

PUBLIC SCHOOLS OF NORTH CAROLINA

Educating the Whole Child

Considerations for Specially Designed Instruction

This document is intended to serve as *guidance* for IEP teams, administrators, educators and practitioners as they determine need, plan, and implement specially designed instruction (SDI) for students with disabilities who require an Individualized Education Program (IEP). *This document is not intended as a policy brief or a compliance tool.* The information below focuses on the practical aspects of designing and delivering SDI, to the end that high quality services and programs for students with disabilities are continuously offered, improved, and integrated within the framework of a multi-tiered system of support (MTSS). This document is also intended to serve as guidance to the NC Department of Public Instruction (NCDPI) Exceptional Children and the Integrated Academic and Behavior Systems (IABS) Divisions for the provision of customized, tiered support to Public School Units (PSUs) under the [State Systemic Improvement Plan](#) (SSIP), and to assist PSU Self-Assessment teams as they engage in problem solving and improvement planning specific to outcomes for students with disabilities.

The mission of the NCDPI Exceptional Children Division is, “to ensure that students with disabilities develop intellectually, physically, emotionally, socially, and vocationally through the provision of an appropriate individualized education program in the least restrictive environment.” The design and delivery of specially designed instruction is the core of special education. SDI is the vehicle by which students with disabilities receive high-quality instruction and services that will result in mastery of academic and functional standards, graduation, and meaningful post-secondary outcomes.

SDI begins with the knowledge that:

- students with disabilities are always general education students
- special education is a service-not a place-and is always available within differentiated core, supplemental and intensive supports
- an effective integrated system results in accelerated learning of academic, functional, behavioral, and social-emotional skills for students who are behind
- SDI is inseparably linked to school improvement

North Carolina’s SSIP uses an [LEA Self-Assessment](#) to improve outcomes for students with disabilities. A number of the Core Elements in the LEA Self-Assessment directly address the design and delivery of specially designed instruction.

These include:

- Core Element 3: IEP Development, Implementation and Guidance
- Core Element 4: Problem Solving for Improvement
- Core Element 5: Research-Based Instruction and Practices

The need for clarification and strengthening of our understanding of SDI within an MTSS is multi-faceted. The majority of students with disabilities spend 80% or more of the school day in general education settings where the delivery of SDI

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can become difficult to distinguish from general education instruction, especially as [differentiated instruction](#) and [universal design for learning](#) (UDL) approaches are more prevalent in general education settings. Furthermore, within the [multi-tiered system of support](#) (MTSS) framework, some [supplemental](#) and many [intensive](#) interventions may not be substantively different than specially designed instruction. The particular aspects of what SDI will entail for a given student are not required elements of the IEP; those details are more often found in special education teacher lesson plans and related service plans of care. Given these factors, school and program administrators have asked for guidance in identifying and assessing SDI within an MTSS, particularly as they conduct program reviews and performance evaluations for special education staff. As such, clarification on the distinctive features of SDI—or what makes special education “special”—is offered to promote common language and understanding for all stakeholders. The following content is a synthesis of NCDPI Exceptional Children Division staff members’ and local EC administrators’ input, policy, and literature review.

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| <p>WHAT IS THE DEFINITION OF SPECIALLY DESIGNED INSTRUCTION?</p> | <p>Specially designed instruction means adapting, as appropriate to the needs of an eligible child under this part, the content, methodology, or delivery of instruction--</p> <ul style="list-style-type: none"> ● To address the unique needs of the child that result from the child's disability; and ● To ensure access of the child to the general curriculum, so that the child can meet the educational standards within the jurisdiction of the public agency that apply to all children. <p>Individuals with Disabilities Education Improvement Act (IDEA) Part 300(A)300.39(b)(3); NC 1500-2.34(b)(3)</p> |
| <p>WHY IS SPECIALLY DESIGNED INSTRUCTION PROVIDED TO STUDENTS WITH DISABILITIES?</p> | <ul style="list-style-type: none"> ● To meet the unique needs of students with disabilities as described in the IEP ● To address gaps and/or accelerate academic, behavioral, and/or functional progress toward age- and grade-level standards ● To ensure a free, appropriate, public education (FAPE) ● To support graduation and meaningful post-secondary outcomes for students with disabilities ● To ensure all school programs, activities, and environments are accessible |
| <p>WHAT IS SPECIALLY DESIGNED INSTRUCTION?</p> | <ul style="list-style-type: none"> ● Responsive, systematic instruction in addition to high quality differentiated instruction and universal design for learning (UDL) made available to all students ● Customized, individualized instruction described in the IEP and lesson plans/related service plans of care informed by: <ul style="list-style-type: none"> ○ Current/existing/ongoing student performance data ○ Relevant, evidence-based programs and practices, aligned with and/or providing access to the NC SCoS, matched to student’s unique needs, and demonstrated to accelerate student performance ○ Instruction addressing student academic, behavioral, and/or functional needs related to a student’s disability(ies) that, in general education, inhibits |

