

ALABAMA LITERACY ACT AND STUDENTS WITH DISABILITIES FREQUENTLY ASKED QUESTIONS

The *Alabama Literacy Act (ALA)* applies to ALL students with or without disabilities. Students with disabilities are general education students first, therefore, are entitled to all benefits of the ALA.

1. How does the ALA apply to students with disabilities?

The ALA provides an important opportunity to address the reading instruction and intervention needs of **ALL** students who are found to have reading deficiencies. The ALA ensures the implementation of steps to improve reading proficiency and ensures that ALL students are able to read at or above grade level at Grade 3. **Students with disabilities are general education students first,** and requires an Individualized Education Program (IEP) that addresses identified areas of need through the provision of specially designed instruction.

2. Will ALL students identified with reading deficiencies be referred for special education services? Students with reading deficiencies may ultimately be found to have a disability and a need for special education services pursuant to the *Alabama Administrative Code (AAC)*, others will already have an identified disability, and some will not yet have had the opportunity to receive evidence-based reading instruction in general education. The effective implementation of Student Reading Improvement Plans (SRIPs) for students with reading deficiencies in their early years should result in fewer students being identified as having specific learning disabilities and a need for special education services. This is because the evidence-based reading interventions and supplemental instructional services and supports outlined in a student's SRIP should have the positive impact of decreasing the rate of disability identification. For an unidentified student with a SRIP already in place who is referred for a special education evaluation, assessment data collected from valid and reliable reading screening, formative, and diagnostic assessment systems, will likely assist in determining whether a Specific Learning Disability exists.

3. Should a student with an IEP that identifies reading deficiencies participate in the assessments identified through the ALA?

Yes. A student with an IEP will participate in vetted and approved reading screening, formative, and diagnostic assessments to identify reading deficiencies, and measure and monitor progress. **All** students with an IEP in second and third grade must participate in the state assessment program through the Alabama Comprehensive Assessment Program (ACAP) Summative, with or without accommodations.

4. Who provides the reading instruction for students with disabilities?

A student with an IEP who demonstrates a deficiency in reading is entitled to receive all intensified reading interventions and effective instructional strategies as his/her **primary** reading instruction via the ALA. The general education teacher receiving the support of the Alabama Reading Initiative Regional Literacy Specialist and the Alabama Reading Initiative Local Reading Specialist will provide the **primary** reading instruction, interventions, and strategies in order to meet the student's identified reading deficiencies.

5. Does a student with an IEP receive evidence-based reading interventions and supplemental instructional services and supports in the regular education classroom?

Yes. Students with disabilities are general education students first and require an IEP that addresses identified areas of need through the provision of specially designed instruction. **The IEP is not meant to replace (supplant) a student's general education curriculum or services; rather, it supplements instruction, interventions and strategies, and allows the student to participate in, benefit from, and progress in the general education curriculum.**

6. Must the reading teacher of a student with an IEP meet the same qualifications outlined in the ALA? Yes. The most qualified teacher or reading interventionist receiving the support of the Alabama Reading Initiative Regional Literacy Specialist and the Alabama Reading Initiative Local Reading Specialist, provides the **primary** reading instruction, interventions, and strategies in order to meet **ALL** students' identified reading deficiencies.

7. Does a student with a disability have an IEP and a SRIP?

Yes. The special education case manager will participate in the development of the SRIP in order to address how the evidence-based reading interventions and supplemental instructional services and supports will align with the specially designed instruction delivered through special education services.

8. What is the difference between a SRIP and an IEP?

The SRIP describes the evidence-based reading intervention services, including dyslexia-specific intervention services, that the student shall receive to improve the reading deficits. The SRIP will be developed by the teacher, principal, other pertinent school personnel, the parent, the student's special education case manager, and related service providers if applicable. The IEP identifies areas of need to be addressed through specially designed instruction, accommodations, and related services. **The IEP is not meant to replace (supplant) a student's general education curriculum or services; rather, it supplements instruction, interventions, and strategies and allows the student to participate in, benefit from, and progress in the general education curriculum.**

9. Who will be responsible for the SRIP of a student with a disability?

The SRIP of a student with a disability *will* be an active file handled in the same manner as all other SRIPs, housed in the school/classroom of the teacher providing reading instruction, and a copy provided to the special education service provider. A copy of the SRIP should be uploaded to the student's IEP process for the appropriate school year.

