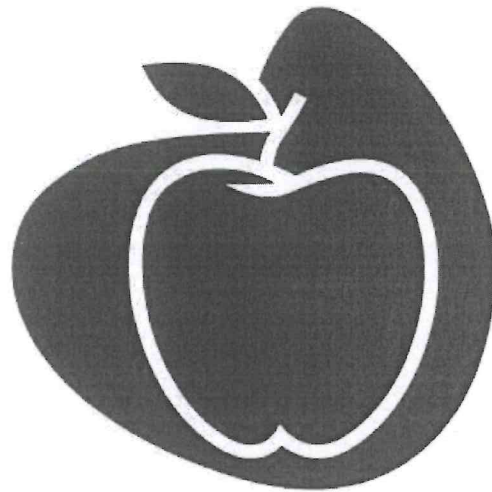


**NEBRASKA
DEPARTMENT OF EDUCATION**



ACCOMMODATIONS GUIDELINES

**HOW TO SELECT, ADMINISTER, AND EVALUATE
ACCOMMODATIONS FOR INSTRUCTION
OF
STUDENTS WITH DISABILITIES**

**November 2011
THIRD EDITION**

**TEMPLATE DEVELOPED BY THE 2011 CCSSO STATE COLLABORATIVE ON ASSESSMENT AND
STUDENT STANDARDS ASSESSING SPECIAL EDUCATION STUDENT**

TABLE OF CONTENTS

INTRODUCTION	1
FIVE STEPS TO EFFECTIVE ACCOMMODATIONS	
STEP 1: EXPECT STUDENTS WITH DISABILITIES TO ACHIEVE	2
Federal and State Regulations	
Equal Access to Grade Level Content	
STEP 2: LEARN ABOUT ACCOMMODATIONS FOR INSTRUCTION	4
What Are Accommodations?	
Who Is Involved in Accommodations Decisions?	
Accommodation Categories	
IEP Team Considerations for Instructional Accommodations	
Modifications	
STEP 3: SELECT ACCOMMODATIONS FOR INSTRUCTION OF INDIVIDUAL STUDENTS	7
Individual Means Individual	
Recording Accommodations in the IEP	
Involving Students in Selecting, Using, and Evaluating Accommodations	
Accommodations During Instruction	
Post Secondary Implications	
The ABCs of Accommodations	
STEP 4: EVALUATE AND IMPROVE ACCOMMODATIONS USE	22
Types of Data Collection	
Questions to Guide the Evaluation of Accommodations	
STEP 5: ACCOMMODATIONS FOR INSTRUCTION AND ASSESSMENT	24
Accommodations During Instruction	
Including All Students With Disabilities in State Accountability Assessments	
Accommodations for Instruction vs. Assessment	
NeSA Approved Accommodations Document	
Planning for Test Day	
Ethical Testing Practices	
Standardization	
Test Security	
TOOLS FOR THE IEP TEAM:	27
#1 Determining Appropriate Accommodations	
#2 Do's and Don'ts In Selecting Accommodations	
#3 Differentiated Instructional Strategies	

INTRODUCTION

FIVE STEPS TO EFFECTIVE ACCOMMODATIONS

The *Nebraska Department of Education Accommodations Guidelines: How to Select, Administer, and Evaluate Accommodations for Instruction of Students with Disabilities* presents a five-step process for Individualized Educational Program (IEP) teams, teachers, and administrators to use in the selection, administration, and evaluation of the effectiveness of instructional and assessment accommodations by students with disabilities.

These five steps include the following:

- 1. Expect students with disabilities to achieve grade-level academic content standards.**
- 2. Learn about accommodations for instruction and assessment.**
- 3. Select accommodations for instruction of individual students.**
- 4. Evaluate and improve accommodation use.**
- 5. Align accommodations for instruction and assessment.**

STEP 1

EXPECT STUDENTS WITH DISABILITIES TO ACHIEVE GRADE-LEVEL ACADEMIC CONTENT STANDARDS

FEDERAL AND STATE REGULATIONS

The *Elementary and Secondary Education Act (ESEA)* and the *Individuals with Disabilities Education Improvement Act of 2004 (IDEA)* require the participation of students with disabilities in grade-level, standards-based instruction and state and district wide assessments.

IDEA 2004

Subpart 4 General Provisions, Sec. 682 Administrative provisions

(c) FINDINGS.—Congress finds the following:

- (5) Almost 30 years of research and experience has demonstrated that the education of children with disabilities can be made more effective by—
 - (A) having high expectations for such children and ensuring their access to the general education curriculum in the regular classroom, to the maximum extent possible to—
 - (i) meet developmental goals and, to the maximum extent possible, the challenging expectations that have been established for all children...

In addition, *Nebraska Title 92, Rule 51* specifically governs services provided to students with disabilities. It is the role of the Individual Education Plan (IEP) Team to determine the specific accommodations needed by each student in order to access grade-level instruction on academic standards.

Nebraska Rule 51, 2008

007.07A The IEP shall include:

- 007.07A2 statement of measureable annual goal, including academic and functional goals, designed to:
 - 007.07A2a 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; or for preschool children, as appropriate, to participate in appropriate activities...
- 007.07A5 A statement of the special education and related services... that will be provided to enable the child:
 - 007.07A5b To be involved in and progress in the general education curriculum and to participate in extracurricular and other nonacademic activities;

008.011 A child with a disability must not be removed from education in age-appropriate regular classrooms solely because of needed modifications in the general curriculum.

EQUAL ACCESS TO GRADE-LEVEL CONTENT

With the legislative focus on the inclusion of all students, the drive to ensure equal access to grade-level content standards is great. Academic content standards are educational targets outlining what students are expected to know and do at each grade level. Teachers ensure that students work toward grade-level content standards by using a range of instructional strategies based on the varied strengths and needs of students. For students with disabilities, accommodations are provided during instruction and assessments to help promote equal access to grade-level content. To accomplish this goal of equal access,

- Individualized Education Program (IEP) team members should be familiar with content standards and accountability systems at the state level;
- IEP team members should know where to locate standards and updates; and
- collaboration between general and special educators must occur for successful student access.

All students with disabilities can work toward grade-level academic content standards (or grade-level content standards with extended indicators) and most students will be able to achieve these standards when the following three conditions are met:

1. Instruction is provided by teachers who are qualified to teach in the content areas addressed by state standards and who know how to differentiate instruction for diverse learners.
2. IEPs for students with disabilities are developed to ensure the provision of specialized instruction (e.g., specific reading skills, strategies for “learning how to learn”).
3. Appropriate accommodations are provided to help students access grade-level content.

The selection, administration, and evaluation of accommodations for instruction and assessment are the focus of the *Accommodations Manual: How to Select, Administer, and Evaluate Use of Accommodations for Instruction of Students with Disabilities*.

