

Students with the Most Significant Cognitive Disabilities



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The Individualized Education Program (IEP) is important for all students with disabilities who receive special education services. IEPs that support inclusion are especially critical for students with the most significant cognitive disabilities who participate in a state alternate assessment aligned to alternate academic achievement standards (AA-AAAS), as well as for those in grades PreK-2 who may not yet take state assessments. Currently, a very small percentage of these students are educated in regular education classrooms. Thus, IEPs of students

'Several studies have demonstrated this, including studies conducted by both AA-AAAS assessment consortia (dynam-iclearningmaps.org and ncscpartners.org). See for example, Where Students with the Most Significant Cognitive Disabilities are Taught: Implications for General Curriculum Access, available

with the most significant cognitive disabilities should be written to support inclusion in the general education curriculum and, ideally, the general education classroom. Taking an alternate assessment does NOT mean a student must be educated in a separate setting.²

The Individuals with Disabilities Education Act (IDEA) requires all students with disabilities to be educated in the Least Restrictive Environment (LRE). Even though IDEA also talks about the requirement that local

at http://ncscpartners.org/Media/Default/PDFs/Resources/NCSC%20LRE%20Article%20Exceptional%20Children%20Ec%201670%20APA.pdf.

²See the TIES Center brief titled, *Taking the Alternate Assessment Does NOT Mean Education in a Separate Setting!* at https://tiescenter.org/resource/NO/yDQYeoQQe0thNgNp4chg

education agencies (LEAs) must ensure that a continuum of alternative placements is available, this requirement is subject to the rules for LRE.

LRE = Least Restrictive Environment

According to a joint statement on LRE issued by several organizations and experts,³ all children with disabilities will be educated in the general education classroom, except in the rare circumstance that the student cannot get a satisfactory education in that environment even with supplementary aids and services.

LRE is presumed to be the general education classroom UNLESS the student cannot be educated satisfactorily in that setting even with needed supports, services, adaptations, and modifications. IDEA is clear that needed modifications to the curriculum cannot be the sole reason for removal from the age-appropriate general education classroom.⁴ In fact, a recent U.S. Circuit Court case determined that a student need not master the general education curriculum in order to be educated in the general education classroom, although the student must have IEP goals and receive instruction aligned to the grade-level content standards.⁵

The IEP team must consider the general education classroom in the student's home school⁶ first before considering a more restrictive placement such as a special education class. The goal for the IEP team is to determine the **least** restrictive environment in which the student can be educated satisfactorily. It should be difficult to overcome the presumption that students should be educated in the general education classroom. Simply being behind peers in progress in the curriculum is not a reason to move a student to a more restrictive setting. "Restrictiveness" in LRE decisions relates to the amount of time spent with nondisabled students in the general education classroom or other general education environments (e.g., study hall). That is why the general education classroom is considered less restrictive than a special education classroom. The type of support a student may need, such as an aide in the general education classroom, does not make the setting more restrictive. Similarly, "LRE requirements apply to transition services, including employment-related transition services, and apply equally to the employment portion of the student's program and placement."7

³See Joint Statement on Maintaining the Least Restrictive Environment Requirements of the Individuals with Disabilities Education Act (2019, July 19) at https://www.cec.sped.org/~/ media/Joint%20Statement%20on%20LRE.pdf

There are many resources available for parents, but not all focus specifically on ensuring that the IEP is written in a way that supports inclusion in the general education curriculum and classroom. The purpose of this Brief is to identify specific ways in which the IEP can be written to support inclusion.

Components of an IEP

Many components of an IEP can be developed to support inclusive education for students with the most significant cognitive disabilities. The following components can help reinforce the student's access to and progress in the general education curriculum and the general education classroom:

- · Present levels of academic achievement and functional performance (PLAAFP) statement
- Annual goals
- · Progress toward annual goals
- Services (special education services, supplementary) aids and services, related services, including parent counseling and training if needed for the student to benefit from their special education)
- Program modifications or supports for school personnel
- · Participation in regular class and extracurricular and other nonacademic activities
- Individual accommodations
- Timing and location of services and modifications
- Transition services to prepare for post-school activities, such as postsecondary education or employment8

PLAAFP Statements

Key Points to Remember: Make sure that present levels of academic achievement and functional performance (PLAAFP) statements do not limit the student's access to and progress in the grade-level general education curriculum or the general education classroom. PLAAFPs are to be strength-based and person-centered in an educational model, rather than through a medical deficit model that focuses primarily on a student's limitations.

