

IDEA Principles in the Online Environment

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Introduction

Currently, online learning reaches millions of K-12 learners and its annual growth has been exponential over the past number of years. This growth has and will likely continue to lead to dramatic changes in the educational landscape. While online learning appears to hold great promise, a paucity of research addresses the pedagogical implications for students with disabilities (SWDs). Researchers urgently need to conduct investigations that describe what is happening in the field and demonstrate how online learning should be designed and delivered to impact these students' educational outcomes. The Center on Online Learning and Students with Disabilities (COLSD) has been conducting research in this area.

COLSD, a cooperative agreement among the University of Kansas, the Center for Applied Special Technologies (CAST), and the National Association of State Directors of Special Education (NASDSE), is focused on four main goals:

1. To identify and verify trends and issues related to the participation of SWDs in K-12 online learning in a range of forms and contexts such as fully online schools, blended or hybrid instruction consisting of traditional and online instruction, and online courses;
2. To identify and describe major potential positive outcomes and negative consequences of participation in online learning for SWDs;
3. To identify and develop promising approaches for increasing the accessibility and potential effectiveness of online learning for SWDs; and
4. To test the feasibility, usability, and potential effectiveness of one or more of these approaches.

To meet the first two goals, the Center has conducted a number of activities. Exploratory research activities include case studies of two fully online schools; national surveys of purposeful samples of parents, students, teachers, and district and state administrators; interviews with members of individualized education program (IEP) teams; and a review of one state's student participation, retention, and completion data. Additionally, to describe the landscape of online learning for students with disabilities, the Center is conducting a series of forums with different stakeholder groups. The first forum was held with state department of education staff to provide an in-depth view from the state perspective. Other forums under consideration include forums with school district administrators and online learning vendors.

Participants and forum topics

In the summer of 2014, COLSD staff began planning for the series of forums to shed light on the state of online learning and SWDs from the practitioners' perspective. The first forum was held with state department of education staff in a face-to-face gathering November 17th and 18th, 2014. Participants were staff members from six state departments of education and one local district administrator. A list of participants is included as an appendix to this report. The states represented at this forum were Arizona, Florida, Georgia, Massachusetts, Ohio, and Virginia. These states were selected based on three factors: (1) Each state has a relatively detailed state policy on online learning. (2) Each state has state-level activity in special education and online learning. (3) Each state is geographically diverse. While staff from other states had asked to attend the forum, the forum process and resource constraints required that a limited number of individuals participate in order to gather in-depth information. Although the experiences and information from the participating states do not represent the nation as a whole, they do provide an informed sample. Other than Massachusetts and Florida, each state's director of special education attended. Massachusetts and Florida's representatives were educational specialists with knowledge in both special education and virtual education.

COLSD staff reviewed previous literature reviews and other research activities (e.g., case studies, surveys, and interviews) to determine the topics for this first forum. Staff gave suggestions for collapsing some topics and extrapolating concepts from others. The final eight topics covered at the forum included the following:

- Enrollment, persistence, progress, and achievement;
- Parents' preparation and involvement in their child's online experience, including promising practices to support parents' roles;
- IDEA principles in the online environment (e.g., FAPE, least restrictive environment, parental notification, due process protections);
- Access to student data, including privacy concerns, sharing, integration, and instructional usage among the parties involved in online instruction (e.g., instructional setting, instructor, administrator, provider, and vendor);
- Teacher preparation -- both preservice and inservice -- for the online learning environment;
- Integration of optimal evidence-based instructional practices; availability of skill/strategy instruction in online environments;
- Utilization of the online environment's unique properties and affordances (i.e., those features that would not be possible or practical in the offline environment) in the areas of collaboration, personalization of instruction, and multiple means of demonstrating skill mastery; and
- Differential access to online learning across the state (e.g., computer or tablet access, connection speed, district restrictions to material access and assistive technologies).

Participants received a packet of materials prior to the meeting, including the agenda (see Appendix B), a list of the topics and questions to be considered, a draft of a Center publication entitled, "The Landscape of Online Learning," and the publication "Using Technology to Support At-Risk Students' Learning" by Darling-Hammond, Zieleski, and

Goldman. This latter publication can be found at <https://edpolicy.stanford.edu/sites/default/files/scope-pub-using-technology-report.pdf>. The forum began with introductions and a comprehensive discussion of the importance of online learning and students with disabilities from each state staff member's perspective. Next, each state representative responded to a set of questions about the selected eight topics. In a round-robin fashion each participant had an opportunity to describe his/her state's need, status, importance, and other perspectives pertaining to the topic.