Information on the Nebraska State Reading, Math and Science Standards may be found at:
<http://www.education.ne.gov/ci/index.html> or
<http://www.education.ne.gov/sped/instruction.html>

STEP 2

LEARN ABOUT ACCOMMODATIONS FOR INSTRUCTION

WHAT ARE ACCOMMODATIONS?

Accommodations are practices and procedures in the areas of 1) presentation, 2) response, and 3) setting/timing/scheduling that provide equitable access during instruction and assessments for students with disabilities.

Accommodations are intended to reduce or even eliminate the effects of a student's disability; they do not reduce learning expectations. Accommodation use should not begin and end in school. Students who use accommodations will generally need them at home, in the community, and, as they get older, in postsecondary education and and/or the work place.

WHO IS INVOLVED IN ACCOMMODATIONS DECISIONS?

IEP teams must make accommodation decisions for students in accordance with state and federal guidelines. Students with IEPs and 504 plans must be provided accommodations based on individual need. Accommodations for instruction must be documented in the student's IEPs. (Rule 51, Section 007.07A5)

“A statement of the special education and related services and supplementary aids and services based on peer-reviewed research to the extent practicable, to be provided to the child, or on behalf of the child, and a statement of the program modifications or supports for school personnel that will be provided to enable the child:

007.07A5a To advance appropriately toward attaining the annual goals;

007.07A5b to be involved in and progress in the general education curriculum and to participate in extracurricular and other nonacademic activities; and

007.07A5c to be educated and participate with other children with disabilities and nondisabled children in the activities described in 92 NAD 51-007.075A;”

ACCOMMODATION CATEGORIES

Accommodations are commonly categorized in three ways: 1) presentation, 2) response, and 3) setting/timing/scheduling.

1. **Presentation Accommodations** allow students to access information in ways that do not require them to visually read standard print. These alternate modes of access are auditory, multi-sensory, tactile, and visual.

Who benefits most? Students who benefit most from presentation accommodations are those with print disabilities, defined as difficulty or inability to read standard print due to physical or cognitive disabilities.

2. **Response Accommodations** allow students to complete activities, assignments, and assessments in different ways.

Who benefits most? Students who benefit most from response accommodations are those with physical, sensory, or learning disabilities (including difficulties with communication, memory, sequencing, directionality, alignment, and organization).

3. **Setting/Timing/Scheduling Accommodations** change the location or the conditions of the instructional setting. The allowable length of time to complete an assignment is increased and perhaps the way the time is organized is changed.

Who benefits most? Students who benefit most from setting accommodations are those easily distracted in large group settings and who concentrate best in a small group or individual setting. Students who benefit most from timing and scheduling accommodations are those who need more time to complete activities and assignments or students who focus better at certain times during the day.

Accommodations **do not reduce learning expectations** or **alter the content of the material** to be mastered. Accommodations provide access to receiving information and demonstrating what has been learned. If chosen appropriately, accommodations will not provide too much or too little help to the student who receives them.

IEP TEAM CONSIDERATIONS FOR INSTRUCTIONAL ACCOMMODATIONS

To ensure that students with disabilities are engaged in standards-based instruction, every IEP team member needs to be familiar with state standards. The team should consider

- student characteristics and needs;
- instructional tasks expected of students to demonstrate proficiency in grade-level content standards; and
- consistency between accommodations used during classroom instruction and those used on assessments.

IEP team members should ask, “Does the student really need an accommodation?” A student may not be receiving an accommodation he or she really needs or may be receiving too many accommodations. Research indicates that more is not necessarily better, and providing students with accommodations that are not truly needed may have a negative impact on performance. The best approach is to focus on a student’s identified needs within the general education curriculum and select accommodations that will support those needs.

IMPORTANT!

IEP team meetings that simply engage people in checking boxes on an accommodation “menu” are neither conducive to sound decision making practices, nor do they advance equal opportunities for students to participate in the general education curriculum.

MODIFICATIONS

Modifications refer to practices that change or reduce learning expectations and academic content. Modifications generally increase the achievement gap between students with disabilities and expectations for proficiency at a particular grade level. Examples of modifications include:

- requiring a student to learn less material or fewer standards at a grade level, and
- giving students out-of-grade level materials.

IEP teams should carefully evaluate the impact of providing modifications to students during instruction. Modifications to content may have the unintended consequence of reducing their opportunity to learn grade-level academic standards.

STEP 3

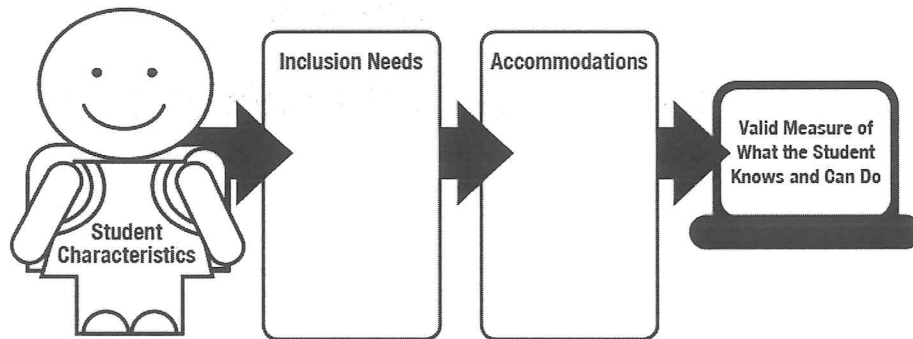
SELECT ACCOMMODATIONS FOR INSTRUCTION OF INDIVIDUAL STUDENTS

Effective decision-making regarding the provision of appropriate accommodations begins with making good instructional decisions. In turn, making appropriate instructional decisions is facilitated by gathering and reviewing good information about the student's abilities and present level of performance in relation to state academic standards.

“INDIVIDUAL” MEANS “INDIVIDUAL”

Selecting accommodations for instruction is the role of a student's IEP team. Accommodations should be chosen based on the individual student's characteristics and need for the accommodations in a least restrictive environment (see figure 3). After considering the student's individual characteristics, the IEP team should identify inclusion needs that require accommodations. When these accommodations are used according to plan, the student should be able to validly demonstrate what he or she knows and can do for both instruction and assessment.

Figure 3. Student Characteristics and Needs



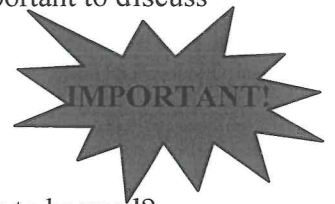
There are several questions an IEP team should ask to help identify inclusion needs and match accommodations to those needs.

- What are the student's learning strengths and areas for further improvement?
- How do the student's learning needs affect the achievement of grade-level content standards?
- What specialized instruction (e.g., learning strategies, organizational skills, reading skills) does the student need to achieve grade-level content standards?
- What accommodations will increase the student's access to instruction by addressing the student's learning needs and reducing the effect of the student's disability?
- What accommodations are regularly used by the student during instruction and assessments?

