



THE SPED PROCESS: IEP through PLACEMENT

The 200's Indicators

NEW DIRECTORS' ACADEMY PRESENTATION

July, 2015

Missouri Department of Elementary
and Secondary Education

Learning Outcomes

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After today's training, you will:

- Know the timelines that apply to the IEP process
- Understand the significance of the connection between the evaluation report to the present level, to the goals, to the services, and ultimately to the placement for the student
- Understand the importance of implementing the IEP as written

These are the learning outcomes of our training today.

We have planned a break and activities into our presentation to emphasize key points and keep everyone awake! Our intent is to ensure that you have a firm grasp on the special education process in terms of compliance and to acquaint you with resources available to guide you as you make decisions as a special education director. In the interest of time, we ask that you write any questions you have during the presentation on the index cards that are placed on your tables. Please include your email addresses and phone numbers on these cards. We will be monitoring the room for questions and will have “parking lot” for a question and answer time at the end of each session. However, if we do not have enough time to answer everyone's questions we will email or call you with an answer.

As we proceed through the presentation, we will reference certain handouts that you will find located in the notebook on your table. These are forms that are easily located on the Compliance website. Because these forms are periodically updated, we have placed the most current versions of these forms in a single notebook on each table to share. We

ask that these notebooks remain on the tables at the end of this presentation.

Keep in Mind

- Speaking in acronyms
 - LRE = Least Restrictive Environment
 - MAP = Missouri Assessment Program
 - ESY = Extended School Year
 - ROI = Release of Information

- Common terminology (short-hand speak)
 - Summer School = beneficial for all students
 - ESY = required for identified sped students to work on current school year's IEP goals



Summer School \neq ESY

As was discussed in the previous session, please keep in mind that we will be speaking in “SPED”. This means we will be speaking using letters (acronyms) and short-hand (using one term or acronym to that mean the same thing as another term or acronym). This slide is a reminder of several terms we will be using today. If we use an acronym or short-hand speak that you don’t know or understand – STOP US and we will “translate”. . . Remember that if you have a question, more than likely, there are several others in the room who have the same question!

Keep in Mind



Note that if we use an acronym you don't know – be sure to raise your hand and we will explain it. Remember we do “stop” for acronyms – questions go to the “parking lot”!

	
5	The <u>INDIVIDUALIZED</u> Education Program
Indicators 200.600 – 200.1290	

Let's talk about the IEP. Remember that IEP stands for Individualized Education Program. This is a very important concept to keep in mind when developing IEPs for students in your LEA. There should be no "cut and paste" IEPs. Remember you are creating a program that "fits" a kid – not making a kid "fit" into your existing programs.

There is a state model IEP form with attachments in your packet. It is not mandatory that you use this form; however any form you use must address all of the compliance requirements. Pull out that model IEP form as we will be using it throughout this session.

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The IEP Process: a TEAM approach to planning . . .



The cornerstone to the IEP process is the team approach to developing the IEP. In this section of our presentation we will be discussing the IDEA requirements related to IEP team meetings . . .

Notification of IEP Meeting (NOM)

- Why is it important?
 - Provides notification of the purpose of the meeting
 - Provides details about the meeting (when/where/who)
 - Provides procedural safeguards information
 - Provides the parent enough time to make arrangements to participate in the IEP meeting if they so choose
 - Provides documentation of following the process for compliance with IDEA



And that process begins with the NOTIFICATION OF THE IEP TEAM MEETING. The meeting notification serves many purposes as can be seen on this slide. The meeting notification tells the “facts” about the meeting – the purpose, who was invited, when and where the meeting will be held. The meeting notification also provides additional information to the parent/guardian including the procedural safeguards. Finally, the meeting notification provides documentation of the LEA’s offering the parent/guardian the opportunity to participate in the IEP team meeting.