Postsecondary Education and Employment for Students and Youth with Disabilities, available at https://www2.ed.gov/about/ offices/list/osers/transition/products/postsecondary-transition-guide-2017.pdf

8IDEA requires that transition plans be developed starting when a student is age 16 or earlier, if necessary. A few states lowered the age from 16 to age 14. Check with your state parent center about the age at which transition plans and services must begin, https://www.parentcenterhub.org/findyour-center/

⁴IDEA Regulation 300.116(e)

⁵L.H. v. Hamilton County Department of Education (6th Circuit U.S. Court of Appeals, 2018), http://www.opn.ca6.uscourts.gov/ opinions.pdf/18a0176p-06.pdf

⁶The "home school" is the school the student would attend if the student did not have a disability.

⁷The statement about LRE and transition services is from OSEP's (2017) A Postsecondary Transition Guide to

Statements of the PLAAFP serve as the foundation for the IEP. These include information on how the student's disability affects involvement and progress in the general education curriculum.

Ongoing monitoring of student progress during instruction can help to develop strong PLAAFP statements. Information to include in the PLAAFP can be developed from notes taken during classroom monitoring of progress. A student's PLAAFP should not be used to limit the student's access to and progress in the grade-level general education curriculum or the general education classroom. Plans need to be made to ensure that the supports are provided for the student to move toward grade-level expectations.

PLAAFP Resource

Center for Parent Information and Resources, Present *Levels:* www.parentcenterhub.org/present-levels/

Annual Goals

Key Point to Remember: Develop goals that are standards-based and best implemented in the general education classroom.

Statements of annual goals should include both academic and functional goals. They should be stated in a way that progress on them can be measured across the school day. To support inclusive education for students with significant cognitive disabilities, annual goals should be written with goals and services that are best implemented in an inclusive placement. The goals should:

- Use supports and curriculum that are age-appropriate
- Lead to meaningful outcomes for the student
- Support learning the general education curriculum with peers
- Occur in natural settings and times throughout the

The goals must also be standards-based. This means that:

- Selected content standards from the student's grade-level are reflected in the goals. (Content standards describe specific content areas students should learn at each grade level.)
- There is a focus on alternate achievement expectations for those grade-level content standards. (It is expected that the student will learn the content, but with less depth, breadth, or complexity, as determined for that individual.)
- The identified goals and supports are ones needed to make progress in the selected grade-level content standards.

A recent U.S. Supreme Court case held that in order to meet the Free Appropriate Public Education (FAPE) requirements in IDEA, schools must offer educational programs that are "appropriately ambitious," focused on "challenging objectives," and "reasonably calculated to enable a child to make progress appropriate in light of the child's circumstances." IEP goals must be developed using this standard.9

It is important to note that IEP goals are NOT the **student's full curriculum.** Academic IEP goals focus on the skills needed to make progress in the broader general education curriculum, including subjects like science and social studies. A student's education should never be limited to IEP goals.

There likely also will be other goals in the IEP, including goals for additional life, social, communication, or foundational skills that are not directly based on the content standards, but should be linked to them in the IEP. These other goals also should focus on skills needed to make progress in the general education curriculum, and to address functional challenges that lead to greater independence in the general education classroom and other school environments. These goals could include speech or fine motor goals (for example, handwriting). To support inclusion, additional goals should be written with the classroom content and interaction with nondisabled peers in mind. For example, the goals might mention grade-level texts that are part of the general education curriculum when focusing on vocabulary, writing, or speech. An interaction goal might include initiating interaction exchanges with peers in the classroom, during gym, and at recess.

Short-term objectives must be developed for all students who participate in AA-AAAS.¹⁰ These are the smaller, intermediate steps to achieve when moving toward each IEP goal. Progress on the short-term objectives should be shared at each period when regular academic report cards are issued, ideally quarterly at a minimum. Reasonable progress toward each annual goal should be shown.