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| | <p>proficient acquisition, retention, expression and/or application of knowledge and skills.</p> <ul style="list-style-type: none"> • The IEP must be aligned with the State’s academic content standards for the grade in which the child is enrolled to ensure high expectations and meaningful access to a State’s academic content standards (OSERS Policy Guidance on FAPE November 2015). • <i>The provision of accommodations alone does not suffice as SDI.</i> Accommodations, including changes to general education environment, pacing, materials, equipment, grading, assignments, and/or testing structure, do not constitute specially designed instruction. • Required, rather than merely beneficial, for the individual student to meet educational standards |
| <p>HOW DOES SPECIALLY DESIGNED INSTRUCTION FIT WITHIN A MULTI-TIERED SYSTEM OF SUPPORT (MTSS)?</p> | <ul style="list-style-type: none"> • All students, including students with disabilities, receive Core instruction and intervention as needed; students with disabilities also receive specially designed instruction • SDI occurs within a multi-tiered system of support framework: <ul style="list-style-type: none"> ○ Data-driven problem-solving at the district, school, grade, and classroom level is inclusive of students with disabilities ○ Resources available within an MTSS include special education and related service provider knowledge/skills/abilities ○ SDI can be provided within differentiated Core, supplemental, and/or intensive supports ○ A Comprehensive Assessment System is inclusive of assessments that measure the outcomes and effectiveness of SDI • The intent of SDI is to ensure access to the general curriculum so that any child with a disability, as defined by NC 1500-2.4, can meet the educational standards that apply to all children • See the Rationale Document: SDI within an MTSS |
| <p>WHO SHALL DESIGN AND MONITOR SPECIALLY DESIGNED INSTRUCTION?</p> | <p>Properly licensed special education teachers, including BK certified teachers, and related service providers with specialized training and competency in the area of need (e.g., license, education, and/or credentials), in collaboration with general education teachers</p> |
| <p>WHO CAN <u>PROVIDE</u> SPECIALLY</p> | <ul style="list-style-type: none"> • Properly licensed special education teachers, including BK certified teachers, and related service providers with specialized training and competency in the area of need |