Reminders for IEP Meetings

- Notification **MUST** provide parent with the opportunity to participate; however, parent does **NOT** have to participate in the IEP meeting – LEA can hold meeting without parent
- **MUST** invite student if transition is discussed
- **MUST** have a written Release of Information to invite any outside agency to each IEP meeting
- **MUST** have a written Release of Information to share confidential information with anyone the parent brings to the IEP meeting

Key points to make:

Notification **MUST** provide parent with the opportunity to participate; however, parent does **NOT** have to participate in the IEP meeting – LEA can hold meeting without parent

MUST invite the student if transition is discussed and document the invitation

MUST have a written Release of Information to invite any outside agency to each IEP meeting

MUST have a written Release of Information to share confidential information with anyone the parent brings to the IEP meeting

Student's Name _____
<Insert District Information>

NOTIFICATION OF MEETING

To: _____

Parent(s)/Guardian(s) Adult Student (age 18+ or emancipated minor)

Student (required when postsecondary transition is a purpose of the meeting)

This is to confirm that a meeting with you has been scheduled for _____ (Date)

at _____ (Time) at _____ (Location)

The purpose of this meeting is to: (check all that apply)

<input type="checkbox"/> Review existing data as part of an initial evaluation or reevaluation	<input type="checkbox"/> Consider Post-secondary Transition
<input type="checkbox"/> Determine initial or continued eligibility	<input type="checkbox"/> Conduct Manifestation Determination
<input type="checkbox"/> Develop initial IEP	<input type="checkbox"/> Consider/conduct Functional Behavioral Assessment
<input type="checkbox"/> Review/Revise IEP	<input type="checkbox"/> Other: _____

The following individuals have been invited to participate in this meeting (name and/or role):

Role	Name
<input type="checkbox"/> Local Education Agency (LEA) Representative*	_____
<input type="checkbox"/> Special Education Teacher*	_____
<input type="checkbox"/> Individual to conduct/ interpret instructional Implications of evaluation results*	_____
<input type="checkbox"/> General Education Teacher*	_____
<input type="checkbox"/> Student	_____
<input type="checkbox"/> Agency representative(s) for post-secondary transition	_____

Model Form: Notification of Meeting

The Department has developed a model Notification of Meeting form which meets all of the compliance requirements. This form can be found in the Model Forms Notebook on your table.

Who Is Included in the IEP Team?

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- The parents of the child
- LEA*
- Regular education teacher*
- Special education teacher*
- Individual who can interpret the instructional implications of evaluation results*
- Other individuals who have knowledge or expertise regarding the child
- The student (if transition is being discussed or at any age if appropriate)

* Required team members who may be excused with parent consent

The required members of an IEP team include the parents, a LEA representative, a regular education teacher, a Special Education teacher, an individual who can interpret evaluation results and implications, and the student when post-secondary transition is being addressed. Other persons can be invited to the IEP team meeting who have special expertise related to the student by either the LEA or the parent.

Those members with asterisks are members that may be excused in whole or in part from the IEP Team meeting if the child's parents and the public agency agree to excuse that member prior to the IEP meeting. Please refer to the model Excusal of Mandatory IEP Team Members Agreement form for specifics.

The 200s in the Standards and Indicators Manual describes the specific requirements for each of these IEP team member positions as well as the excusal process.

ACTIVITY

IEP Team Participants: Need Consent?

PRIOR TO THE SESSION:

1. Make copies of the IEP Team Participant Activity sheet.

GUIDED PRACTICE:

1. Lead the group to complete the IEP Team Participant Activity . Directions are found on the handout for this activity.
2. Highlight that there is no ROI model form – each LEA should have a ROI for their district

When is Notification of Meeting Provided?

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- Must provide “reasonable” notification of the meeting
 - 10 days is generally considered “reasonable”

- Can hold meeting with less than 10 days notice
 - **IF** parent waives notice requirement

- Must make two attempts to schedule meeting
 - Second attempt must be direct contact
 - Direct contact means. . .
 - Letter sent by regular or certified mail
 - Phone or face-to face contact



Now you know the “who” of IEP team meetings. Let’s focus on the when . . .

The LEA Must provide “reasonable” notification of the meeting with 10 days generally considered “reasonable”

The LEA can hold meeting with less than 10 days notice **IF** parent waives notice requirement. Be sure to document the parent waived the notification requirement.

