Providing Meaningful General Education Curriculum Access to Students with Significant Cognitive Disabilities

TIES Center

Ricki Sabia, Jessica Bowman, Martha L. Thurlow, and Sheryl S. Lazarus

The Individuals with Disabilities Education Act (IDEA) requires all students with disabilities to be provided access to the general education curriculum. The goal of special education services is to enable students with disabilities to make progress in the same grade level curriculum as their peers. What does this mean for students with the most significant cognitive disabilities who participate in the state's alternate assessment based on alternate academic achievement standards (AA-AAAS) or who may take the AA-AAAS when they reach third grade?

Many states and districts have erroneously concluded that students with the most significant cognitive disabilities need a different curriculum to successfully learn academics. This conclusion might have been reached because of the use of the term "alternate" to describe the achievement standards on which

proficiency on the state alternate assessment is measured. As a result, some states and districts have started using the term "alternate (or alternative) curriculum" to refer to instructional resources for students who take the AA-AAAS. Further, many have jumped to the erroneous conclusion that "alternate curriculum" means that the student has alternate content standards.

The purpose of this brief is to answer the question of what access to and progress in the general education curriculum means for students with the most significant cognitive disabilities. This brief also confirms that federal education laws require that students who participate in the AA-AAAS receive instruction in the same grade-level content as all other students. It is the achievement expected on the same grade-level content that can be reduced in breadth, depth, and complexity. This information is very important in the discussion of a student's educational setting. Often the myth that these students need an alternate curriculum is used incorrectly as an argument against educating the student in the general education classroom.

Federal Laws Do Not Permit Alternate Content Standards and Alternate Curriculum

Federal education laws refer only to a grade-level general education curriculum for ALL students. They do not mention an "alternate curriculum" for any student, including those with the most significant cognitive disabilities who participate in the AA-AAAS.

IDEA refers to the general education curriculum for ALL students with disabilities. Each child's Individualized Education Program (IEP) goals are to be designed to:

> meet the child's needs that result from the child's disability to enable the child **to be involved in and make progress in the general education curriculum.** (300.320(a)(2)(i)(A)), emphasis added

U.S. Department of Education regulations explaining how IDEA should be implemented state that the general education curriculum is "the same curriculum as for nondisabled children" (300.320(a)(1)(i)).

The Every Student Succeeds Act (ESSA), which provides funds for elementary and secondary education, also is clear that all students, including those who participate in the AA-AAAS, must be instructed on the enrolled-grade content standards. States are allowed to adopt **alternate achievement standards** for their alternate assessments for students with the most significant cognitive disabilities, as long as the alternate achievement standards are aligned with the state's **academic content standards** for all students.

Further, ESSA regulations (200.6(c)(2)) confirm that the academic content standards that are the basis for instruction and assessment for students who take AA-AAAS must be for the grade in which the student is enrolled, NOT content from a lower grade level.

A state's academic **content** standards define what students should know and be able to do at each grade level. A State's academic **achievement** standards include both achievement level descriptors[1] and "cut scores"[2]

[1]Achievement level descriptors describe the knowledge, skills, and processes that students must demonstrate on state tests.
[2]Cut scores are the scores that are needed for students to make each achievement level on the state tests (e.g., the score to be considered proficient).

associated with various levels of student achievement on state tests (e.g., basic, proficient, advanced) to indicate the extent to which a student has mastered the content standards. In other words, students who take an alternate assessment are expected to master the same standards as other students but with less breadth, depth, and complexity—depending on each student's unique needs and abilities. For more info see http://www.ncscpartners.org/Media/Default/PDFs/Resources/NCSCBrief1.pdf

The U.S. Department of Education's Office of Special Education and Rehabilitative Services (OSERS) guidance on the Free Appropriate Public Education (FAPE) provisions of IDEA stated that for students with the most significant cognitive disabilities who participate in the AA-AAAS:

- Annual IEP goals should reflect high expectations and be based on the state's content standards for the grade in which the student is enrolled.
- For students performing significantly below the grade level in which they are enrolled, IEP teams should determine annual goals that are ambitious but achievable. This means that the annual goals need not necessarily result in the child reaching grade level within the year covered by the IEP, but the goals should be sufficiently ambitious to help close the gap.
- The IEP must identify the specialized instruction needed to address the unique needs of the student to ensure access to the general education curriculum, so that the student can meet the academic content standards that apply to all students in the state.