- What are the results of assignments when accommodations are used and not used?
- What is the student's perception of how well an accommodation works?
- Are there effective combinations of accommodations?
- What difficulties does the student experience when using accommodations?
- What are the perceptions of parents, teachers, and specialists about the impact of accommodation?
- Should the student continue to use an accommodation, are changes needed, or should the use of the accommodation be discontinued?

While these questions are important for the IEP team to consider, it is just as important to discuss these questions:

- Is the student willing to use the accommodation?
- Does the student know how to use the accommodation?
- Does the student have time to practice using the accommodation?
- Do classroom teachers understand when and where the accommodation is to be used?
- Do classroom teachers understand the purpose and need for the accommodation?



Many times, classroom teachers receive a list of accommodations for a student and do not understand the purpose of the accommodation, when it is to be used, or how often it is used. Thus the accommodation is not used appropriately or consistently in classrooms.

RECORDING ACCOMMODATIONS IN THE IEP

There are potentially three times during the IEP development process when accommodations should be discussed.

1. "Consideration of Special Factors" (Rule 51 007.07B6 and 007.07B7)
The IEP team considers communication and assistive technology devices and supports.
2. "Supplementary Aids and Services" (Rule 51 007.07A5)
The IEP team considers possible "aids, services, and other supports" that are provided in general education classes or other education-related settings to enable children with disabilities to be educated with non-disabled children to the maximum extent appropriate. Accommodations used during instruction throughout the year are recorded in this section.
3. "Participation in Assessments" (Rule 51 007.07A7, 007.07A7a, 007.07A7b)
The IEP team considers the student's participation in the Nebraska State Accountability (NeSA) test and the accommodations used during the testing process. Generally, accommodations used during instruction and written into the student's IEP are allowable for state-wide testing. However this is not always the case. The IEP team should refer to the "NeSA Approved Accommodations" document for guidance.

http://www.education.ne.gov/assessment/NeSA_Accommodations.htm

INVOLVING STUDENTS IN SELECTING, USING, AND EVALUATING ACCOMMODATIONS

It is critical for students with disabilities to understand their disabilities and learn self-advocacy strategies for success in school and throughout life. Some students have had limited experience expressing personal preferences and advocating for themselves. Speaking out about preferences, particularly in the presence of authority figures, may be a new role for students. It is one for which they need guidance and feedback. Teachers and other IEP team members can play a key role in working with students to advocate for themselves in the context of selecting, using, and evaluating accommodations.

The more students are involved in the selection process, the more likely the accommodations will be used, especially as students reach adolescence and the desire to be more independent increases. Self-advocacy skills become critical here. Students need opportunities to learn which accommodations are most helpful for them. Then they need to learn how to make certain those accommodations are provided in all appropriate classrooms and wherever they need them outside the school setting.

ACCOMMODATIONS DURING INSTRUCTION

The number of students with disabilities in general education classes has grown significantly in recent years. Federal disability-related legislation has increased awareness of equal opportunities in education and the right to accommodations. The federal Office of Special Education Programs (OSEP) estimates that 80% of students with disabilities spend at least half of their school day in general education classrooms.

Responding to student learning preferences and developing multiple pathways to promote the achievement of grade level academic content standards are examples of what is intended by the provision of accommodations—to give the student a fair and equitable chance to access and demonstrate learning.

Students must be provided the selected accommodations during instructional periods that necessitate the use of those accommodations. Teachers and staff who are familiar with accommodation strategies are better prepared to make arrangements that will ensure students with disabilities have equal opportunities to achieve academically.

Additional support for determining appropriate accommodations can be found on page 27
TOOLS FOR THE IEP TEAM # 1 DETERMINING APPROPRIATE ACCOMMODATIONS

POSTSECONDARY IMPLICATIONS

College and career readiness is an important educational outcome for all students. As students with disabilities plan for their transition to postsecondary settings, it is important for IEP teams

to have documented the student's use of accommodations so that the student can continue to use them as needed in college and career settings. Colleges and universities may allow fewer accommodations than were available in K–12 settings, so it is important for students to document their need to use accommodations. This may also be true for students who transition into vocational and other workplace settings.

The ABCs of Accommodations

<p>Adaptive furniture</p>	<ul style="list-style-type: none"> • Some students benefit from the use of adaptive or special furniture (for example, for sitting upright) during instruction or testing. Other students find it helpful to use a slant board or wedge to minimize eye strain and provide a better work surface.
<p>Adaptive writing tools</p>	<ul style="list-style-type: none"> • While responding to instructional content, some students need assistance constructing narrative text. There are a number of methods for assisting students in generating narrative responses. Spelling and grammar devices can be used in both a paper and computer environment. • Writing tools include larger diameter pencil and pencil grip. • A student may type on a word processor or alternate keyboard. Assistive technology that can be used for typing includes customized keyboards, mouth or headstick or other pointing devices, sticky keys, touch screen, and trackball. Speech-to-text conversion or voice recognition allows students to use their voices as input devices. Voice recognition may be used to dictate text into the computer or to give commands to the computer (e.g., opening application programs, pulling down menus, or saving work).
<p>Additional examples</p>	<ul style="list-style-type: none"> • To better understand a task or test item, some students need to have additional examples provided.
<p>Alternate location</p>	<ul style="list-style-type: none"> • In some circumstances, distractions for an individual student or for a group of students can be reduced by altering the location in which an individual student interacts with instructional materials or test content. • For students who are easily distracted by the presence of other students, an alternate location accommodation allows the student to work individually or in small groups. • Changes may also be made to a student's location within a room, such as away from windows, doors, or pencil sharpeners. Sitting near the teacher's desk or in the front of a classroom may be helpful for some students.

	<ul style="list-style-type: none"> • Physically enclosed classrooms (classrooms with four walls) may be more appropriate than open classrooms, and study carrels might also be helpful. • Some students may benefit from being in an environment that allows for movement, such as being able to walk around. • In some instances, students may need to interact with instructional content outside of school, such as in a hospital or their home. • The use of some accommodations, such as a human reader, sign interpreter or scribe, can distract other students. In addition, some students may perform better when they can read content aloud and think out loud or make noises that may be distracting to other students. To reduce distractions to other students when these strategies and/or accommodations are provided, an alternate location should be considered.
<p>Audio amplification</p>	<ul style="list-style-type: none"> • Some students may require audio amplification devices in addition to hearing aids to increase clarity. A teacher may use an amplification system when working with students in classroom situations that contain a great deal of ambient noise.
<p>Audio description of content</p>	<ul style="list-style-type: none"> • Students with vision needs may need assistance accessing instructional or test content represented graphically. Access to graphics for students with vision needs is often provided through auditory descriptions of tables, pictures, and graphics. It is important for readers to describe graphics and other symbols exactly as they appear. Readers need to be familiar with the terminology and symbols specific to the content. This is especially important for high school mathematics and science. Graphic materials may be described but should also be made available in print or tactile formats. • Prerecorded human voice recordings or synthesized voice recordings gives students more independence than a human reader. Students benefit by listening to a fully approved, standardized human voice, assuring correct pronunciation of words, symbols, and equations. Systems should allow students to decide when