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| DESIGNED INSTRUCTION? | <p>(e.g., license, education, and/or credentials), in collaboration with general education teachers</p> <ul style="list-style-type: none"> • General education teachers, therapy assistants and paraprofessionals, under the supervision of the special education teacher or related service provider, may <i>assist</i> in the provision of specially designed instruction, but may not be the primary provider of SDI |
| WHERE AND WHEN IS SPECIALLY DESIGNED INSTRUCTION DELIVERED? | <ul style="list-style-type: none"> ∄ Special education is a service- not a place- and is available within differentiated core, supplemental and intensive supports ∄ Any place or time school-related activities occur, as defined in the student’s IEP ∄ To the maximum extent appropriate, with students who are not disabled, based on individual student need described in the IEP ∄ When the nature of the disability is such that participation in general education cannot be satisfactorily achieved, students may receive SDI in other settings in addition to the general education setting ∄ Within intentionally selected settings most likely to result in student progress (See Least Restrictive Environment) |
| HOW IS THE DELIVERY OF SPECIALLY DESIGNED INSTRUCTION VERIFIED? | <ul style="list-style-type: none"> • Classroom/therapy space walk-throughs and observations (See Appendix C) • Documentation of service provision/treatment notes • Completed data sheets/progress monitoring tools • IEP progress reports • Staff and student attendance records |
| HOW DO IEP TEAM MEMBERS MONITOR SPECIALLY DESIGNED INSTRUCTION FOR EFFECTIVENESS? | <ul style="list-style-type: none"> • Through a specially designed progress monitoring plan • Through analysis of data that may include, but is not limited to: <ul style="list-style-type: none"> ○ repeated, individual student assessment data ○ comparison of student rate of growth to IEP goals ○ comparison of student rate of growth to grade level standards • Through analysis of multiple data sources that include common formative assessments, interim/benchmark assessments, outcome assessments and universal screening that indicates: <ul style="list-style-type: none"> ○ Special education results in accelerated academic and/or behavioral progress toward grade level standards at a rate sufficient to result in eventual graduation with a diploma and/or readiness for post-high school career, college, or community success ○ Students in special education are experiencing reduced risk over time |

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| | <ul style="list-style-type: none"> ○ Instruction is being delivered with fidelity, using curriculum and practices consistently, accurately, and as intended ● Through collaborative, systematic data review, analysis, and problem solving by the IEP team to determine when/if: <ul style="list-style-type: none"> ○ SDI needs to be modified ○ Goals need to be advanced or adjusted ○ There is a lack of expected progress ○ SDI is no longer required ● Through IEP team feedback ● Through IEP team progress monitoring data ● The LEA representative is responsible for ensuring that the IEP is implemented as written |
| <p>HOW IS STUDENT PROGRESS RESULTING FROM SPECIALLY DESIGNED INSTRUCTION COMMUNICATED TO PARENTS?</p> | <ul style="list-style-type: none"> ● Through reports on the child’s progress toward meeting each annual goal provided concurrently with the issuance of report cards, or more often as determined by the IEP Team. IDEA 300.320(a)(3)(ii) ● By communicating objective measures of achievement that clearly indicates progress toward the IEP goal, benchmark and/or objective and whether progress is sufficient to achieve the goal by the end of the IEP term ● Through informative and parent-friendly language ● By avoiding vague terms such as “adequate progress” ● By utilizing data-informed (objective, not subjective) descriptions of performance ● Through communication from all contributors to student progress, especially when progress varies by discipline focus/emphasis |

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| <p>HOW IS SPECIALLY DESIGNED INSTRUCTION DELIVERED?</p> | <ul style="list-style-type: none"> ● In an urgent, relentless, intense, precise, direct, highly structured and carefully monitored manner ● By systematically adjusting instruction and intervention over time, in response to ongoing progress monitoring data, to address the student’s complex learning needs ● Through customized changes to the content, methodology and/or delivery of instruction based on the student’s disability, which may include alterations in: <ul style="list-style-type: none"> ○ the purpose and appropriateness of the task ○ the complexity of the task ○ the size of the task ○ the time allotted ○ the pace of instruction ○ the environment ○ the order of learning ○ the instructional procedures and routines ○ the resources and materials ○ the application and demonstration of knowledge ○ the level of support/assistance from specialists ○ student independence, participation, and motivation |
| <p>HOW IS SPECIALLY DESIGNED INSTRUCTION DOCUMENTED?</p> | <ul style="list-style-type: none"> ● The related service provider plans of care and/or lesson plans serve as the primary artifact of special design; other relevant documentation of special design includes: <ul style="list-style-type: none"> ○ the IEP ○ progress monitoring plans (See Appendix B) ○ documentation of service provision/treatment notes ● The LEA representative is responsible for ensuring that the IEP is implemented as written ● Adaptations to the content of SDI may be described in: <ul style="list-style-type: none"> ○ Present Levels of Academic and Functional Performance (PLAAFP) ○ Annual goals and objectives ○ Supplemental aids and services ○ The identified course of study ○ Selected modifications ○ Least Restrictive Environment (LRE) justification ○ Lesson plan and/or related service provider plan of care ● Adaptations to the methodology of SDI may be described in: <ul style="list-style-type: none"> ○ PLAAFP ○ “Given” statement of goals and objectives ○ Supplemental aids and services ○ Selected accommodations and/or modifications ○ LRE justification ○ Lesson plan and/or related service provider plan of care |