For example, a student who reads below grade level can receive modifications for all grade-level reading assignments. The student's reading assignments would be based on the grade-level content, but could be shortened, or the text adapted with simplified language (or picture symbols, if necessary).

Case law[3] has confirmed these requirements. The Endrew F. Supreme Court case stated that annual IEP goals for students with the most significant cognitive disabilities should be appropriately ambitious, based on the state's content standards, and "reasonably calculated to enable the child to make progress appropriate in light of the child's circumstances."

The issue addressed by the U.S. Court of Appeals in L. H. et al. v. Hamilton County Department of Education was whether FAPE in the least restrictive environment (LRE) was provided when the student was moved to a segregated classroom with an "alternative curriculum." The Court:

- Determined that the online curriculum used in the segregated classroom was "not peer-reviewed, as the IDEA requires," (which means it was not reviewed for the quality of research backing it up) nor was it tied to the state's general-education standards.
- Stated that a child need not master the general-education curriculum to be educated in the general education classroom.

[3]Endrew F. v. Douglas County School District RE-1, 137 S. Ct. 988 (2017). L. H. et al. v. Hamilton County Department of Education (U.S. Court of Appeals for the Sixth Circuit, 2018) (http://www.opn.ca6.uscourts.gov/opinions.pdf/18a0176p-06.pdf)

The measure should be whether the child, with appropriate supplementary aids and services, can make progress toward appropriately challenging IEP goals in the general education setting.

- Found that the district's segregated placement violated IDEA.

What Content Aligned to the Grade Level Looks Like for Students Who Participate in the AA-AAAS

Three key features describe grade-level aligned content for students with the most significant cognitive disabilities who participate in the AA-AAAS:

- the same content standards are used as are used for all other students;
- all subject areas provided to the peers of a student who participates in the AA-AAAS should be provided to that student also;
- decisions about modifications and accommodations of assignments and materials are tailored to the individual student.

Examples of how each of these features might be addressed in an inclusive classroom are provided here. The limited number of examples included in this brief cannot fully reflect the fact that students with the most significant cognitive disabilities include students with a wide range of strengths and needs.

Across the examples, the Universal Design for Learning (UDL) framework is embedded. UDL makes instruction more accessible and effective for students with and without disabilities so that all students have an equal opportunity to succeed. A UDL approach provides for flexibility in how students access instruction, how they engage with instruction, and how they show what they know and can do.[4] Using UDL, along with communication supports for those needing them,[5] enables students with the most significant cognitive disabilities to learn grade-level aligned content in the general education classroom. The examples also show how grade-level content instruction can embed instruction on functional skills and, if needed, prerequisite skills.

- **The same content standards are used as are used for all other students.**

All instruction starts from the same content standards, regardless of the student's disabilities. Modifications in the curriculum to reflect less breadth, depth, and complexity may be achieved through adapted assignments and materials. It is important to note that according to IDEA regulation 300.116(e), a student with a disability cannot be removed from education in age-appropriate regular classrooms solely because of needed modifications in the general education curriculum. Accommodations (e.g., extended time, text to speech programs, calculators) to meet individual student needs are also provided. These adjustments are used to help each student move as far in the grade-level content as possible.

[4] http://www.cast.org/; UDL is defined in the *Higher Education Opportunity Act* of 2008 as "a scientifically valid framework for guiding educational practice that – (A) provides flexibility in the ways information in presented, in the ways students respond or demonstrate knowledge and skills, and in the ways students are engaged; and (B) reduces barriers in instruction, provides appropriate accommodations, supports, and challenges, and maintains high achievement expectations for all students…" (Sec 103(a)(24)).

[5] See TIES Center resources: *Communicative Competence in the Inclusive Setting – A Review of the Literature* (https://tiescenter.org/resource/Zg/Ue_eLWQ_eA3nNnb7datg) and *TIP #1: How Peers Can Support AAC Use by Students with Significant Communication Needs* (https://tiescenter.org/resource/ID/-2mLJDTfuS-hg1LaPkMzQ).