	<p>they want to hear the text read to them and to play sound clips repeatedly.</p>
Auditory calming	<ul style="list-style-type: none"> • For students who focus better when receiving auditory input, background music or sounds can be provided while they access and interact with content. • Auditory calming can be provided by CD or mp3 player with headphones. • Background music should be provided to the student, so there are no concerns about monitoring the content.
Braille and tactile graphics	<ul style="list-style-type: none"> • Braille is a method of reading a raised-dot code with the fingertips. Not all students who are blind read Braille fluently or choose Braille as their primary mode of reading. Even if they use it as their primary mode of reading, Braille users should also build skills in using audiotape, compact discs, and speech synthesis. • Decisions also need to be made about whether a student will use contracted or uncontracted Braille. Check to see if practice tests are available in Braille. If instructional tasks or assessments are timed, a Braille user may need additional time to complete the task. • Tactile overlays can be used to assist the student in accessing content through touch. • Tactile graphic images provide graphic information through fingers instead of eyes. Graphic material (e.g., maps, charts, graphs, diagrams, illustrations) is presented in a raised format (paper or thermoform). Tactile sensitivity (recognizing graphic images through touch) is less discriminating than visual reading, making many diagrams too complicated to understand without significant additional information. Additional information can be created through word descriptions.
Braille	<ul style="list-style-type: none"> • A Braille keyboard is a Braille keyboard used for typing Braille that can then be printed in standard print or Braille (embosser). The Braille keyboard is similar to a typewriter or computer keyboard. Paper is inserted into the Braille keyboard and multiple keys are pressed at once, creating Braille dots with each press. • Through an alternative computer port, newer

	<p>Braille can simultaneously act as a speech synthesizer that reads the text displayed on the screen when paired with a screen reading program.</p>
Breaks	<ul style="list-style-type: none"> • Breaks may be given at predetermined intervals or after completion of assignments, tests, or activities. Sometimes a student is allowed to take breaks when individually needed.
Calculation assistance	<ul style="list-style-type: none"> • If a student's disability affects mathematics calculation but not reasoning, a calculator or other assistive device, such as an abacus, arithmetic table, manipulatives, or number chart, may be used. • It is important to determine whether the use of a calculation device is a matter of convenience or a necessary accommodation. It is important to know the goal of instruction and assessment before making decisions about the use of calculation devices. In some cases, calculators may be adapted with large keys or voice output (talking calculators). In other cases, an abacus may be useful for students when mathematics problems are to be calculated without a calculator. The abacus functions as paper and pencil device for students with visual impairments. • In a computer-based environment, calculators can be embedded into the delivery system and can be magnified and use read aloud features.
Clarify/Repeat directions	<ul style="list-style-type: none"> • To accurately understand the task a student is being asked to engage in, some students need to have directions to a task or test simplified. • In a paper-based environment, teachers may clarify directions through restatement or simplification of language for the student. • In a computer-based environment, directions can be reread and access to a simplified version of directions can be provided to students.
Change in the order of activities	<ul style="list-style-type: none"> • Activities that require focused attention could be scheduled for the time of day when a student is most likely to demonstrate peak performance. • To reduce fatigue and increase attention, activities or assignments can be administered over multiple days—completing a portion

	each day.
Color contrast	<ul style="list-style-type: none"> • Some students with visual needs are better able to view information through color contrast. • Students can choose from a variety of color transparencies, which are placed over the content. Alternatively, content can be printed using different colors. • In a computer based environment, content or test delivery system could allow students to alter the contrast in which content is presented in the following ways: <ul style="list-style-type: none"> ○ Color overlays: Students can choose from a variety of color tints that are placed over the content, questions, and directions. ○ Reverse contrast: Students reverse the colors for the entire interface. ○ Color chooser: Students change the font and background colors for the content. Students pick the font and background color combinations that help them perceive text-based content. This differs from color overlay in that only the text and background colors change. Lines and graphics are not affected by the color changes. ○ Note that these alterations in contrast may not work well together.
Dictionary/Glossary Standardization: In a paper-based environment, students are provided with standard English dictionary, glossary, or thesaurus.	<ul style="list-style-type: none"> • To understand instructional content, some students may need to look up words in a dictionary, glossary, or thesaurus. • A computer-based content and delivery system could embed dictionary, glossary, and thesaurus terms in the content for students to access as needed.
Extended time	<ul style="list-style-type: none"> • Extended time may require a student's IEP team to determine a fairly specific amount of extra time to complete assignments, projects, and assessments. A standard extension may be time and one-half. This means that a student is allowed 90 minutes to take a test that normally has a 60-minute limit. Double time may also be allowed. Decisions should be made on a case-by-case basis, keeping in mind the type of accommodations being pro-

	<p>vided, the disability involved, and the type of assignment. Usually unlimited time is not appropriate or feasible. Sometimes students who request extended time end up not needing it because of the reduction in anxiety of simply knowing that plenty of time is available. Students who have too much time may lose interest and motivation to do their best work.</p>
<p>Highlighting/Markers/Visual cues</p>	<ul style="list-style-type: none"> • Highlighting, using markers, and providing visual cues can draw attention to key content. • Teachers or students may use markers, arrows, stickers, or highlighters to draw attention to key words in directions and content. • In a computer-based content and delivery system, visual cues such as arrows, markers, and highlighting can be predefined and activated at the teacher or student's request.
<p>Large Print/Magnification</p> <p>Large print:</p> <p>Magnification:</p>	<ul style="list-style-type: none"> • Students with visual impairments or other print disabilities may need assistance viewing content. Access for students with visual needs is typically provided through enlarging or magnifying content. • Large-print editions of instructional materials are required for some students with visual impairments or print disabilities. All text and graphic materials—including labels and captions on pictures, diagrams, maps, charts, exponential numbers, notes, and footnotes—must be presented in at least 18-point type for students who need large print. Students, working with their teachers, need to find an optimal print size and determine the smallest print that can still be read. (Copyright issues may need to be addressed). • It is important for the print to be clear, with high contrast between the color of the print and the color of the background. • Students may use a magnifying glass or other device that allows them to magnify instructional or test content. • In a computer-based environment, a content or test delivery system could allow students to manipulate the size in which text and graphics are presented on the screen. It is important that the system is able to clearly enlarge all material, including narrative text, formulas and equations, information presented in scien-