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- Adaptations to the [delivery](#) of SDI may be described in:
 - Service delivery description in the IEP; must document each area of SDI that aligns with IEP goals
 - LRE justification
 - Supplemental aids and services
 - Lesson plan and/or related service provider plan of care

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APPENDIX A Glossary of Terms

Accommodations - allows a student to complete the same assignment or test as other students, but with a change in the timing, formatting, setting, scheduling, response and/or presentation; the accommodation does not alter in any significant way what the test or assignment measures

Acquisition - early stages of learning in which the learner is: explicitly taught a new knowledge or skill; receives close/frequent support and feedback on initial attempts to use the knowledge or skill; and, is not yet accurate or fluent with the new knowledge or skill

Application - use or transfer of knowledge or skill in new situations; taking what is learned during the acquisition phase into novel, more variable situations

Content - substance of the knowledge, skills and dispositions that is taught that is specific to the student with a disability; directly links to standards, and may be an underlying, prerequisite needed to meet the standards; answers **what** the student will learn

Design - creation of an individualized education program (or some of its components) by the IEP team, including a specialist or group of specialists trained and qualified to synthesize student performance data, knowledge of how the student's disability affects learning and participation, and information about the instructional/school environment

Delivery - the instructional context or conditions, specific to the student with a disability, that results in access to, participation in and progress in the curriculum; answers **where and when** the learning will occur

Differentiated instruction - instruction available to all students and is "... a process to teaching and learning for students of differing abilities in the same class. The intent of differentiating instruction is to maximize each student's growth and individual success by meeting each student where he or she is and assist in the learning process" (NCAC Differentiated Instruction and Implications for UDL Implementation: Effective Classroom Practices Report)

Evidence-based instruction and intervention - the integration of professional wisdom with the best available empirical evidence in making decisions about how to deliver instruction (Whitehurst, 2002). For additional information, see United States Department of Education *Non-Regulatory Guidance: Using Evidence to Strengthen Education Investments*. <https://www2.ed.gov/policy/elsec/leg/essa/guidanceuseseseinvestment.pdf>

NOTE: "For some students with the most intensive needs, evidence-based practices may be limited or unavailable. This is particularly true for students with disabilities. When no relevant EBPs can be found, we recommend that educators apply the same principles used to identify EBPs to locate practices supported as effective by the best available evidence (i.e. evidence-based reviews, practice guides, meta-analyses, and narrative literature reviews). No practice, even an EBP or a promising practice supported by the best available evidence, is guaranteed to work for every individual learner. Educators should monitor the progress of each individual learner to gauge each learner's responsiveness to instruction and adjust instruction according to the data." (The Council for Exceptional Children, 2014)

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Expression - student demonstration of knowledge, attitudes, skills, aspirations, and behaviors by whatever individualized means he/she is able to use (e.g., speech, written language, assistive technology, gestures, etc.)

Free, Appropriate Public Education (FAPE) - an individualized educational program that is designed to meet the student's unique needs and from which the student receives educational benefit, and prepares them for further education, employment, and independent living

LEA Self-Assessment - One component of NC's federally mandated Results Driven Accountability efforts to improve outcomes for students with disabilities, using customized, collaborative problem solving and improvement planning across local, state, and federal agencies; this tool identifies strengths and needs of EC structures and programming at the local level and drives the type/intensity of support the PSU will receive

Least Restrictive Environment - means that, to the maximum extent appropriate, children with disabilities shall be educated with children who are not disabled, and special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only when the nature of the disability is such that education in the regular classes with the use of supplementary aids and services cannot be achieved satisfactorily (NC 1500-2.20)

Methodology - the instructional design of content using evidence-based practices matched to unique student needs resulting from the disability; answers **how** instruction is designed