For each of the eight topics, participants responded to six questions:

- How is the topic addressed in your state?
- How important is this topic?
- What direction is your state moving on this topic?
- What are the top challenges around this topic in your state?
- What is going well regarding this topic?
- What research question could have significant impact on this area?

As a closing exercise, participants described their top leadership challenges in regard to online learning for students with disabilities.

IDEA Principles in the Online Environment

This third document in a series of manuscripts summarizes the challenges, successes and ideas pertaining to the implementation of Individuals with Disabilities Education Act (IDEA) principles (e.g., individual education plan [IEP], free appropriate education [FAPE] and least restrictive environment [LRE]) in the online environment. Research on implementation of IDEA in the online environment is very limited. In the Center's initial activities, findings suggested several potential areas of concern including the existence of some online programs that are actively discouraging students with disabilities from enrolling and LEAs using online programs as an alternative setting to traditional schools for some of the most difficult to serve students with disabilities. In addition, Smith & Burdette (2014) reported that in order for some students with disabilities to participate, some online programs are requiring students' parents to remove their children from special education services. Forum participants addressed aspects of these concerns in the following discussions about IDEA implementation in the online environment.

How is this topic addressed in your organization?

Current policy and practices reflect some diversity as well as common themes regarding SEA implementation of IDEA in online environments. Most participants thought that they had more questions than answers in regards to addressing IDEA compliance in virtual schools. These questions included whether or not special education teachers have been able to successfully adapt IEPs to the online environment and whether or not online programs are meeting the needs of students with disabilities to the same degree as traditional schools. As is common across and within districts, LEA staffs are using different measures to assess outcomes in online learning environments. As a consequence, they are having difficulty answering these questions.

One state's representative indicated concern about their authority to monitor online programs for FAPE, LRE, parental notification, and due process compliance, since virtual schools are both an LEA and a school and the SEA never monitors a singular school (VA). In another state the SEA is currently responding to questions from LEAs about compliance with IDEA by taking a very literal interpretation of the law: "this is what the regulations are, this is the standard that's set, and here's Ohio's implementing standards." However currently both LEAs and states are unsure how to address continuum of placement, FAPE, and LRE concepts in the online environment (OH). For example the concepts of LRE and continuum of placement based on student needs appear to have a very different implementation than in traditional school settings. From the SEA perspective, consensus is lacking about how to conceptualize LRE or continuum of services. The placement practices and LRE construct in traditional schools don't seem to fit with the online environment. For example, when all of the student's education is provided through online delivery at the student's home, placements in alternative environments are not feasible. Likewise, the SEAs do not have a sense that the intensity of the instruction or specially designed instruction varies in light of students' needs. All states seem to be looking for some type of guidance in applying IDEA principles to the online learning environment.

Despite the difficulty of applying IDEA principles to a new setting, participants indicated their LEAs realize the immediate need to monitor LRE compliance, maintain the availability of a continuum of placement, and provide related services. Most states are looking at how to monitor these requirements at the SEA level. Georgia brings their charter schools (3 of which are online) together monthly to discuss challenges in policies and procedures. Meanwhile, Florida's online program, which is considered an LEA, is "designed to be the least restrictive environment." However, Florida's representative finds this situation to be a conundrum because in practice IEP teams appear to be determining online programs always meet LRE regardless of the child's needs. Their online LEA has only been monitored once for special education compliance, although they have one of the nation's oldest online programs. As a next step they are just beginning to review data on how well they are serving students with disabilities.

How important is this topic from your perspective?

Participant's responses to this question ranged from "very important" to "the most important" topic for several reasons. One shared reason is that instructional conditions afforded by placements are directly related to students' results, and thus linked to ensuring that students are in the appropriate instructional environments. These outcomes are often associated with the heterogeneity of the students' ability within the instructional setting. In addition, the paradox of online learning environments is that the same environment can be the most inclusive for some learners and the most exclusive for other students – the perspective depends on individual student's characteristics and the desired outcomes. In the words of one participant, "online learning turns LRE upside down." According to one state representative, online learning environments remind educators that special education is not a place, it's an implementation of uniquely designed instruction and materials for individual students.

