

TA Tuesday: Specially Designed Instruction, April 4th, 2023

Purpose

Hello Special Education Directors,

Every Tuesday, the AOE will be sending a technical assistance email to LEAs as a reminder and to provide any updates on available resources or professional development for a particular topic related to upcoming special education rule changes. Today's TA topic is Specially Designed Instruction or SDI.

In the new rules effective July 1, 2023, the definition of “special education services” will essentially default to the federal definition, with the exception of the co-teaching provision. While the rule itself is fundamentally the same, it places a greater emphasis on special education as specially designed instruction. Please see [Rule 2360.2.12](#) for the full definition of specially designed instruction.

The major change to the special education definition is what has been eliminated from the rules regarding funding requirements specific to instructional services, related services, and special education administrators. The rules about specific positions qualifying for reimbursement (or not) are deleted from the new rules. The Instructional Services rule (Rule 2366.2.1) has been struck. There are different considerations for expending funds and allowable costs and the definition of special education ultimately impacts Series 1300, [Rules for Special Education Finance and Census Based Funding](#). To see a visual representation of the changes to this rule, please see the [State Board Rules Side by Side](#), which reflects the major differences in bold.

Specially Designed Instruction (SDI)

SDI is defined in the [Individuals with Disabilities Education Act](#) (IDEA) as “adapting, as appropriate to the needs of an eligible child under this part, the content, methodology, or delivery of instruction — (i) To address the unique needs of the child that result from the child’s disability; and (ii) 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.”

SDI is planned, organized, and meaningful and is a foundational component of an Individualized Educational Program (IEP). It can address any area of individual need including academic, behavioral, social, communication, health and functional. It directly supports the goals in the student’s IEP and it is specific instruction that is delivered to the student, not differentiated instruction, accommodations, active learning strategies or other activities

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designed to facilitate learning for all students. The delivery of SDI is explicit, intentional, and systematic and it can be provided in any location, including multiple locations during the course of the school day, as long as the location is consistent with the student's IEP and the student's least restrictive environment.

SDI is customized for the student based upon the specific needs resulting from the disability as described in their IEP and applied to classroom content. SDI is to be based upon the specific skills the student does not have which are necessary for them to improve their academic performance required for their measurable annual goals. SDI is not a restatement of the academic content standard being taught. SDI is the unique teacher instruction written on the IEP that will be provided to the students to support them in being able to meet or master their measurable annual goals. Per the student's IEP, a legal document and a process, how does the student's disability impact access and progress in the enrolled grade level curriculum and to what extent do we deploy SDI to meet those needs?

Special Education Delivery

The delivery of SDI is the core job responsibility of special education teachers and students can receive SDI throughout the continuum of services. School-based team members, such as related service providers, can also provide specially designed instruction during the service provided or through the form of co-teaching. An intervention specialist with deep content knowledge and expertise implementing evidence-based interventions is also qualified to provide SDI.

A paraprofessional is allowed to provide SDI only when a certified special education teacher designs the SDI, and the paraprofessional is under the supervision of the certified special education teacher. However, a paraprofessional may not: develop lesson plans; introduce new material/content; provide direct teach portion of the lesson; select materials for implementation of the lesson; assign final grades; be responsible for any IEP related responsibilities without supervision of a certified special educator; develop IEP goals/objectives; design the classroom management system; and/or be responsible for determining or reporting student progress (general class progress or IEP-goal progress).

Certified special education teachers and certified general education teachers with support from special education teachers can work together to align and integrate the specially designed instruction for each student. However, SDI should be designed and monitored by special education teachers and related service providers, in collaboration with general education teachers.

The IDEA and federal special education regulations do not require that the special education and related services in a child's IEP be provided by a special education teacher; however, training is critical. The IDEA states that the SEA must establish and maintain qualifications to ensure that personnel necessary to carry out the purposes of this part (IDEA Part B) are appropriately and adequately prepared and trained, including that those personnel have the content knowledge and skills to serve children with disabilities.

Resources

[Webinar: Special Education Definition](#) and [Slide deck](#): This prerecorded webinar reviews the special education rule change on the special education definition, including what it is and what has been removed. It details Specially Designed Instruction (SDI), who can deliver SDI, and makes connections across Early MTSS and VTmtss.

[Specially Designed Instruction Handout Part I](#) and [Part II](#): These guidance documents provide the federal definition for special education and clarify considerations for what constitutes as Specially Designed Instruction.

Happy Tuesday,

Special Education Program Team