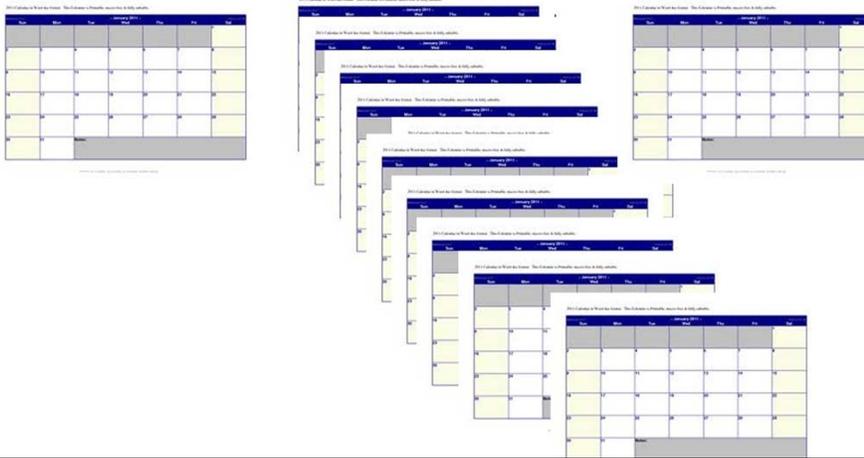
The LEA **MUST** make two attempts to schedule meeting to ensure the parent has been provided an opportunity to participate in the IEP meeting. Be aware that the second attempt must be direct contact with the parent. Direct contact means a letter sent by regular or certified mail or a phone call speaking to the parent or face-to face personal contact.

Scheduling the Annual IEP Meeting

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At least once annually – **CANNOT** be extended

10/23/15 → 10/22/16



Annual IEP meetings must be held no more than 365 days apart. There are NO extensions to this timeline. Keep in mind, a notice of action (NOA) to extend the timeline is not compliant. Again, specific information can be found in the Standards and Indicators manual.

This is an easy planning activity to complete with your current IEP students prior to the beginning of the school year. Go through your student list and find the date of the most recent annual IEP meeting. Add a year and mark those “drop dead” due dates on the calendar and plan in advance for when to start the process. Using the required timeline, back up at least 20 days to hold the IEP meeting (in case you need to reschedule). Be sure to monitor the annual IEP meeting date – not the date of IEP amendments. Remember that IEP amendments do NOT change the annual IEP meeting date.

WALLY, CAN YOU ATTEND MY MEETING FRIDAY?

I'M VERY BUSY, BUT I'LL MEET YOU HALF-WAY.

WHAT DOES THAT MEAN IN THIS CONTEXT?

THEY SAY HALF OF LIFE IS JUST SHOWING UP.

SO... YOU WILL BE...

DOING THE OTHER HALF.

ACTIVITY

Notification of Meetings – Planning Ahead

PRIOR TO SESSION:

1. Copy the NOM Timeline Activity sheet.

GUIDED PRACTICE:

1. Lead the group to complete the NOM Timeline Activity . Directions are found on the handout for this activity.

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The IEP Process: Developing an Appropriate Program . . .



The IEP team must work together to develop an appropriate program for each individual student. In this section of our presentation we will be discussing the IDEA requirements related to the content of the IEP . . .

The “Connections” in the IEP Process

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- Once eligibility has been determined, the LEA has 30 calendar days to develop an IEP for the student
- There are **NO** acceptable extensions to this timeline!

In *Session 2: Referral to Eligibility* we discussed the 30-60-30 evaluation timeline. The development of the IEP is the final 30 days in the evaluation timeline. This means that within 30 days of the eligibility determination, the IEP team must meet and develop an IEP for the student. Remember there are **NO** acceptable extensions to this timeline.

It is very important to note that information in the evaluation report should connect to the Present Level in the IEP. This means information in the evaluation report regarding the student’s disability and its effect on the student’s progress in the general education curriculum should be taken into consideration when developing the IEP – for ALL IEPs whether it is the initial IEP or an annual IEP review.