	<p>tific and mathematical nomenclature, tables, graphs, charts, figures, and diagrams. The system should also provide tools that allow students to either view material in magnified form on an occasional/as-needed basis or on a more permanent basis. The system should allow students to easily move content that is forced off the screen into viewing mode. The system should also allow magnifying tools to work in conjunction with other accessibility tools and/or accommodations provided.</p>
<p>Masking/Templates</p>	<ul style="list-style-type: none"> • A common technique for focusing a student's attention on a specific part of an activity is provided by masking. Masking involves blocking off content that is not of immediate interest to the student. • Students may use a variety of methods to mask content, including masking templates, sticky notes, rulers or straightedges, or blank sheets of paper. • In a computer-based environment, a delivery system may include tools that allow students to mask or hide portions of instructional or test content, as well as the interface, so that the student can focus on content that is of immediate interest. • Tools should also be available that allow students to create custom masks that simulate the placement of sticky notes over any sized area of the screen (e.g., a graphic, chart, table, or narrative block of text). • Students should be able to move, hide, and reposition any masking element placed on the screen.
<p>Minimize distractions Standardization:</p>	<ul style="list-style-type: none"> • While students are accessing and interacting with information presented in instructional content, some students need help reducing distractions and/or maintaining focus. A teacher can highlight information, employ visual cues and organizers, monitor placement of responses, and prompt students. Altering the environment in which a student works on instructional content can reduce distractions to the student or to classmates. • In a computer-based environment, a content delivery system could have predefined highlighting, cues, and organizers that can be re-

	<p>vealed when a student requests them. The system could be programmed to prompt students after a predefined number of minutes have elapsed since a student interacted with the item.</p> <ul style="list-style-type: none"> • Computer application of these methods to maintain focus standardizes delivery, decreases the burden on teachers, and empowers the student to access the tools when needed. • Multiple breaks, extended time, and changing the order of activities are also tools to help students maintain focus and can be managed manually on paper or programmed into a computer-based environment. In addition, a student may wear buffers, such as earphones, earplugs, or headphones, to reduce distractions and improve concentration.
<p>Multiple or frequent breaks</p>	<ul style="list-style-type: none"> • Breaks may be given at predetermined intervals or after completion of assignments or activities. Sometimes a student is allowed to take breaks when individually needed. If the length of a break is predetermined, a timer might be used to signal the end of the break.
<p>Read aloud of text</p>	<ul style="list-style-type: none"> • Students with reading-related disabilities may need assistance accessing instructional content by having all or portions of the content read aloud. • Bookshare was developed through an award from the U.S. Department of Education Office of Special Education Programs (OSEP). It offers unlimited access to audio books, textbooks, newspapers and magazines. Bookshare offers free membership to any U.S. school providing services to students with print (reading) disabilities. Additional information may be found at www.bookshare.org • Instructional materials can be prerecorded on compact disk (CD), iPod, other recording devices that a student accesses by listening. Classroom directions, assignments, and lectures could also be recorded. • In a computer-based environment, a content and test delivery system could allow students to have text read aloud while being highlighted. Students should be able to select pieces of text to have it reread when requested.

	<ul style="list-style-type: none"> • A screen reader may also be utilized to read all information on the computer screen. This tool may be very helpful for instruction.
<p>Response assistance</p>	<ul style="list-style-type: none"> • For students who have difficulty generating text in written form, a recording device may also be used to create an audio recording of a student's narrative response. The oral response can be recorded as an analog or digital file. • Scribe: A scribe is a skilled person who has been trained to write down what a student dictates by an assistive communication device, pointing, sign language, or speech. A scribe may not edit or alter student work in any way and must record word for word exactly what the student has dictated. The student must be able to edit what the scribe has written. Individuals who serve as a scribe need to carefully prepare to assure they know the vocabulary involved and understand the boundaries of the assistance to be provided. The role of the scribe is to write only what is dictated, no more and no less. • Assistive communication devices: For students who have difficulty manipulating a mouse or standard keyboard, there are a variety of assistive communication devices that allow them to control a computer program and record responses. These assistive communication devices include Intellikeys, sip-and-puff devices, single switch devices, eye tracking devices, and touch screens. A computer-based content and test delivery system could be programmed to function accurately with any and all assistive communication devices. • Speech-to-Text software: Speech-to-text conversion or voice recognition allows students to use their voices as input devices. Voice recognition may be used to dictate text into the computer or to give commands to the computer (e.g., opening application programs, pulling down menus, or saving work). Older voice recognition applications require each word to be separated by a distinct space. This allows the machine to determine where one word begins and the next stops. This style of dictation is called discrete speech. Continuous

	<p>speech voice recognition allows students to dictate text fluently into the computer. These new applications can recognize speech at up to 160 words per minute.</p> <ul style="list-style-type: none"> • Digital recording: For students who have difficulty generating text in written form, a recording device may also be used to create an audio recording of a student's narrative response. The oral response can be recorded as a digital file by a computer-based content or test delivery system.
<p>Sign interpretation</p>	<ul style="list-style-type: none"> • Some students who are deaf or hard of hearing may need assistance accessing text-based instructional content. Access for these students is typically provided through sign language. • In a paper-based environment, access to content is provided by having a teacher sign content to an individual student or to a group of students in either ASL or Signed English. Sometimes an interpreter is only needed to sign instructions and to assist in communication. Some students may need all print materials interpreted while learning to read print. Interpreters need to be able to translate in the same method of sign language typically used by the student (e.g., American Sign Language, Cued Speech). • In a computer-based environment, a content delivery system could allow students to have text signed by an avatar or video of human signing. The video and the content can be viewed in close proximity to each other and to the student. Students can also be provided with individualized control over the size of the video displayed on their computer screen. Segments of video can also be linked to blocks of text or portions of an item (e.g., each answer option) such that a student can click on the text and the associated video is played automatically. Students may view portions of a video as many times as needed.
<p>Spelling/Grammar device/Word prediction software</p>	<ul style="list-style-type: none"> • While responding to instructional content, some students need assistance constructing narrative text. Spelling and grammar can be checked with pocket spell checkers. Students enter an approximate spelling and then see or

	<p>hear the correct spelling or correct use of a word.</p> <ul style="list-style-type: none">• Students who use a word processor may use a spell-check or other electronic spelling device.• Students who have difficulty producing text due either to the speed with which they are able to enter keystrokes or who have difficulty with language recall may benefit from word prediction software. Word prediction software presents students with word options based on the partial input of characters and/or context and can be built into a computer-based content delivery system.
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STEP 4

EVALUATE AND IMPROVE ACCOMMODATIONS USE

Accommodations selected on the basis of the individual student's needs, must be used consistently for positive results. Collecting and analyzing data on the use and effectiveness of accommodations are necessary to ensure the meaningful participation of students with disabilities in instruction. Data on the use and impact of accommodations may:

- reveal questionable patterns of accommodations use;
- support the continued use of some accommodations;
- initiate the rethinking of other accommodations; and
- indicate the need for additional training and support to teachers and paraeducators.

TYPES OF DATA COLLECTION

The collection of data that could be used to guide the effectiveness of accommodations might include:

- observations conducted during instruction in various content areas,
- interviews with teachers and students,
- improving Learning for Children with Disabilities (ILCD) data and self-assessments, and
- formative and summative test results.