Modifications - an adjustment to an assignment or a test that changes the standard or what the test or assignment is supposed to measure

Multi-tiered system of support (MTSS) - NC MTSS is a multi-tiered framework which promotes school improvement through engaging, research-based academic and behavioral practices. NC MTSS employs a systems approach using data-driven problem solving to maximize growth for all ([MTSS Livebinder](#))

- **Core instruction**- evidence-based practices and programs demonstrated to produce good academic and behavior outcomes for the majority of students; Core instruction includes all students
- **Supplemental instruction**- evidence-based practices and programs demonstrated to improve academic and behavior performance in Core; provided in addition to Core instruction
- **Intensive Instruction**- evidence-based practices and programs demonstrated to accelerate academic and behavior performance in identified areas; provided in addition to Core and Supplemental instruction

Progress monitoring plan - a written plan developed by the IEP team that considers the following:

- Identification and operational definition of the academic, behavioral or functional knowledge, action/skill or ability that will be measured
- Identification and description of the data collection method/tool
- Description of how often, time of day and where student progress will be assessed

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- Identification of team members responsible for data collection, fidelity checks, data interpretation and writing progress reports

Retention - student is fluent and accurate enabling ready access to acquired knowledge, attitudes, skills, aspirations, and/or behaviors over time

State Systemic Improvement Plan - an ambitious but achievable multi-year plan that each State must write describing how it will improve outcomes for children with disabilities served under; Indicator 17 in the OSEP State Performance Plan/Annual Performance Report; SSIP has three phases: analysis; improvement plan; and, evaluation

Universal Design for Learning - means a scientifically valid framework for guiding educational practice that:

- A. provides flexibility in the ways information is 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, including students with disabilities and students who are limited English proficient (National Center on Universal Design for Learning)

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APPENDIX B

Sample Progress Monitoring Plan for Student Response to Specially Designed Instruction

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| 1. Identify and operationally define the behavioral or functional knowledge, action/skill, or ability that will be measured: |
| 2. Describe the data collection method/tools: |
| 3. Describe how often, what time of day, and where student progress will be assessed: |
| 4. Identify team members responsible for: <ul style="list-style-type: none">a) data collection –b) data collection fidelity checks –c) interpreting data to determine progress –d) writing progress report to parents |

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APPENDIX C

Specially Designed Instruction Data Collection Tools

The following tools are provided to support PSUs in the collection and analysis of the design, delivery and effectiveness of Specially Designed Instruction to support systematic problem solving.

[NC Department of Public Instruction Data Collection Tool](#)

This tool is designed to support data collection to allow for the collection of meaningful data on instructional practices for SWD to inform problem solving around these three core elements in any school setting where specially designed instruction is being provided. This includes both general and special education settings. This tool is designed to be a data collection tool across a school or PSU to assist in problem solving around the SSIP core elements. It is not intended to be an evaluation tool for an individual teacher. This tool is meant to be an example and may be customized to meet the needs of the Public School Unit.

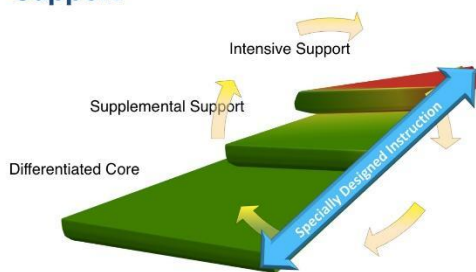
The following fidelity tools are provided through the North Carolina State Improvement Project (NCSIP). The observer should, at a minimum, have completed a full training course in the reading and/or math model being implemented by the teacher who is to be observed. When possible, the observer should be a trainer in this reading/math model.

[NCSIP Reading and Math Fidelity Observation Forms](#)

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Appendix D

Layering of Support



This document is intended to help clarify the integration of specially designed instruction (SDI) within a Multi-Tiered System of Support (MTSS), which is a flexible framework to meet the needs of *all* students. SDI can only exist within a system that supports all students. The graphic to the left illustrates the integration of SDI within an MTSS across all tiers. A cycle of continuous data-based problem solving is utilized as a reminder of the core belief that we can effectively teach all students when using engaging research-based academic, functional, behavioral, and social-emotional practices.

