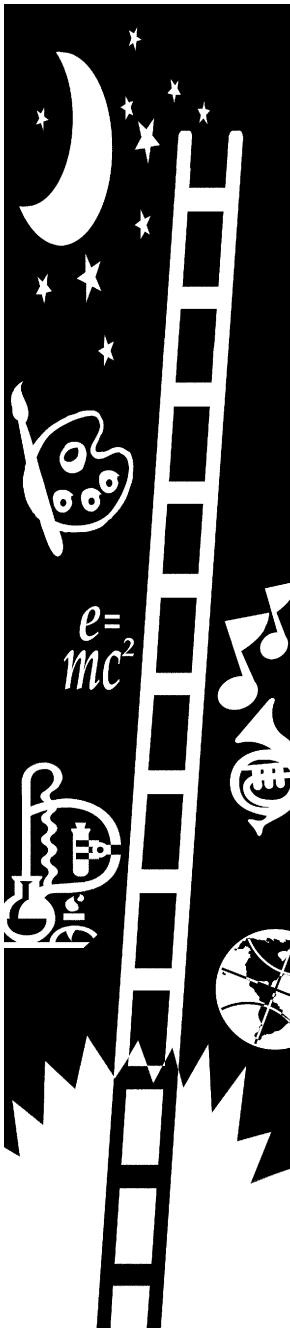


Opportunity to Learn Fact Sheet



Opportunity to learn requirements

“Opportunity-to-learn” requirements are a key component of standards-based education reform. Standards-based education reform is the term used to describe efforts across the nation to improve education by first setting standards. Standards are seen as a way to raise student achievement by specifying what students should be learning and what teachers should be teaching. Schools are judged based on the actual achievement of students, with large-scale assessments focused on educational results. However, standards and assessments can bring about meaningful educational change only if combined with requirements that ensure that *all* students’ have access to the kind of learning opportunities they need to reach the standards.

Opportunity-to-learn requirements address strategies, services, and supports designed to ensure that all students have a fair chance to learn

the knowledge and skills set forth in the state standards. Opportunity-to-learn requirements can include:

- ✓ curriculum modified to achieve standards,
- ✓ instructional materials and methods,
- ✓ class size and structure,
- ✓ individual assistance,
- ✓ supportive services,
- ✓ teacher training,
- ✓ professional development,
- ✓ adequate funding, and
- ✓ teacher self-assessments and peer reviews.

Schools must address these requirements to ensure equity and excellence for all students and to close the achievement gap between students with and without disabilities.





Goals 2000

To receive federal funds under *Goals 2000: Educate America Act*, state improvement plans must set forth strategies for improving teaching and learning and increasing students' mastery of basic and advanced skills. States must demonstrate that they will provide curricula, instructional materials, teacher training,

assessments, and accountability measures designed to enable all students, including students with disabilities, to achieve the standards. Similarly, local school improvement plans must include strategies for improving teaching and learning that will ensure that all students have a fair opportunity to learn.



Title I of the *Elementary and Secondary Education Act*

Title I is a program that allocates federal funds to school districts serving significant numbers of children who are from areas with high concentrations of low-income families. Title I contains rigorous opportunity-to-learn requirements which apply to students with disabilities covered by the program. This law requires participating schools to work in partnership with parents to provide, among other things:

- ✓ an accelerated and enriched curriculum,
- ✓ high quality teaching staff, and
- ✓ effective intervention for students having trouble meeting the standards.

Amended in 1994, Title I imposes duties on states, school districts, and schools to ensure that each of the following interrelated components are in place. Taken together these components provide a framework for reform:

- ✓ high state standards,
- ✓ individual assistance,
- ✓ curriculum and instructional methods,
- ✓ programming that pertains to school readiness,
- ✓ program structure,
- ✓ staff training and professional development,
- ✓ performance assessment, and
- ✓ improvement and enforcement activities.

Title I programs must demonstrate sufficient gains in the performance of all students being served, including students with disabilities and students who are low-income or have limited English proficiency.

✓ State constitutional provisions and state education reform statutes

Opportunity-to-learn requirements can also be derived from the requirements of some state constitutions and state education reform statutes. Students' right to quality education can be found in most state constitutions, frequently as a duty to provide an "adequate" or "thorough and efficient" public education. The highest courts of many states have said that the education clauses of their state constitutions

define a constitutional right to education. These constitutional requirements have often been raised when a state's school finance system has been challenged in court. However, the constitutional right to a quality education is not limited to school finance. For example, in Kentucky, successful state constitutional litigation led the legislature to enact a detailed standards-based education reform law.

✓ IDEA, Section 504, and the Americans with Disabilities Act

With the *Individuals with Disabilities Education Act Amendments of 1997* (IDEA), Congress emphasized the provision of high quality education. Students with disabilities must be provided an opportunity to be involved and progress in the general curriculum, and must be provided with appropriate accommodations, modifications, and services consistent with their individual needs, to facilitate their involvement and progress. The Individualized Education Program (IEP) must specify the special education instruction, related services, and supplementary aids and services necessary to provide the student the opportunity, as appropriate, to learn what all other students are expected to learn.

Under the *IDEA Amendments of 1997*, the IEP must include, for example, a statement of:

- ✓ the child's present level of educational performance, including how the student's disability affects involvement and progress in the general curriculum;

- ✓ measurable annual goals, including benchmarks or short-term objectives, that will enable the child to be involved and progress in the general curriculum;
- ✓ special education and related services, and supplementary aids and services the student needs to be involved and progress in the general curriculum and reach other IEP goals;
- ✓ program modifications and supports for school personnel (teacher, aides, etc.) that are necessary to ensure that the student advances appropriately toward attaining the IEP goals and progresses in the general curriculum; and
- ✓ modifications in the administration of state or districtwide assessments of student achievement.¹

Special education evaluations, re-evaluations, IEP reviews, and parent progress reports

¹ For specific IEP content, see section 1414 of IDEA.

must now address the student's progress in the general curriculum. These new requirements in IDEA help to ensure that IEP teams continually address the services, strategies, and supports necessary for the student to have an opportunity to learn and attain the standards.

Students with disabilities have parallel rights under Section 504 of the *Rehabilitation Act of 1973* and the *Americans with Disabilities Act* which prohibit discrimination on the basis of disability. These laws can also be used to require schools to provide the specialized instruction and supplementary aids and services a student needs to benefit from the general curriculum and standards.

Information in this **Fact Sheet** is based on the *PEER Information Brief, "Opportunity to Learn and Education Reform: Ensuring Access to Effective Education for All Students,"* by Kathleen B. Boundy, J.D., Center for Law and Education, Boston.

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