QUESTIONS TO GUIDE THE EVALUATION OF ACCOMMODATIONS

1. What accommodations are used by the student during instruction and assessments?
2. What are the results on classroom assignments when accommodations are used versus when accommodations are not used?
3. If a student does not meet the expected level of performance, is it due to not having access to the necessary instruction, not receiving the accommodations, or using accommodations that are ineffective?
4. What are the student's and teachers' perceptions of how well the accommodation worked?
5. What difficulties are encountered in the use of accommodations?
6. What combination of accommodations seems to be effective?

These questions can be used to summatively evaluate the accommodations used at the student level, as well as the school or district levels.

STEP 5

ACCOMMODATIONS FOR INSTRUCTION AND ASSESSMENT

ACCOMMODATIONS DURING INSTRUCTION

Students must be provided selected accommodations during instructional periods that necessitate their use. An accommodation may not be used solely during assessments.

As states move to providing assessments on technology-based platforms, IEP teams must take care to ensure that students have opportunities to become familiar with the technological aspects of the assessment process. NeSA practice test item may be found on the NDE website at <http://www.education.ne.gov/assessment/index.html>

In addition to taking practice tests using the same testing platform, it is also important for educators to provide opportunities for students to use technology for learning.

INCLUDING ALL STUDENTS WITH DISABILITIES IN STATE ACCOUNTABILITY ASSESSMENTS

Both federal and state laws require all students with disabilities be administered assessments intended to hold schools accountable for the academic performance of students. IEP team members must actively engage in a planning process that addresses

- assurance of the provision of accommodations to facilitate student access to grade-level instruction and state assessments; and
- use of alternate assessments to assess the achievement of students with the most significant cognitive disabilities.

ACCOMMODATIONS FOR INSTRUCTION VS. ASSESSMENT

Sometimes accommodations used in instruction are not allowed during assessment. In some cases, the accommodations used in instruction may invalidate the results of the test (i.e., when the performance no longer reflects what the test was designed to measure). In these instances, teachers should be sure to allow the student ample opportunities to perform on classroom tasks and assessments without the use of the accommodation.

If the accommodation is considered a necessary step in scaffolding grade-level content instruction, having some practice without the accommodation during classroom work would be an expected practice to gauge student progress independent of the accommodation. If the instructional accommodation is more permanent in nature and is not permitted on a state assessment, decision makers should consider whether the accommodation alters what the test measures. If after considering these steps, the appropriateness of using an accommodation is not clear, contact your District Assessment Contact (DAC) for clarification.

NESA APPROVED ACCOMMODATIONS DOCUMENT

The purpose of the NeSA Approved Accommodations document is to provide a quick reference for school districts regarding test accommodations for students with IEPs or 504 plans. The “Nebraska State Accountability Approved Accommodations” document can be found at:
http://www.education.ne.gov/assessment/assessment_A_to_Z.htm

ADDITIONAL ACCOMMODATION APPROVAL PROCESS

If an instructional team identifies an accommodation they believe should be added to the NeSA Approved Accommodations list, districts are encouraged to contact the Statewide Assessment Office (402-471-2495) and submit their request. An NDE panel will review the accommodation for testing validity and appropriateness.

PLANNING FOR TEST DAY

Once decisions have been made about providing accommodations to meet individual student needs, the logistics of providing the actual accommodations during state and district assessments must be mapped out. It is not uncommon for members of the IEP team, most often special education teachers, to be given the responsibility for arranging, coordinating, and providing assessment accommodations for all students who may need them. Thus it is essential for all IEP team members to know and understand the requirements and consequences of district and state assessments, including the use of accommodations. It is important to engage the appropriate personnel to plan the logistics and provisions of assessment accommodations on test day.

Prior to the day of a test, be certain test administrators and proctors know what accommodations each student will be using and how to implement them properly. For example, test administrators and proctors need to know whether a student needs to test in a separate location so that plans can be made accordingly. Staff administering accommodations, such as reading to a student or writing student responses, must adhere to specific guidelines so student scores are valid.

Current designs of technology-based testing platforms may allow for accommodations to be provided on the testing platform itself. Through a process of creating a student profile, an IEP team may be able to program the test to provide certain accommodations. Contact your DAC to discuss the availability of certain accommodations through Nebraska’s test vendor.

ETHICAL TESTING PRACTICES

Ethical testing practices must be maintained during the administration of a test. Unethical testing practices relate to inappropriate interactions between test administrators and students taking the test. Unethical practices include, but are not limited to, allowing a student to answer fewer questions, changing the content by paraphrasing or offering additional information, coaching students during testing, editing student responses, or giving clues in any way.

STANDARDIZATION

Standardization refers to adherence to uniform administration procedures and conditions during an assessment. Standardization is an essential feature of educational assessments and is necessary to produce comparable information about student learning. Strict adherence to guidelines detailing instructions and procedures for the administration of accommodations is necessary to ensure test results reflect actual student learning.

TEST SECURITY

Test security involves maintaining the confidentiality of test questions and answers; it is critical in ensuring the integrity and validity of a test.

In a paper-and-pencil test, test security can become an issue when accessible test formats are used (e.g., Braille, large print) or when someone other than the student is allowed to see the test (e.g., interpreter, reader, scribe). In order to ensure test security and confidentiality, test administrators need to keep testing materials in a secure place to prevent unauthorized access, keep all test content confidential and refrain from sharing information or revealing test content with anyone, and return all materials as instructed.

Some of the same considerations for test security apply when students are taking a technology-based assessment. For example, ensuring that only authorized personnel have access to the test and that test materials are kept confidential are critical in technology-based assessments.

TOOLS FOR THE IEP TEAM # 1

DETERMINING APPROPRIATE ACCOMMODATIONS

Directions: Use these questions to identify various types of presentation, response, setting, timing, and scheduling accommodations for students with disabilities. Though not exhaustive—its purpose is to prompt IEP Teams to consider a wide range of accommodation needs. Use the list in planning the IEP by indicating Y(Yes), N (No), or DK/NA (Don't Know or Not Applicable).