The PLAAFP

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- The Present Level of Academic Achievement and Functional Performance (PLAAFP)
- A “snapshot” of the student for both academic and functional performance



- The foundation for the rest of the IEP

The “present level” - describes the child’s current levels of academic achievement and functional performance. It is a “snapshot” of the student. The “present level”- must include how the child’s disability affects his involvement and progress in the general education curriculum for both academic achievement and functional performance and should connect and flow from the Evaluation Report.

The present levels then become the foundation upon which the rest of the IEP is developed. The information in the present level should directly inform other parts of the IEP.

Please refer to the 200s in the Standards and Indicators Manual for specific requirements on what must be included in the Present Level of Academic and Functional Performance. Note how the state model IEP form provides guidance to help IEP teams to include the required components in the Present Level.

2. Special Considerations: Federal and State Requirements	
<p>Note: For the first six items below, if the IEP team determines that the child needs a particular device or service (including an intervention, accommodation, or other program modification) information documenting the team's decision regarding the device or service must be included in the appropriate section of the IEP. These must be considered annually.</p>	
<p>Is the student blind or visually impaired?</p> <p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes. If yes, complete Form A: Blind and Visually Impaired.</p>	
<p>Is the student deaf or hearing impaired?</p> <p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes. The IEP Team has considered the child's language and communication needs, opportunities for direct communication with peers and professionals in the child's language and communication mode, academic level, and full range of needs including opportunities for direct instruction in the child's language and communication mode in the development of the IEP.</p>	
<p>Does the student exhibit behaviors that impede his/her learning or that of others?</p> <p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes. If yes, strategies including positive behavior interventions and supports must be considered by the IEP team, and if determined necessary, addressed in this IEP. If a behavior intervention plan is developed it must be a part of the IEP.</p>	
<p>Does the student have limited English proficiency?</p> <p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes. The student's language needs are addressed in this IEP. Students who are English Language Learners (ELL) in grades K-12 take the state's annual English Language Proficiency assessment, ACCESS for ELLs.</p>	
<p>Does the student have communication needs?</p> <p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes. The student's communication needs are addressed in this IEP.</p>	
<p>Does the student require Assistive Technology device(s) and/or services?</p> <p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes. The student's assistive technology needs are addressed in this IEP.</p>	
<p>Extended School Year:</p> <p><input type="checkbox"/> No. The student is not eligible for ESY services.</p> <p><input type="checkbox"/> Yes. The student is eligible for ESY services. Complete Form B</p> <p><input type="checkbox"/> The need for ESY services will be addressed at a later date. Will be addressed by / (month/year).</p> <p>Attach IEP Amendment page and Form B</p>	

Model Form: Special Considerations Page

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This slide shows a screen shot of the top of the Special Considerations page of the model IEP form. This page guides the IEP team through specific questions that will directly affect the development of the IEP. Note how each of the questions has check boxes to document the team decision and reminders for compliance requirements for each question answered with a “yes.”

Each special consideration includes a question that must be answered for each student and provides additional information to assist and guide the IEP team if a factor is “applicable” for a student. So let’s take a look at each of these special considerations. . .

Note the first consideration relates to blindness and visual impairments and refers the IEP team on to Form A if this is a factor for a particular student. Look through the first six considerations and the eighth consideration and see if you have any questions. <ANSWER QUESTIONS>

Extended School Year (ESY)

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- Determined by the IEP Team
- Determined on an individual basis to ensure that FAPE is provided
- ESY services within the IEP must document:
 - the goals to be addressed
 - the type and amount of special education and related services to be provided
 - the frequency of the services
 - the duration of the services
 - the location of the services
- Know and follow your LEA's policy on ESY



The seventh consideration relates to ESY. ESY services must be provided only if a child's IEP Team determines, on an individual basis that the services are necessary for the provision of FAPE to the child. This decision is documented on the model IEP form in the Special Considerations section. Note the options that are available to IEP teams in regards to ESY - eligible, not eligible, or to be determined at a later date.

It is not required that a student's regular school year IEP be implemented in its entirety during ESY. The IEP Team will decide what existing goals need to be addressed during ESY and what level of services are required. ESY should not be a "one size fits all" program but individualized to meet the unique needs of each student. You can use Form B of the model IEP form to document these IEP team decisions.