Example

Ms. Walters was teaching a lesson to her 2nd grade class on equivalent fractions and was planning to ensure her lesson would be accessible to all students, including Sophie who is a student with a significant cognitive disability. The goal of her lesson was based on the state's mathematics standards for all students. In her lesson, students were to work in pairs or small groups to solve this problem: "Pete's family orders a large pizza and has it cut into 8 slices. Ignacio's family orders a large pizza and has it cut into 12 slices. Pete and Ignacio ate the same amount of pizza. What fraction of each pizza did they eat?" Pairs and groups come up with a solution collaboratively and are encouraged to see whether they can find any other solutions.

Ms. Walters reviews some resources and decides on several strategies to help make the lesson more accessible for Sophie and others. First, Ms. Walters will ensure that Sophie will have access to her communication system as well as unit-specific picture vocabulary cards so that she can communicate about her learning to her teacher and her peers. Ms. Walters will use Sophie's cards along with other resources to pre-teach vocabulary to the whole class. Next, since Ms. Walters knows she has several students who problem-solve best using concrete manipulatives, she will provide students the opportunity to use photos of pizza and will have one set of photos already cut up into the specified numbers of pieces for Sophie. She will also use these pizza pictures to activate all students' background knowledge of fractions.

Finally, because Sophie is still learning about fractions, Ms. Walters will provide Sophie embedded systematic instructional trials[6] to learn to identify wholes, halves, and fourths using fraction manipulatives. Ms. Walters realizes that many of these strategies will also make the lesson more accessible to other students in the classroom. For example, the unit-specific picture vocabulary will help other students with vocabulary needs (e.g., English learners). By providing Sophie with an opportunity to participate with the class with the needed supports, Ms. Walters ensured her access to higher level mathematical thinking tasks and problem-solving as well as prioritized learning (e.g., identifying fractional parts).

- **All subject areas provided to the peers of a student who participates in the AA-AAAS should be provided to that student also.**

If a subject area is important to teach to a student without disabilities, it is also important to teach to a student with disabilities, including students with the most significant cognitive disabilities.

Example

An education team was planning Jonathan's 8th grade class schedule. They were unsure whether the unit in the grade-level English class focusing on Shakespeare would be appropriate for him and considered placing him in a study hall with the special education teacher instead. Ms. Ryan, one of the specialists in the school, disagreed with the proposal to include Jonathan in the unit on Shakespeare, and said that it would have very little application to meeting Jonathan's need to learn life skills. In reflecting on the team's

[6]Embedded trial instruction is an evidence-based practice for students with significant cognitive disabilities. It involves providing instruction on specific skills for the content areas during natural breaks in a general education classroom (e.g., transitions, independent work, lunch, study hall) to make up for any missing knowledge needed for grade-level instruction.

commitment to ensure that Jonathan was provided the same access to a wide variety of subject areas and content, they decided to keep Jonathan in the class.

Jonathan focused on learning Shakespeare's plot using a simplified modern English text and watching a movie version (at home). When the class performed parts of the play he worked on articulating his lines.[7] *He found he had a love for performing a play alongside his peers. At that point, Jonathan's parents decided to give him a chance to take acting classes outside of school, which he is still participating in as an adult in his local community theater. The acting experiences have increased Jonathan's self-confidence and improved the intelligibility of his speech.*

It should be noted that if Jonathan had needed a much more significantly adapted text, a version of the play using picture symbols could have been used. In addition, a communication system could have helped him "say" his lines.

- **Decisions about modifications and accommodations of assignments and materials are tailored to the individual student.**

Each decision about whether to modify instructional materials, or whether an accommodation is needed, should be based on the individual student's needs. Decisions must be tailored to the individual student, and never be based on what can be done easily or what is already available. Decisions about modifications and accommodations may vary with the subject area, as well as over time.