Student Name: _____

	Y	N	DK/ NA
PRESENTATION ACCOMMODATIONS			
1. Does the student have a visual impairment that requires large-type or Braille materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Is the student able to read and understand directions?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Can the student follow oral directions from an adult or audiotape?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Does the student need directions repeated frequently?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Are assistive technology devices indicated on the student's IEP?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Has the student been identified as having a reading disability?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Does the student have low or poor reading skills that may require the reading of tests or sections of tests that do not measure reading comprehension in order to demonstrate knowledge of subject areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Does the student have a hearing impairment that requires an interpreter to sign directions?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Does the student have a hearing impairment and need a listening device?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
RESPONSE ACCOMMODATIONS			
10. Does the student have difficulty tracking from one page to another and maintaining that student's place?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Does the student have a disability that affects the ability to record that student's responses in the standard manner?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. Can the student use a pencil or writing instrument?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. Does the student use a word processor to complete homework assignments or tests?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. Does the student respond orally or use a recording device to complete assignments or tests?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. Does the student need the services of a scribe?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16. Does the student have a disability that affects that student's ability to spell?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17. Does the student have a visual or motor disability that affects that student's ability to perform math computations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

SETTING ACCOMMODATIONS	Y	N	DK/ NA
18. Do others easily distract the student?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
19. Does the student require any specialized equipment or other accommodations that may be distracting to others?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20. Does the student have visual impairments that require special lighting ?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
21. Does the student have auditory impairments that require special acoustics?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
22. Does the student exhibit behaviors that may disrupt the attention of other students?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

TIMING AND SCHEDULING ACCOMMODATIONS	Y	N	DK/ NA
23. Can the student work continuously for the length of time allocated for typical assignments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
24. Does the student use other accommodations or adaptive equipment that require more time to complete work (e.g., Braille, scribe, use of head pointer to type)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
25. Does the student tire easily due to health impairments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
26. Does the student have a visual impairment that causes eyestrain and requires frequent breaks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
27. Does the student have a learning disability that affects the rate at which that student processes written information?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
28. Does the student have a disability that affects the rate at which that student writes responses?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

TOOLS FOR THE IEP TEAM # 2

DO'S AND DON'TS IN SELECTING ACCOMMODATIONS

Do...

- Make accommodation decisions based on individualized needs or needs in each academic content area.
- Select accommodations that reduce the effect of the disability on accessing instruction and demonstrating learning.
- Be certain to document instructional and assessment accommodations on the IEP and routinely provide opportunities to use those accommodations in classroom instruction.
- Be familiar with the NeSA Approved Accommodations and the Nebraska Department of Education's procedures for considering additional accommodations.
- If the student is participating in the NeSA on-line assessment, be familiar with the built-in accommodations included in that procedure. Provide opportunities for students to practice those accommodations throughout the year.
- Be specific about the "Where, When, Who, and How" of providing accommodations.
- Evaluate accommodations used by the student and include the student in that evaluation whenever possible.
- Get input about accommodations from teachers, parents, and students. Use that information when making decision at IEP team meetings.

Don't...

- Make accommodations decisions based on whatever is easiest to do.
- Select accommodations unrelated to documented student learning needs or that are intended to give students an unfair advantage.
- Use accommodations that have not been documented on the IEP.
- Assume all instructional accommodations are appropriate for use on NeSA state-wide assessments.
- Simply indicate accommodations will be provided "as appropriate" or "as necessary."
- Assume the same accommodations remain appropriate year after year.
- Assume certain accommodations, such as extra time, are appropriate for every student in every content area.
- Check every accommodation possible on a checklist simply to be "safe."
- Make decisions about instructional accommodations without input from the student, the parents, and the teacher(s).
- Provide NeSA on-line assessment accommodations for the first time on the testing day.

TOOLS FOR THE IEP TEAM # 3

DIFFERENTIATED INSTRUCTIONAL STRATEGIES

THE MORE WAYS WE TEACH, THE MORE STUDENTS WE REACH

Differentiated instruction represents a variety of strategies designed to provide for the instructional needs of a wide range of students in diverse classrooms. In fact, many instructional strategies are aimed at creating a more flexible teaching style that is responsive to a wide array of student needs and readiness levels.

As a result, teachers who adopt a differentiated instructional approach to teaching will likely experience fewer problems with providing accommodations to students since they already “get it”—that is, the “big picture” of what are considered best practices and effective learning and instructional techniques.

Classroom Seating Tips and Personal Work Space

1. Seat high-maintenance students near the front of the classroom (preferential seating), close to the classroom teacher (proximity), and away from doors, corridors, and/or windows to minimize auditory and visual distractions.
2. Increase the distance between desks to reduce the temptation for some students to distract their neighbors. Pre-assign seating when needed.
3. Seat students based on their hearing or vision needs.
4. Change teaching locations within the classroom throughout the day.
5. Permit overactive students to stand when they are working at their desks. Provide ample opportunity for movement.

Fine Motor Problems

6. Encourage student to use a three-sided pencil or a pencil grip for handwriting.
7. Encourage the use of erasable-ink pens for students who tend to “camp out” at the pencil sharpener.
8. Minimize or eliminate board/chart copying and textbook transferring.

Creative Use of Learning Time

9. Adjust the prime learning time to maximize each student’s peak learning time.
10. Extend learning time to complete tasks.
11. Pre-teach difficult and/or new concepts for those students who need to be eased into learning new or different things.

12. Provide students with adequate wait time as a way to increase the quality and depth of responses.
13. Provide the students with a timer to track available time to complete tasks. Use sand timers, personal stopwatch, or other timing devices.

Classroom Environment

14. Provide visual support to help students create mental pictures:
Photos Pictures Dioramas Posters Models Overhead
Graphs Charts Drawings Symbols Timelines Maps
15. Display informational posters on the ceiling or in high locations around the room.
 - Editing rules
 - Capitalization rules
 - How to solve problems
 - How to set up a paper
 - Proof-reading self-evaluation
16. Post rules, daily schedules, and sequence of steps for the performing tasks.
17. Use natural and/or full spectrum lighting in the classroom.
18. Reduce auditory and visual classroom distractions (e.g., humming light ballast, vibrating aquarium air pump, air conditioner noise, flickering fluorescent lights, bells, classroom intercom, computers, etc.)

General Ideas and Strategies

19. Provide left-handed scissors or Fiskars™ for students who are cross-dominant and/or left-handed. Also provide left-handed rulers, notebooks, pens, and pencils.
20. Assign an appropriate amount of homework.
21. Provide instruction in multi-sensory ways (e.g., auditory, kinesthetic, visual).
22. Provide students with a sample of what high-quality completed work looks like. If possible, laminate to make permanent. Post samples around the room.
23. Use gestures, actions, facial expressions, etc., to reinforce your words.
24. Have more “white space” on a page. Do not crowd material or worksheets.
25. “Chunk” assignments and work into smaller segments.

Giving Directions

26. Encourage students to verbally repeat or paraphrase directions, explanations, and instructions.
27. Teach at eye level to engage learners. Know the meaning of where eyes are cast. Be sure the student is paying attention when you are giving directions. Establish eye contact. Caution: In some cultures, sustained eye contact is considered confrontational of disrespectful.

28. Allow students to record directions, explanations, or instructions to replay as often as needed.
29. Break long assignments into shorter ones. Give portions of assignments one at a time.
30. Make directions clear and exact. Slow the pace of oral directions. Keep directions to two or three steps. Use precision speaking with a rhythm.

Math Strategies

31. Encourage students to use manipulatives during math. Provide students with an assortment of manipulatives.
32. Group students by skills attainment/need for skill instruction. Be sure to use flexible grouping practices.
33. Cross out every other math example as a way to reduce the volume of work for some students.
34. Always assess math learning in a way that separates it from a student's language ability.
35. Mark correct answers only. Use a yellow magic marker to celebrate accomplishments.
36. Color-code operational words. (e.g. add, subtract, multiply, and divide)
37. Cut math worksheets into horizontal strips to avoid overwhelming students.
38. Turn lined paper vertically as a way to facilitate number placement or use graph paper.
39. Provide students with a recorded multiplication facts set to songs/raps.