Annual Goals Resources

- Center for Parent Information and Resources, Annual Goals: www.parentcenterhub.org/iepgoals/
- Center for Parent Information and Resources, Benchmarks or Short-term Objectives: www.parentcenterhub.org/benchmarks/

⁹Endrew F. v. Douglas County School District (U.S. Supreme Court 2017) https://www.supremecourt.gov/opinions/16pd-<u>f/15-827_0pm1.pdf</u>. Also see U.S. Department of Education FAQs on the Endrew case https://sites.ed.gov/idea/files/qa-en- drewcase-12-07-2017.pdf

¹⁰In some states, short-term objectives are required for all students with disabilities. Check with your state's Parent Center (https://www.parentcenterhub.org/find-your-center/ to find out if this is true in your state.

- PEAK Parent Center, Writing an Inclusive Individualized Education Plan (IEP): www.peakparent.org/blog/ writing-inclusive-individualized-education-plan-iep
- National Center and State Collaborative, Standards-based Individualized Education Programs (IEPs) for Students who Participate in AA-AAS: http://www. ncscpartners.org/Media/Default/PDFs/Resources/ NCSCBrief5.pdf

Progress Toward Annual Goals

Key Point to Remember: Tie measures of progress to the general education curriculum and classroom.

Describing the student's progress toward annual goals requires not only that they be measurable, but also that there be a schedule for periodic use of the measures and reports on them. Monitoring of classroom progress might be one way to note progress toward annual goals. The likelihood of showing progress in the general education classroom is increased if there is a good measure of progress tied to instruction in the general education classroom.

Measuring progress and reporting on the student's progress is critically important in determining whether the student is receiving FAPE in the LRE, which is presumed to be the general education classroom. If there is not adequate progress, it may indicate that there has been a failure to provide needed instruction or appropriate supplementary aids and services. It also may be that educators are not providing multiple ways for students to show what they know and can do. As a result, the student may not be able to demonstrate his or her progress in the way that is requested. Lack of adequate progress does NOT necessarily mean the student needs a more restrictive placement.

Measuring Progress Resource

Center for Parent Information and Resources, Measuring and Reporting Progress: www.parentcenterhub. org/iep-progress/

Services

Key Point to Remember: Carefully identify services (special education, supplementary aids and services, and related services) that enable the student to be educated with students who do not have disabilities.

The IEP should include statements about (a) special education services, (b) supplementary aids and services, and (c) related services. Ensuring that each of these support inclusive education for the student should be a target at the IEP meeting.

Special education services. Federal regulations state that a student receiving special education services should not be removed from receiving education in an age-appropriate general education classroom because of a need for modifications in the general education curriculum. Special education means specially designed instruction for the student at no cost to the parent, to meet the unique education needs of the student. There are definitions of what this includes:

- **Specialized instruction** instruction that is adapted in content, methodology (the practices and procedures that a teacher uses), or delivery to meet the unique needs of the student and to ensure access to the general education curriculum. The purpose of specially designed instruction is to allow the student to meet the educational standards that apply to all students.
- **Modification** a change in what is being taught to the student, or what is expected from the student, to reduce breadth, depth, or complexity. An example of a modification is changing the length of a writing assignment so that the student with a disability can participate in the lesson.
- **Accommodation** a change that assists the student in overcoming the challenges created by a disability, without altering the content that is expected to be learned. An example of an accommodation is allowing a student to give answers orally rather than in writing when the student has a disability that affects writing skills.

Supplementary aids and services. These are aids, services, and other supports that can be provided in general education classrooms, as well as in other education-related settings. They also can be provided in extracurricular and other nonacademic settings such as after-school clubs and sports. Supplementary aids and services enable students with disabilities to be educated, to the maximum extent appropriate, with students who do not have disabilities. Examples of a few supplementary aids and services include: augmentative communication device, personal calendar, software, shared note taking, and taped lessons.

Supplementary aids and services play a key role in whether the student is satisfactorily educated in the general education environment. In fact, a student can be removed from the general education environment **only if** the nature or severity of the disability is such that the provision of supplementary aids and services is not sufficient to achieve a satisfactory education in the general education classroom.

Related services. These include, for example, school health services and school nurse services, social work services in schools, and parent counseling and training. Other examples include: transportation; travel training; speech-language and audiology services; interpreting services; psychological services; physical and occupational therapy; and recreation, including therapeutic recreation.