10. Can a student with an IEP receive reading instruction in both the general education classroom and the resource room?

Yes. A student with a disability may receive reading instruction from the general education teacher and the special education services provider through inclusion or in a resource setting. In this case, the student's general education teacher and the special education service provider must work together to implement the SRIP. It is equally important that the supplementary aids and services outlined in the student's IEP are implemented in the general education classroom to assist with increased academic achievement and performance.

11. If a student with a disability participates in Summer Camp and/or the Alabama Summer Achievement Program referenced in the ALA is this considered Extended School Year (ESY) services for the student? No. The EYS services are not to be a substitution for Summer Camps and/or the Alabama Summer Achievement Program referenced in the ALA. Students with disabilities should have equal access to participation in summer learning programs. Summer learning programs could also serve to meet ESY needs and support ESY goals, if determined appropriate by the IEP Team.

12. What is Extended School Year for a student with a disability?

The ESY services are special education and/or related services that are provided to a student with a disability beyond the normal school year of the local education agency (LEA), in accordance with the student's IEP, at no costs to the parents, and meets the ESY standards of the state. The ESY services are determined as a result of a student's significant regression of critical skills and a longer-than-normal recoupment period. Summer programs could also serve to meet ESY needs and support ESY goals, if determined appropriate by the IEP Team.

13. Do students with IEPs follow the same promotion and retention guidelines outlined in the ALA? Yes. The ALA applies to **ALL** students. Third-grade students with disabilities shall demonstrate sufficient reading skills for promotion to fourth grade and shall be provided all end-of-third-grade promotion options included in the ALA to demonstrate sufficient reading skills for promotion to fourth grade.

14. Do ALL students with disabilities qualify for Good Cause Exemption?

No. A student with a significant cognitive disability who receives instruction based on the Alternate Achievement Standards (K-1) and who is assessed using the ACAP Alternate for testing Grades 2 and 3 qualifies for the Good Cause Exemption under the state law. The law states an IEP Team must determine that an alternate assessment is appropriate for the student.

15. Will a student with a significant cognitive disability require an alternate assessment for promotion to third grade?

No. The individualized reading interventions and strategies will be outlined in a student's IEP and will be assessed utilizing measures appropriate to the student's severity of reading deficits, rate of learning, and the level of supports needed. Reading deficits may be addressed through individualized goals, specially designed instruction, and related services as deemed necessary by the student's IEP Team. A student who is receiving instruction from the Alternate Achievement Standards in Grades K-2 may also receive alternate means of screening, formative and diagnostic evaluations to identify reading deficiencies and measure and monitor progress as determined by the IEP Team. Although these students meet the criteria for participation in the ACAP Alternate and have documentation in his/her IEP of instruction based on Alternate Achievement Standards and will be exempt from mandatory retention via the Good Cause Exemption, they are entitled to the same program and process outlined in the ALA for ALL students. Yet, the IEP Team decisions regarding the level of participation are to be based on the unique needs of the student.

16. Can a student with a disability other than a significant cognitive disability qualify for a Good Cause Exemption?

Yes. Students with disabilities who participate in the statewide English language arts reading assessment and have an IEP or a Section 504 Plan that reflects that the student has received intensive reading intervention for more than two years **and** who still demonstrates a deficiency in reading, **and** was previously retained in kindergarten, first grade, second grade, or third grade may qualify for a Good Cause Exemption.

17. If a student has a disability other than a significant cognitive disability and does not demonstrate the sufficient reading skills for promotion and does not qualify for a Good Cause Exemption, will the student continue to receive intensive reading instruction?

Yes. The ALA applies to **ALL** students. The student will receive intensive acceleration taught by a highly effective teacher of reading who has received training in the science of reading and multisensory language instruction and be the provider of instruction for the majority of student contact time each day. The student will also receive explicit and systematic reading instruction and intervention at a reduced teacher-student ratio.

18. How will parents of students with disabilities be notified that their child will be retained in third grade?

The parent will be notified like any other parent.

