

ACCOMMODATIONS FOR STUDENTS WITH DISABILITIES REQUIREMENTS OF GENERAL EDUCATION TEACHERS

What does the law require of me as a general education teacher?

It is important that students receive highly effective, culturally responsive, evidence-based, developmentally appropriate instruction within the general education classroom. Highly effective teaching occurring in the classroom would include differentiation to help address the academic needs of students. Students who have disabilities may be placed in the general education classroom for all or part of the school day. The general education teacher will need to implement any accommodations and make any modifications for the designated students as indicated in the students' Individual Education Plans (IEPs).

Accommodations – Regular Education teachers are required and accountable for providing accommodations that are stated in the IEP. Teachers adapt materials and adopt alternative strategies to allow special needs students an opportunity to access and progress in the general program. The IEP is required to address the **specific accommodations** that are needed for each student to participate in the Regular Education program successfully.

Failure to make accommodations may lead to legal action. A notable example is the *Doe v. Withers* case in West Virginia. A jury returned a verdict in favor of the parents of an LD student against a high school teacher for \$5000.00 in compensatory damages and \$10,000.00 in punitive damages for the teacher's refusal to provide oral testing as required by the IEP. 20 IDELR (W. VA Circuit Court, 1993)

Teachers have a responsibility to:

1. Adjust traditional instructional practices in response to student needs.
2. To provide activities that represent significant cognitive challenge, with some differentiation for different groups of students.
3. Break down concepts into more easily understood segments to facilitate student learning.
4. Evaluate and grade special education students in a manner that ensures they are not penalized for their disability.
5. Create a climate of acceptance of the special education student within the classroom and among other students.
6. Work as an active, contributing member of the student's IEP/ARC team.

Legal Problems Arise WHEN:

1. Teachers refuse to make accommodations documented on the IEP;
2. Teachers discriminate against the student with disabilities in some way (example: field trips);
3. ARC/IEP committee members don't work cooperatively together and act as individual teachers, rather than a team;
4. Proper documentation and procedures have not been followed (filling out forms and paperwork);
5. The failure to participate in IEP meetings may subject the district to legal action.

Definitions of Differentiated Instruction, Accommodations and Modifications

What is differentiated instruction?*

At its most basic level, differentiation consists of the efforts of teachers to respond to variance among learners in the classroom. Whenever a teacher reaches out to an individual or small group to vary his or her teaching in order to create the best learning experience possible, the teacher is differentiating instruction. Teachers can differentiate at least four classroom elements based on student readiness, interest, or learning profile:

- **Content** – what the student needs to learn or how the student will get access to the information;
- **Process** – activities in which the student engages in order to make sense of or master the content;
- **Products** – culminating projects that ask the student to rehearse, apply, and extend what he or she has learned in a unit; and
- **Learning environment** – the way the classroom works and feels.

*Excerpted from Charlotte Danielson's Framework.

What are the differences between accommodations and modifications?

Accommodations are changes to HOW students access instruction and demonstrate what they have learned. They can enable students with a disability to take the same kinds of tests and courses as nondisabled students and graduate with a standard diploma. Accommodations may be provided in five general areas: instructional methods and materials, assignments and assessments, time demands and scheduling, the learning environment, and special communications systems.

Questions About Accommodations

Which students are eligible for accommodations?

Students who have been evaluated and staffed into programs for students with disabilities and students with 504 plans are eligible for accommodations. Other students in the classroom who need support to achieve the desired learning outcomes may also need accommodations. As teachers we know that we need to provide learning supports to ALL children in the class. Many of the things we think of as accommodations are beneficial for all students. They are really just GOOD TEACHING practices.

Who determines what accommodations are needed for a student?

Once a student has been evaluated and staffed into the exceptional student program, the Individual Education Plan (IEP) team works together to determine what accommodations are necessary to insure the student has the opportunity to achieve the same learning outcomes as the rest of the class. A team approach is also used to determine necessary accommodations for each student with a 504 plan.

However, individual teachers routinely determine and provide appropriate accommodations for other students in their classrooms who need learning support (for example, students who are in the process of acquiring English language skills or students with special needs).

Questions About Accommodations

Who determines if accommodations are necessary?

Only the Individual Educational Plan (IEP) team (ARC) can make decisions regarding necessary modifications. Teachers should not make decisions on their own regarding modifications.

Why should an elementary teacher be concerned about making accommodations to the curriculum for a student?