Another participant emphasized the need for educators and administrators to start thinking differently about the provision of LRE, rather than a particular physical placement. The same participant also raised the question of whether or not IEP teams or SEA staffs could be challenged with determining if specific related services are part of the provision of LRE under FAPE. This participant described the need for quality indicators for online learning programs (i.e., what are the best processes and outcomes to evaluate in terms of results for students with disabilities) and straightforward methods for implementing them (i.e., how to best instruct in an online environment to meet the needs of students with disabilities).

What direction do you see your state going on this topic?

Some state representatives reported that their respective states are moving toward the inclusion of online learning in the general state education improvement process including the improvement of special education (OH & AZ). One state is waiting to see the student outcomes for an online LEA, meaning they are wanting to review the first year of data and then make decisions about what to do next (FL). Massachusetts has plans to align curriculum and assessment in online learning environments with the curriculum and assessment in traditional learning environments across the state. One common goal among the state representatives is making advancements in the ability to provide technical assistance to LEAs through the continuing improvement process and developing action plans. States expect this work will help LEAs see that student accessibility to LRE makes a significant impact on student outcomes.

What are the top challenges faced and various stakeholder concerns?

Forum participants reported that parents, advocates, and educators are challenging states on the meaning of FAPE and LRE in online environments. They note these principles can have a different interpretation in online learning environments, especially when all of the student's instruction is delivered in an online environment. One participant noted the conundrum that online learning environments seem inherently non-compliant with IDEA principles because students are physically segregated from all of their peers – not being educated with their age-appropriate peers to the maximum extent appropriate. The flip side of this problem is the question of whether or not fully inclusive schools are compliant. Students with disabilities spend all of their time with age-appropriate peers, which may not always be educationally appropriate for all students either.

One participant reported some parents' feelings of frustration with online learning environments for their children with disabilities. Parents have cited a lack of preparation for their expanded responsibilities incurred by enrolling their children in online learning environments and being unaware that the change to online instruction may not necessarily provide their child with LRE. The decision, however, is the parent's decision, and educators feel their hands are tied when the parent often makes this enrollment decision without a clear understanding of the implications. On the other hand, participants reported that some parents convey feeling they have been coerced by school district staff to put their children in a totally online environment. Another challenge expressed was whether IEP teams are making service delivery decisions based on student needs versus available options? This concern is not unique

to online instruction and has also been expressed for some time in traditional school environments.

A related challenge concerns the implementation of IDEA in online learning. Participants reported they and administrators have encountered difficulty deciding how to proceed with the implementation of online learning environments without any federal guidelines in either general education or special education specific to such environments. SEAs are having difficulty interpreting the intent of IDEA as it would apply to virtual education and are calling for implementation guidelines in both major education laws (ESEA and IDEA) to avoid a situation similar to the implementation of the response to intervention framework. The response to intervention framework included multiple components for all of the students within the general education system (e.g., universal screening, progress monitoring, and multiple levels of intervention), but was funded through special education budgets. Some of the related challenges expressed include: What are SEAs' responsibilities for supervision in the online environment? What is an appropriate ratio of students with disabilities to their typically developing peers in an online environment? What should characterize individualized instruction? What is the appropriate amount of time students will need special education services if they are enrolled in an online learning environment? These questions reflect stakeholders, districts, and state agencies' concerns, but asking for federal guidance on these questions is precarious because the response could be too rigid – which would decrease one of the most beneficial tenets of the online environment: its flexibility.

What research questions could have a significant impact?

As with many other forum topics, many of the research questions stem from the idea of identifying a set of best practices. These questions included what makes certain environments appropriate for some students but not other students? How does a student's specific disability influence such decisions? How does an administrator observe and evaluate teachers in online settings? What does effective special education look like in fully online and blended learning environments? How do teachers in an online learning environment implement IEPs, and what are specific issues to consider in that transition? What would represent the elements or options in a continuum of placements within an online environment? What are the minimum standards for online learning environments in regards to specially designed instruction, LRE, and providing a continuum of service, and do they match those required of traditional learning environments? The answers to all of these questions require experience, data, and collaboration among the involved entities. All forum participants indicated their states are working toward addressing those questions.