These are just some examples of the many related services that may be helpful for ensuring that a student can succeed in the general education classroom. Although related services usually are provided on a regular schedule, bursts of services with different start and end dates may be needed to support a student in overcoming an immediate challenge. The benefit of this approach is that it allows you to explore the benefit of the service and gather data to help determine the best course of action for related services.

Services Resources

- Center for Parent Information and Resources, Special Education: www.parentcenterhub.org/ iep-specialeducation/
- Center for Parent Information and Resources, Supplementary Aids and Services: www.parentcenterhub.org/iep-supplementary/
- Center for Parent Information and Resources, Related Services: https://www.parentcenterhub.org/ iep-relatedservices/

Program Modifications or Supports for School Personnel

Key Point to Remember: Ensure that program modifications and supports for school personnel are directed toward enabling the student to advance toward annual goals, be involved in and make progress in the general education curriculum, and participate in extracurricular and other nonacademic activities, as well as be educated and participate with students without disabilities.

This could include attending a conference or training session, receiving assistance from another staff member or administrator, having an aide in the classroom, or obtaining special equipment or teaching materials. There are best practices that support inclusive education. For example, having school personnel attend a conference or training on Universal Design for Learning (UDL) would be very helpful in supporting the education of all students in a diverse inclusive classroom.

Modifications or Supports Resources

- CAST, Universal Design for Learning: http://cast.org/
- Center for Parent Information and Resources, Program Modifications for School Personnel: www.parentcenterhub.org/modifications-personnel/

Nonparticipation with Peers without Disabilities Explanation

Key Point to Remember: Remember that the removal of a student with disabilities from the general education classroom should occur only if the student cannot be educated satisfactorily in the general education environment with the use of supplementary aids and services.

The IEP also must include an explanation of the extent to which the student will not participate with nondisabled peers in the general education classroom or in extracurricular activities, if that is a decision that has been made. Before this type of explanation is considered, remember that when developing IDEA, Congress expressed a strong preference for students with disabilities to be educated alongside their peers without disabilities. This means that removal of a student with disabilities from the general education class may occur only if the student cannot be satisfactorily educated in the general educational environment with the use of supplementary aids and services. Any explanation of nonparticipation should reflect the student's needs and not be based on the needs or convenience of the school or district, the diagnosis or intelligence quotient (IQ) of the student, the fact that a student needs a behavioral intervention plan, or the type of state assessment in which the student participates.

Nonparticipation Explanation Resources

 Center for Parent Information and Resources, Extent of NonParticipation: https://www.parentcenterhub.org/iep-nonparticipation/

Individual Accommodations Needed

Key Points to Remember: Assist school personnel in identifying individual accommodations or modifications needed by the student to support access to the general education curriculum and inclusion in the general education classroom. Remember a student with a disability cannot be removed from education in age-appropriate general education classrooms solely because of needed modifications in the general curriculum.

Accommodations are changes in the materials or procedures used during classroom instruction and during assessments. They usually include changes in timing, scheduling, how information is presented, or the way in which the student responds. To support access to the general education curriculum and inclusion in the general education classroom, the IEP must include a statement of individual accommodations needed to measure the academic achievement and functional performance of the student on assessments. The accommodations identified for the student should be related only to the instructional and assessment needs of the student. This is consistent with the fact that the assessment a student takes should not be related to the student's placement.

Making decisions about accommodations should start from the student's needs and accommodations used in the classroom, and then focus on the state or district assessments in which the student will participate. All states have policies that identify which accommodations are considered appropriate for what the test is measuring. Some accommodations used in class may not be permitted during a state or district-wide

assessment. Information on state policies is available at the National Center on Educational Outcomes website (see Resources).

Accommodations Resources

- National Center on Educational Outcomes, Accessibility and Accommodations for Students with Disabilities
 (State Policies): https://nceo.info/state_policies/policy/accommodationsswd
- TIES Center, Taking the Alternate Assessment Does NOT Mean Education in a Separate Setting! (See section on accommodations.): https://tiescenter.org/resource/NO/yDQYeoQQe0thNgNp4chg

Services Date, Frequency, Location, and Duration

Key Point to Remember: When defining dates, frequency, location, and duration of services, strive for inclusion in the general education setting.

The IEP states the projected date for starting services and modifications, along with the anticipated frequency, location, and duration of the services and modifications. It is important to remember that services should be provided in the general education setting to the maximum extent appropriate.