Accommodations or the decision to have the student participate in the alternative assessment made in the elementary school may impact the type of diploma a student ultimately earns. When accommodations and the form of testing are determined, a student may be unprepared to pursue the courses in middle school or high school that could lead to a standard diploma.

Therefore, in elementary school, it is very important not to make accommodations or prematurely determine the need for alternative assessment unless absolutely necessary.

LEGAL DOCUMENTATION OF ACCOMMODATIONS

What if I think the accommodations documented for a student on the Individual Educational Plan (IEP) are no longer needed, or need to be enhanced? How can I update the IEP during the year, if I think it needs to be changed?

Any member of the IEP team (you, parents, administrators, other teachers, etc.) may request a review of the IEP at any time during the year to update the IEP as needed.

What is a 504 plan and who is eligible for one?

Students with physical or mental disabilities who do not meet eligibility requirements for special education programs or who do not require special education services may also require accommodations. Section 504 of the Rehabilitation Act of 1973 provides these rights to all Americans with disabilities. Each school district develops "504 plans" for these students. These plans document the evaluations and decisions made regarding each student.

PROVIDING ACCOMMODATIONS FOR ASSESSMENTS

Can accommodations be provided for classroom tests?

Yes, teachers can provide accommodations for classroom tests. Not everyone in the class has to be assessed in the same way. The important thing is to make sure the accommodation provided does not change what the test is measuring. For example, you could read a science test aloud and still measure what the student knows about science. If you read aloud the items on a reading test, the test would no longer measure the student's ability to read.

Listed below are the areas in which accommodations may be made for classroom tests and examples of possible accommodations.

- Presentation format: The test may be presented orally (instead of in written format), on a lower reading level, in larger print, or in Braille.
- Response mode: The student may respond orally, instead of in writing or may physically demonstrate the answer. The student may use word processing software to respond to test questions.

- Time: The student may be given more time to take the test or the test may be administered in short sessions. The test may be given after school.
- Setting: The test may be given in a smaller classroom setting.

Assignment and Classroom Assessments

Accommodations for assignments and classroom assessments generally are the same. If a student needs a word processor for written work in class, he or she will probably need one for a written test. Accommodations of this type can also allow students with disabilities additional time to practice their new skills as well as chances to apply recently acquired knowledge in real-world contexts. They only change the WAY students develop their abilities and show what they have learned. The expectations are the same.

TEACHER RESPONSIBILITIES

Effective lesson planning and accommodations

Why is good lesson planning important in the accommodations process?

When lessons are well-designed, almost all students will be able to achieve the desired learning outcomes. Many years of research have identified the necessary components that make lessons effective. Building these components into lessons enables almost all students to learn. Consequently, the teacher will need to make far fewer accommodations for students with disabilities.

If a lesson is poorly designed, students will be less likely to achieve the learning outcomes, no matter what learning supports or accommodations are put in place. It's kind of like ordering a specialized van to meet the needs of a driver with disabilities. No matter how you customize the van (e.g., adding wheelchair lifts, special pedals and grips, etc.), the driver is unlikely to get to the appropriate destination if the van has a poorly designed engine that causes it to run inconsistently.

How can I remember what accommodations are needed for individual students and make sure that I incorporate them into my lesson plans?

Listing the accommodations required for students in a short form in your lesson plan books is effective. The list of accommodations can be used when creating lesson plans. It can also be accessed for reference by substitute teachers.

Managing information about accommodations

Why is it important for teachers to be informed about accommodations?

Teachers have a legal responsibility to provide required accommodations to students with disabilities. Teachers who are knowledgeable about accommodations will be better able to implement them effectively in their classrooms. They will also be able to address questions and concerns of parents of students with disabilities in an informed manner.

I have 150 students. I don't have time to read through the IEPs and 504 plans on file for students with disabilities or medical problems. How can I get the information needed regarding required accommodations?

In some schools, the special education staff reads through the IEPs and makes a list of the accommodations needed for each student for teachers to keep in their lesson plan books. In other schools, teachers meet before school starts to review students' IEPs and 504 plans. You may also schedule time with the teachers in the special education department in your school. They can quickly tell you which students need accommodations.

How will next year's regular education teachers know what accommodations were made this year for an individual student?

The accommodations listed on IEPs and 504 plans include this important information.

(Information adapted from Teaching Resources for Florida Exceptional Student Education, <http://cpt.fsu.edu/ese>)

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