Implications

One of the most important sentiments expressed in the forum was the need for special education to continue being part of the online learning conversation across states. The online instructional setting is remarkably different than the brick and mortar classroom setting and those differences have significant implications. Participants indicated the need for flexible enough guidelines to work in the wide variety of current and future online learning settings. As

those guidelines are developed, they need to be considered in the context that the traditional education setting for which they were developed is remarkably different for learners who access their educational and related services through online formats. For example, as the discussants indicated LRE, FAPE, and IEPs are three important elements of instruction for students with disabilities but they are conceptualized and operationalized much differently in online settings.

Participants also called for research to guide educators and administrators in implementing best practices in their settings, setting the stage for the possibility that many settings can be LRE for many more students. Finally, forum participants echoed the need for a variety of data in order to describe the students being served and conditions which support students' success in online environments and to support IEP teams in making good student placement and service decisions.

From the discussions, several questions emerged:

1. What are the differences in IDEA principle implementation when evaluating compliance in online learning environments?
2. How can IEPs, written to include research-based practices aligned to the students' specific needs, be transferred and successfully implemented in an online learning environment with little research on successful accommodation and modification for students with disabilities?
3. What are best practices for gathering data about compliance in online learning environments? What measures should be used and variables analyzed?

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Reference

Smith, S. J. & Burdette, P. J. (2014). *Parent engagement in K-12 instruction: Altering the landscape?* Manuscript submitted for publication.

Appendix A
Forum Participants

OSEP AND COLSD FORUM

Practices and Challenges in On-line Instruction for Students with Disabilities

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Appendix B
Forum Agenda

OSEP and COLSD Forum
**Practices and Challenges in On-line Instruction for
Students with Disabilities**

NOVEMBER 18-19, 2014

AGENDA

Tuesday, November 18, 2014

8:30 – 8:45	Welcome	<i>OSEP staff and Bill East</i>
8:45 – 9:10	Introductions:	Your SEA experiences with online instruction (Questions suggested in the second cover letter)
9:10 – 9:15	Overview	<i>Explanation of how we hope this discussion proceeds</i>
9:15 – 10:30	Discussion	<i>Topic #1:</i> Enrollment, persistence, progress and achievement; Disaggregated by disability category
10:30 – 10:45	Break	Check in with the office; Refresh your brain
10:45 – 11:45	Discussion	<i>Topic #2:</i> Parent preparation and involvement in their child’s online experience; Promising practices to support parents’ roles
12:00 – 1:00	Lunch	Task: Evaluation and planning (Handout)
1:00 – 2:15	Discussion	<i>Topic #3:</i> IDEA principles in the online environment (e.g., FAPE, least restrictive environment, parental notification, due process protections)
2:15 – 2:30	Break	
2:30 – 3:30	Discussion	<i>Topic #4:</i> Effective and efficient student response data access, sharing, integration, and instructional usage among the parties involved in online instruction (e.g., instructional setting,

		instructor, administrator, provider, and vendor) and addressing privacy concerns
3:30 – 4:30	Discussion	<i>Topic #5: Effectiveness of teacher preparation in the online learning environment; Promising or negative practices that facilitate (negate) professional development</i>
4:30 – 4:45		<i>Wrap-up, suggestions for improving our process and preview for day 2</i>

Wednesday, November 19, 2014

8:15 to 8:30	Review	<i>Review of yesterday and preview of the today's activities</i>
8:30 – 9:15	Discussion	<i>Topic #6: Integration of optimal evidence-based instructional practices; availability of skill/strategy instruction in online environments</i>
9:15 – 9:30	Break	
9:30 – 10:30	Discussion	<i>Topic #7: Utilization of the online environment's unique properties and affordances especially those features that would not be possible or practical in the offline environment: collaboration, personalizing instruction, multiple means of demonstrating skill mastery</i>
10:30 – 11:45	Discussion	<i>Topic #8: Differential access to online learning within and across your districts (e.g., computer or tablet access, connection speed, district restrictions to material access & assistive technologies)</i>
11:45 – 1:00	Lunch	Leadership challenges: What are 2-3 questions that you need answered about online learning and students with disabilities to help you provide state leadership?

1:00 – 2:00	Discussion	Your views on: (1) The Center’s future activities, (2) Value of this forum and (3) Stakeholders for future forums
2:00 – 2:15	Wrap Up	<i>Reimbursement issues and closing comments; Thank you and safe travels</i>