The table on the following page provides an explanation of the similarities, differences and integration of SDI within an MTSS.

Unpacking the Three-Tiered Instructional / Intervention Component of an MTSS

Three-tiered instruction/intervention is a critical component of MTSS implementation. In a typical system, differentiated core includes the instruction all students receive; supplemental supports refers to a standard protocol provided to students not meeting benchmarks; and intensive supports includes intensive, small group or individual interventions for students showing significant barriers to learning the skills required for school success. It is important to consider academic, functional, behavioral, and social-emotional instruction and interventions when examining this critical component.

What MTSS is NOT...

MTSS is not a process or pathway to special education services.
MTSS is not synonymous with Response to Intervention.

Specially Designed Instruction within an MTSS

SDI within an MTSS begins with the knowledge that:

- students with disabilities are always general education students
- special education is a service - not a place – available within differentiated core, supplemental, and intensive supports
- an effective integrated system results in accelerated learning of academic, functional, behavioral, social-emotional skills for students who are behind
- SDI is inseparably linked to school improvement

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| | Differentiated Core | Supplemental | Intensive |
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| What | Resources are available to ALL students: <ul style="list-style-type: none"> Standards-aligned academic and behavioral curriculum taught by excellent educators Evidence-based practices and programs demonstrated to produce good academic and behavior outcomes for the majority of students Up-to-date instructional space, materials, and technology Positive, safe, and healthy school climate Agile student performance data systems Shared, high expectations | Resources available to support students who need supplemental supports in addition to core supports (approximately 20% of students): <ul style="list-style-type: none"> Evidence-based practices and programs demonstrated to <i>improve</i> academic and behavior performance in Tier I-Core Small group instruction organized by and responsive to student needs Educators demonstrating: <ul style="list-style-type: none"> ◦ fidelity with delivery of the defined standard treatment protocol ◦ skills in monitoring and evaluating student response | Resources available to support those students needing intensive supports in addition to supplemental and core supports (approximately 5% of students): <ul style="list-style-type: none"> Evidence-based practices and programs demonstrated to <i>accelerate</i> academic and behavior performance in identified areas Educators demonstrating skills in real time data-based individualization |
| How | Implementing: <ul style="list-style-type: none"> Comprehensive assessment system Problem-solving model Personalized education delivered using the principles of Universal Design for Learning (UDL) | Implementing: <ul style="list-style-type: none"> Standard protocol delivered to small groups of students with similar needs Increased frequency of progress monitoring within comprehensive assessment system Problem-solving for subgroups of students | Implementing: <ul style="list-style-type: none"> Individual or very small group instruction organized by and responsive to intensity of student need high frequency of progress monitoring within comprehensive assessment system data-based individualization and problem-solving for individual students |
| Effectiveness | At least 80% of all students, in all subgroups, are meeting academic and behavior standards with core supports alone | At least 70-80% of students improve academic and behavior performance toward core (Tier I) benchmarks | Students accelerate academic and behavior progress in identified skill areas toward academic and behavior benchmarks |



| What | How | Effectiveness |
|---|---|---|
| Resources are available to students identified as having a disability under <i>NC Policies Governing Services of Children with Disabilities</i> <ul style="list-style-type: none"> Comprehensive individualized education evaluation Scientific, research-based programs and practices, aligned with the NC SCOS matched to student's unique needs, and demonstrated to accelerate student performance Shared, high expectations by all IEP team members | Implementing: <ul style="list-style-type: none"> adapted content, methodology, or delivery of instruction-- <ul style="list-style-type: none"> (i) To address the unique needs of the student that result from the student's disability; and (ii) To ensure access of the student to the general curriculum, so that the student can meet the educational standards that apply to all students per the Individual Education Plan (IEP) high frequency of progress monitoring towards IEP goals and age and grade level standards problem-solving for individual students based on their unique needs arising from their disability | Accelerated academic and/or behavioral progress toward grade-level standards at a rate sufficient to result in eventual graduation with a diploma and/or readiness for post-high school career, college, or community success |

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