Examples

Mr. James, a 4th grade teacher whose class was learning about force and motion as required in the state's science standards, was considering how to support Ben, a student with a significant cognitive disability. In his lesson, Mr. James was planning to have his class write in their science journals about what they observed in a group experiment. Because he had a student with a significant cognitive disability in his class before, he decided he would have Ben write using the same strategy he had used before (pre-determined sentence frames and picture choices to paste in).

Because Ben was able to type, Ben's special education teacher encouraged Mr. James to give Ben access to a computer, where he typed out his observations of the experiment, which were printed out and pasted into his science journal. Mr. James realized that other students in his class who have difficulty with handwriting would also benefit from the option of being able to type their observations. He decided that moving forward, he would offer all students the choice to write in their science journals with pen or pencil or type it out on a computer.

In a 7th grade mathematics class, Ms. Coleman was teaching a geometry unit on finding area and perimeter, which aligned with one of the state's mathematics standards for grade 7. In one lesson, the students in the class were expected to solve the following problem: "The city wanted to expand a sandbox at the local park. Currently, the sandbox was in a 4 by 5 foot area. The city wanted to expand it to be 7 by 8 feet so they could add a bench on the edges. What is the area of the addition to the sandbox?"

[7]This is just one example of how functional skills like communication are embedded in academic lessons in the general education classroom. In addition, the functional skills that ALL students need for positive post-school outcomes are learned in the general education classroom: independence, problem solving, requesting help, and collaborating with peers.

Given the needs of students in Ms. Coleman's class, she made sure to allow several entry points to the lesson. One option was for students to solve the problem on their own using drawings and equations. Another option was for students to solve using graph paper to draw it out and count and add up the boxes within the grid to calculate the area of the addition. Last, because some students had a calculator accommodation in their IEP, Ms. Coleman decided to offer that as a choice to everyone as well.

For Adele, a student with a significant cognitive disability, Ms. Coleman drew the original and expanded sandbox perimeters on graph paper, and supported Adele to find the solution by counting with one-to-one correspondence. In addition to these supports, Ms. Coleman supported Adele and other students (including English learners and other students who self-identified as needing vocabulary review) using unit-specific picture vocabulary supports.

Things to Avoid: When Curriculum Resources Turn into an Alternate Curriculum

If special curriculum resources are used for students who participate in the state's AA-AAAS, they should be based on peer-reviewed research as well as be aligned to the student's enrolled grade-level content. These curriculum resources are acceptable if they provide models and examples to educators about how to teach grade-level content to students with the most significant cognitive disabilities, as long as they are used to meet the needs of the *individual* student.

AVOID using a standard curriculum with all students who participate in the AA-AAAS. This type of curriculum does not reflect the three key features of grade-aligned content for students with the most significant cognitive disabilities. In other words, a standard lock-step curriculum does not ensure that decisions about the degree of modifications, the level to which assignments and materials are adapted, and the types of accommodations used are individually tailored to the student. Standard curricula developed for students with the most significant disabilities tend also to potentially limit how far students can go in mastering the grade-level content.

A warning sign that curriculum resources are turning into an alternate curriculum is when specific educators are identified to work with "these students" and are trained on separate resources from what all other educators are using. All educators, including those who work most closely with students who participate in the AA-AAAS, must be trained on the full general education curriculum.

Summary: Do's and Don'ts for Providing Access to and Progress in the General Education Curriculum

DO: Start instruction from the same grade-level standards as for all other students in that grade using UDL to make the lessons accessible and effective for the whole class.

DON'T: Use the content standards from a lower grade to organize a student's curriculum, assignments, and resources.

DO: Provide instruction to students who participate in the AA-AAAS in all subject areas

provided to students who do not participate in the AA-AAAS.

DON'T: Decide to limit the student's instruction to only the content tested by the AA-AAAS.

DO: Tailor instruction and materials for the individual student, using accommodations, modifications, and adapted materials as appropriate.

DON'T: Use a separate curriculum designed for all students who participate in the AA-AAAS.

The TIES Center Brief #5, The General Education Curriculum—Not an Alternate Curriculum, provides a summary for parents of the information in this brief.

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TIES Center
University of Minnesota
215 Pattee Hall
150 Pillsbury Dr. SE
Minneapolis, MN 55455
Phone: 612-626-1530

Visit our website: www.tiescenter.org

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