be identified, academic performance measured weekly or monthly, expected and actual rates compared, student progression of achievement is monitored, and instruction is adjusted to meet needs. If the student is not making progress the team must consider multiple possible explanations: are goals appropriate for student, does the student get the needed accommodations and supports, are there other ways for the child to access the content? The IEP team may need to reconvene to adjust instruction, services, and supports to ensure that the student does, in fact, achieve at high levels.

12. What resources will be provided?

As Kerri referenced, there are OESE Enhanced Assessment grants out now, and at the end of June, the OSEP General Supervision Enhancement Grant competition should be announced. Project Forum at NASDSE is funded by OSEP to address issues related to standards-based IEPs. Eileen Ahearn at NASDSE has authored some materials based on experiences in selected states. www.nasdse.org is their home page, but Project Forum's document search function is at <http://www.projectforum.org/documentsearch.cfm> Enter Ahearn as author, and scroll down to *Standards-based IEPs: Implementation in selected states*

NCEO is partnering with states, researchers, and with OSEP and OESE to develop technical assistance materials on assessment and accountability, and will provide ongoing technical assistance on the 2% implementation issues. www.nceo.info

We also fund a national technical assistance center on progress monitoring, and their Web site is at www.studentprogress.org

It is important that you send questions to us prior to each of these calls – that will ensure our presentations are focused on your needs.

QUESTIONS FROM PARTICIPANTS.

Q: For the next call, the third Thursday falls during the CCSSO Large-scale Assessment Conference, and many state groups are meeting on that day in Nashville (SCASS groups). Can it be rescheduled?

A: The CCSSO Large-scale Assessment Conference ends at noon on Wednesday so most attendees should be back home in time to participate on Thursday. For those who are staying for follow up meetings, we have made arrangements with the CCSSO Large-scale Assessment Conference staff for a speakerphone to be made available during lunch (12:00 Central time, 1:00 Eastern) so that interested conference attendees may participate in the 2% teleconference.

Q: Can we get a written transcription of the Q and A you used today so we have it in writing?

A: NCEO is taking notes, and will post them on the NCEO web site. www.nceo.info

Q: Is it possible to participate in an AA-MAS in one content area and regular assessment in another?

A: Yes It should also be stressed that goals based on grade level content are only required for the area in which the student is taking the AA-MAS.

Q: Can you clarify the statement that the IEPs that needed to be standards-based are only for those taking the modified?

A: Yes, the Regulations require that for a student taking an AA-MAS, the IEP goals must be based on academic content standards for their enrolled grade. Please note the answer to question 6 above, and the remarks by Assistant Secretaries Hager and Briggs. All students with disabilities are to have access to and make progress in the same challenging curriculum as their peers, but IDEA and NCLB do not specify how that is addressed in the IEP. The 2% Regulations require this as a procedural safeguard to ensure that participation in the 2% option does not preclude their access and progress in the same challenging curriculum as their peers.

Q: Can you differentiate between goals that are really reaching grade level and earlier goals in earlier grades. If you have designed the content standards to be vertically articulated from grade to grade, does the goal align to the state grade level academic standard – what ever the goal is? If the 4th grade content standard is vertically aligned to the 5th grade standards, couldn't a 4th grade goal be appropriate for the 5th grade student who has not mastered the 4th grade content?

A: If student is enrolled in 4th grade, the goal has to be aligned to the academic standard at 4th grade level, if the student is enrolled in 5th grade, the goal has to be aligned to the academic standard at 5th grade.

Q: Does it matter if it overlaps – it would be state specific, wouldn't it?

A: The requirement is that you look at content standards for grade level child is enrolled.

Q: All states have written their standards to build on one grade to the other – if standards line up vertically to prepare for next level in general education, wouldn't those lower grade level standards be appropriate?

A: The general answer is that no, it doesn't matter if there is overlap, you teach to the standards for the grade in which the student is enrolled. If the 4th grade standards are relevant, you may want to build in remediation or acceleration to build on those skills, but the target for the goal is the 5th grade content standards for students enrolled in 5th grade. You don't go back and continually redo them.

Q: The modified assessment is the only option that requires a grade level goal, but doesn't NCLB and IDEA say you will have access to and instruction in the content being assessed? Regardless of which assessment option the student is taking?

A: Yes, that is correct.

Q: Then – if a child is being assessed in reading and math – but only has special education services in math, do you have to have goals?

A: If the student is taking the regular assessment, the Regulation does not require goals in the content area. So if they do not require special education services for reading, we can assume they are taking the regular assessment, and thus the Regulation does not require goals for that content area.

Q: Does it make any difference if the student receives his/her instruction outside the regular class (e.g., self-contained or resource room)?

A: It doesn't make a difference where the student is located – regardless of where they are taught, they must be given appropriate instruction and access to the grade-level content. Only when the team has decided to have the student participate in the 2% assessment does the requirement of IEP goals based on grade-level content apply, as a safeguard against lowering expectations.

Q: Under the old guidance in previous years, if the student could address grade level content, he didn't need a goal. You wouldn't write a goal if you didn't need to change the content and construct – with modifications or accommodations – now you have to write grade level specific goals for a student in this group?

A: You do need to write grade level goals for students who participate in AA-MAS.

Q: What is it that you can modify?

A: You would modify the achievement standard. You write a goal for what the student is expected to learn that year based on grade-level content.

Q: You wouldn't have in the past if student could do grade level content – what is different?

A: The student you are talking about would take the regular assessment, and you are not required to write a goal for them.

Q: When writing a goal for a student – you emphasize certain parts and prioritize – what would you write a goal for?

A: What the student would learn that year based on grade level content.

Q: Can a state choose not to develop these tests?

A: This is not required, it is optional – it is additional flexibility that we have provided.

Q: I think one of the things we are struggling with is students who have variable levels of achievement – 4th grader on grade level in math, but not their reading – they may advance to 5th grade for math, but still at 4th grade for reading – What level do we assess them at?

A: They must be assessed at grade level, whatever grade level they are enrolled in.

Q: I want to clarify about the standards-based IEP – the process helps define the appropriate achievement level – modified achievement standards are aligned to the content standards. What are the implications for students with AA-AAS – they also

address grade level content standards but on alternate achievement standards. Their IEPs should also reference the grade level content.

A: The Regulation only requires it for the 2%. That doesn't mean that it wouldn't be best practice for all.

Q: I have a concern about the sequence – having the IEP team suggest what assessment to take before you write the IEP goals. It sounds like you write the goals based on assessment. The test driving what the student is learning.

A: The sequence is presented in answers to submitted questions above. You are developing the goals based on the state standards.

Q: It seems like there would be a predetermination of who the students would be prior to the development of the IEP.

A: Based on information from several data points, you would determine what assessment is most appropriate, you would base the IEP on these goals, and do the assessment later in the year. See submitted questions above. To make the decision of who is eligible – you have to have data that child's achievement was discrepant – rate of progress suggests they would not get grade level achievement for that year – you would need to have multiple measures to know.

No further questions. Thank everyone for joining us. We will look at dates for next call and we will send out an announcement that will request questions be submitted via e-mail. Go to the NCEO web site to find summary of today's call.