Another consideration, especially for students with the most significant cognitive disabilities, is whether the student would benefit from Extended School Year services (those provided beyond the typical school year). The more that Extended School Year services support inclusion in the general education curriculum and general education classroom, the better.

Services Resources

- Wrights Law, Extended Year Services: https://www.wrightslaw.com/info/esy.index.htm
- Exceptional Parent Magazine (2014), Key Summer Options for Students with Special Needs: https://reader.mediawiremobile.com/epmagazine/issues/203361/viewer?page=23

Transition Services

Key Point to Remember: For transition planning, be sure to think about inclusion in the community after exiting school as well as inclusion during the final years of school.

Transition services must be identified in the IEPs of students with disabilities approaching the end of their high school education.¹¹ These services are designed to

prepare the student for life after high school, including postsecondary education, employment, independent living, and more. Transition plans must include:

- Measurable postsecondary goals
- Transition services needed to assist the student in reaching the identified goals; courses of study needed by the student should be identified here.

Transition planning is a good time to think about supporting the student's access to the general community. Thinking about this when defining postsecondary goals will help to foster inclusion in the community after exiting school (including independent living and paid employment), as well as inclusion during the final years of secondary education. Ideally, transition planning will occur during all years of the student's education, starting at age 3 when preschool services are available. Building skills that will support the student in adulthood can begin at any time – skills like independence, communication, problem solving, and social skills to develop and maintain relationships with peers and others in the community.

Transition Resources

- Center for Parent Information and Resources, Transition Planning: www.parentcenterhub.org/ iep-transition/
- National Technical Assistance Center on Transition: www.transitionta.org
- RAISE Transition Technical Assistance Center: www. raisecenter.org
- Reach for Transition: www.spanadvocacy.org/programs/reach/

What Else Do You Need to Know?

There are several other topics that are helpful to know about when developing an IEP that supports inclusion for a student with significant cognitive disabilities. Below we provide you with resources on these topics:

- Accessible Educational Materials
- Assistive Technology
- Behavioral Supports
- · Communicative Competence
- Intelligence Testing

Accessible Educational Materials (AEM)

CAST's National Center on Accessible Educational Materials provides many helpful resources on AEM (materials and technologies usable for learning across

¹¹Although we talk about transitioning from high school in this Brief, there are students who stop going to the high school before exiting IDEA services and receive the educational and transition services in another setting (e.g. dual enrollment in a college program).

the widest range of individual needs), including those below.

AEM Resources

- National Center on Accessible Educational Materials, Accessible Educational Materials and Technologies in the IEP: http://aem.cast.org/binaries/content/assets/ common/publications/aem/aem-iep-brief-2018.pdf
- National Center on Accessible Educational Materials, AEM Navigator:12 http://aem.cast.org/navigating/ aem-navigator.html#.XG2679PwaF1
- National Center on Accessible Educational Materials AEM for Parents and Families: http://aem.cast.org/ about/quick-start-families.html#

Assistive Technology (AT)

The need for AT should be considered during the discussion of supplementary aids and services. AT is any device, software, or equipment that helps students work around their challenges. Some examples are text-to-speech and word prediction software programs. Training for staff related to AT can be addressed when discussing support for school personnel.

AT Resources

- · Center for Parent Information and Resources, Considering Assistive Technology: www.parentcenterhub.org/ considering-at/
- · Center on Technology and Disability, Assistive Technology and the IEP: https://www.ctdinstitute.org/sites/ default/files/file_attachments/AT-IEP-English2_0.pdf
- Wrights Law, Strategies for Assistive Technology Negotiations: https://www.wrightslaw.com/info/at.strat. edyburn.htm

Behavioral Supports

Behavior is a means of communication. If behavior issues arise, there are many supports that could be included in the student's IEP. They include Positive Behavior Interventions and Supports, Functional Behavior Assessments (FBAs), and Behavior Intervention Plans (BIPs). Of course, the provision of appropriate academic and communication supports through the IEP may avoid the need to address behavioral issues because behavior problems often arise when the student is not properly supported. Addressing behavior needs is an essential element in developing an IEP that supports access to the general education curriculum and inclusion in the general education classroom. FBAs are useful in identifying why the student acts a certain way. They use

several techniques to understand what triggers behaviors. A BIP, which is based on the results of the FBA, is designed to teach and reward positive behaviors.