Reading/Writing Ideas

40. Use high-interest, low-vocabulary reading material.
41. Use transparent plastic colored focus strips for highlighting sentences when reading. A plastic report cover cut in strips is ideal.
42. Have students create their own personal modified dictionary.
43. Accept shortened or adjusted writing assignments from some students.
44. Accept oral recordings as an alternative to writing assignments.
45. Encourage some students to use a tag board place keeper with a transparent plastic colored focus strip for highlighting sentences when reading.

Formative Classroom Assessments

46. Use a variety of formative assessments to document a student's learning process and progress.
47. Allow a student to use alternative methods of demonstrating that he/she understood what was taught (e.g. model, diorama, demonstration, drama, oral recording, etc.)

Focus/Attention Ideas

48. Help students make and use a focus frame, or sliding mask to narrow information and help them better attend to their work.
49. Provide students with some type of feedback at least every 30 minutes or less.
50. Provide students with a desk carrel to reduce distractions and provide privacy. Carrels are ideal for creating portable learning centers. (see resource section)
51. Give visual cues to increase time-on task behavior.
52. Remember to enlarge text when using the projection equipment. Eliminate distracting artwork and designs on student worksheets/text.
53. Encourage students to use procedural self-talk to talk themselves through tasks.

Classroom Climate Ideas

54. Play background music to calm and quiet students.
55. Use music to calmly transition from one subject area/activity to another.
56. Use chimes, a soft bell, a clicker, a kazoo, etc. to summon students' attention.
57. Daily meet and greet students upon their arrival in the classroom as well as at their departure.
58. Communicate in a supportive, non-threatening manner.

Strategies adapted from *Differentiated Intervention Strategies that Support Struggling Students in the Regular Classroom* document by Jim Grant (jgrant@sde.com)

For additional information, please contact:

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Office of Special Education
301 Centennial Mall South
P.O. Box 94987
Lincoln, NE 68509-4987**

(402) 471-2471

**To download additional copies please visit:
<http://www.education.ne.gov/sped/instruction.html>**

Frequently Asked Questions Regarding Accommodations and Instruction



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Q: What are accommodations?

A: Accommodations, determined by the Individualized Education Plan (IEP) team and written into a document called an IEP, are practices and procedures in 1) instructional strategies, 2) response methods, 3) instructional settings and 4) timing and scheduling.

- Accommodations are intended to reduce or even eliminate the effects of a student's disability. Accommodations do not reduce or change learning expectations or alter the content of the material to be mastered.
- Accommodations provide a student with disabilities with equitable access to instruction and assessment.
- The use of accommodations does not begin and end at the school door. Accommodations are generally needed in the home, the community, at work and in postsecondary education. It is the responsibility of all teachers to instruct the student in the implementation of accommodations and encourage the student to use those accommodations whenever needed.

Q: What do accommodations look like?

A: All people use accommodations at different times in their lives. When eyesight is impaired, many wear glasses. When lack of height prohibits reaching an object, a ladder is used as an accommodation. If a broken leg inhibits mobility, crutches become a temporary accommodation. Accommodations "level playing fields" and overcome obstacles in daily life.

Students with disabilities use accommodations to level the playing field in accessing an education. Examples of accommodation include, but are not limited to:

- additional time for work completion,
- readers or recorded materials,
- calculators, spell checkers, and other electronic devices,
- special seating arrangements,
- enlarged text,
- scribes/note takers and
- shortened assignments.

Additional examples of accommodations may be found in the [Nebraska Department of Education's Accommodations Guidelines](#) published in October, 2009. For a copy of this document go to:

<http://www.nde.state.ne.us/sped/assessment.html>

Q: How do accommodations and modifications differ?

A: Accommodations do not alter academic content or expectations. Modifications refer to practices and procedures that alter or reduce the learning expectations and/or the content of the material to be mastered.

- Modifications are determined by an IEP team and written into the student's IEP (Individual Education Plan)
- Examples of modification include, but are not limited to:

- less depth or breadth in the information/material covered (e.g. fewer objectives, shortened units or lessons, etc.), and
- materials written at a lower readability level (high-interest, low-ability books).
- Out-of-grade level materials (third-grade math standards for a seventh grader) are also considered modifications

Q: May grades be reduced for students using accommodations?

A: No. Federal law does not allow employers to reduce the pay of employees using glasses, hearing aides or wheelchairs to perform their work. In the same manner, students completing their work using IEP-determined accommodations must be given full credit for their accomplishments. To do otherwise, would be discriminatory and in violation of the student's civil rights.

Q: What is the role of the classroom teacher in the instruction of students with disabilities?

A: All educators must understand an important concept referred to in federal law as "least restrictive environment (LRE)". LRE addresses the right of a student with disabilities to be educated in a setting: 1) where they can academically achieve with support and 2) most like the educational setting provided for peers without disabilities. For most students, that setting is the general education classroom. The Individuals with Disabilities Education Act (IDEA) 2004 stresses this point by requiring an IEP to directly address student participation in general education and to explain placements that are not in general education.

No Child Left Behind (NCLB) and IDEA 2004 are moving special education through significant changes. Special education is a service or resource, not a classroom or location. Students with disabilities are no longer considered "temporary guests" mainstreamed into general education classrooms. Research indicates accommodations and other special education supports can be most effectively provided in general education classrooms. Inclusive practices improve learning for all students and "imply that all learners are welcomed at the school and ... are seen as the responsibility of all educators." (Bateman & Bateman, 2002; Turnbull, Turnbull, Wehmeyer, & Park, 2003)

Q: Do the courts hold general education teachers accountable for the instruction of students with disabilities?

A: While not in the 8th Circuit Court (which has jurisdiction over Nebraska), the U.S. Court of Appeals for the Third Circuit Court has set precedent in this matter. In *Oberti v. State Board of Education of Clementon School District* (995 F.2d204), the Third Circuit Court upheld a district court ruling that school districts must make available a full range of supports and services in the general education setting to accommodate students with disabilities, including the student with Down Syndrome involved in the suit. The court further stipulated that just because a student learns differently from other students does not necessarily warrant exclusion from general education.

Q: Are there legal consequences for teachers choosing not to follow the accommodations and/or modifications in a student's IEP

A: The courts have taken action in this matter. *Doe v. Withers* (20 IDELR 422, 426-27) addressed the general education teachers' responsibility to make good-faith efforts to provide required accommodations for students with disabilities. In this case, Michael Withers refused to provide oral testing accommodations to a student with disabilities. The student failed Withers' class, thus becoming athletically ineligible. The student's family sued the teacher and was awarded \$5,000 in compensatory damages and \$30,000 in punitive damages by the West Virginia Circuit Court.