Behavioral Supports Resources

- Positive Behavior Interventions and Supports (PBIS): https://www.pbis.org/
- Understood, Functional Assessment and How It Works: https://www.understood.org/en/ school-learning/evaluations/evaluation-basics/ functional-assessment-what-it-is-and-how-it-works
- Understood, Behavior Intervention Plans: What You Need to Know: https://www.understood.org/en/learning-attention-issues/treatments-approaches/educational-strategies/ behavior-intervention-plans-what-you-need-to-know

Communicative Competence

Competence in communicating with others is an essential skill for every student, including students with the most significant cognitive disabilities. Focusing on receptive and expressive language is key for growth in literacy (reading and writing) skills. Tips for addressing communicative competence should be included in the IEP. Although Augmentative and Assistive Communication (communication methods used to supplement or replace speech or writing) can fall under Assistive Technology, there are times when an effective communication system does not involve technology (see TIES Center resources).

Communicative Competence Resources

- National Center and State Collaborative (NCSC), Communicative Competence for Students with the Most Significant Cognitive Disabilities: A Three-Tiered Model of Intervention: http://www.ncscpartners.org/Media/ Default/PDFs/Resources/NCSCUKYCommunication-WhitePaper.pdf
- National Center and State Collaborative (NCSC), Promoting Communications Skills in Students with Significant Cognitive Disabilities: http://www.ncscpartners. org/Media/Default/PDFs/Resources/NCSCBrief4.pdf
- National Center and State Collaborative (NCSC), NCSC Communication Toolkit. (This is a professional development resource of seven modules to share with educators working with students who are not using oral speech; it includes a sign-in for security purposes, but is free to any one): https://wiki.ncscpartners. org/index.php/Terms of Use
- TIES Center, TIES Center Communicative Competence TIPS: https://publications.ici.umn.edu/ties/communicative-competence-tips/cover

¹²The AEM Navigator is an interactive tool that supports decision making on formats of print materials for an individual student; it addresses four decision points (determination of need; selection of formats; acquisition of formats; selection of support) and provides useful references and resources.

Intelligence Testing

There is a lot of misinformation about what IDEA says about intelligence testing (IQ tests). Parents or guardians can participate in the decision about whether an intelligence test is used in an evaluation. If one is used, it should never determine a student's placement, the type of assessment a student takes, or the opportunity to earn a diploma. See the following resource for more information:

Intelligence Testing Resource

 Intelligent Lives/Opening Doors/National Downs Syndrome Congress, What Does the Individuals with Disabilities Education Act Say About IQ Testing? https:// www.ndsccenter.org/wp-content/uploads/IL-IQ-Testing-Brief.pdf

Summary of Key Points to Remember

To support the access of students with the most significant cognitive disabilities to the general education curriculum and their inclusion in the general education classroom, think about these key points:

- Make sure that **PLAAFP statements** are strengthbased and person-centered and do not limit the student's access to and progress in the grade-level general education curriculum.
- Develop **goals** that are standards-based, best implemented in the general education classroom, and measured across the school day.
- Tie **measures of progress** to instruction in the general education classroom.
- Carefully identify **services** (special education, supplementary aids and services, and related services) that enable the student to be educated with students who do not have disabilities.
- Ensure that **program modifications and supports** for school personnel are directed toward enabling the student to advance toward annual goals, be involved in and make progress in the general education curriculum, and participate in extracurricular and other nonacademic activities, as well as to be educated and participate with students without disabilities.
- Remember that **removal** of a student with disabilities from the general education classroom should occur only if the student cannot be educated satisfactorily in the general education environment with the use of supplementary aids and services.
- Assist school personnel in identifying individual accommodations or modifications needed by the

student to support access to the general education curriculum and inclusion in the general education classroom.

- Remember a student with a disability cannot be removed from education in age-appropriate general education classrooms solely because of needed **modifications** in the general curriculum or because of a behavioral intervention plan.
- When defining dates, frequency, location, and duration of services, inclusion in the general education setting must be considered first as the presumed placement of every student with a disability.
- For **transition planning**, be sure to think about inclusion in the community after exiting school, as well as inclusion during the final years of school.

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