It is recommended (but not required) for each LEA to have a school board policy for ESY – you will need to be sure to check your district's policy and be sure to follow it in regards to ESY services. Please note the Department has developed a

model ESY policy which can be adopted by your LEA's school board if you find your LEA does not currently have an ESY policy for special education.

State and District-Wide Assessment

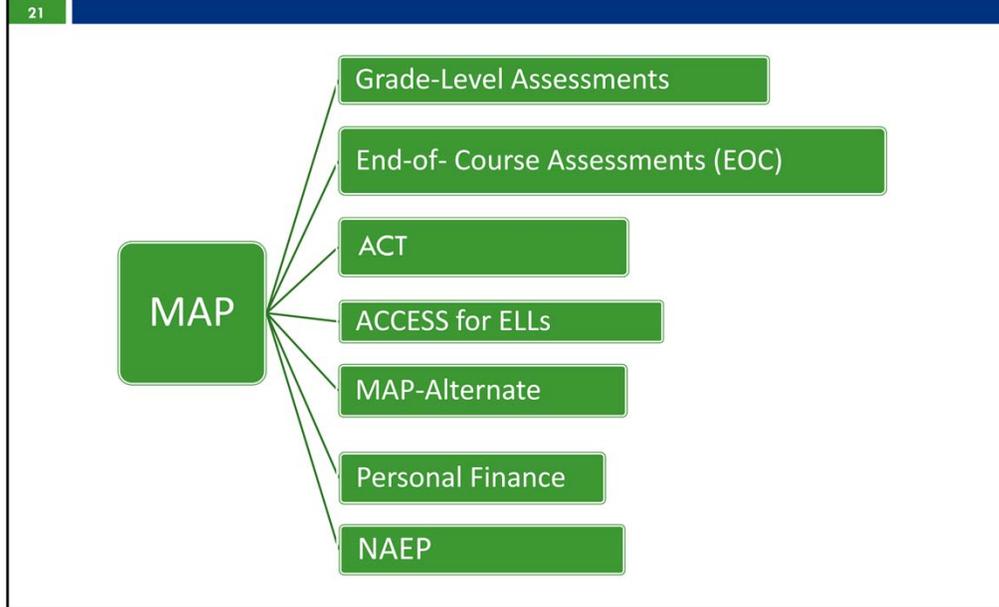
- Must be considered for ALL students
- State-wide Assessments fall under the MAP program
- District-wide Assessments fall under local policy



The next two considerations relate to State and District-wide testing. These tests **MUST** be considered for all students. Note that the state-wide assessments fall under the Missouri Assessment Program (MAP) while district-wide assessments fall under local school policy.

Note how the state model IEP form provides guidance to assist IEP teams to make and document these decisions on Form D and Form E.

Overview of the MAP



It is important to understand Missouri's system of state-wide assessment known as the Missouri Assessment Program (MAP). There are many misconceptions about MAP testing which leads to noncompliance.

This slide shows an overview of the Missouri Assessment Program. Think of MAP as an “umbrella” consisting of seven separate statewide assessments plus one national assessment:

1. The Grade-Level Assessments are administered in grades 3-8 and are based on Grade-Level Expectations in communication arts, mathematics, and science. This often mistakenly referred to as the “MAP test”.
2. The End-of-Course (EOC) Assessments are based on Course-Level Expectations. The majority of the EOCs are administered in high school. However, when the content of the CLEs is covered, the test can be administered regardless of student's grade.
3. Beginning with the 2014-15 school year the ACT was administered to ALL 11th grade students in Missouri
4. ACCESS for ELLs is the English language proficiency assessment that is used annually to assess Missouri's K-12 students who are eligible for English language learner services AND enrolled in a Missouri public school or charter school.
5. The MAP-Alternate is a computer based assessment (DLM) for communication arts and math, and a portfolio-based assessment for science (grades 3, 8, 11) that measures student performance based on alternate achievement standards and is aligned with the Show-Me Standards. The MAP-A can only be administered to students with the MOST SIGNIFICANT cognitive disabilities. We will look more in depth at the MAP-A eligibility

in a moment.

6. Personal Finance is an assessment for students who are receiving personal finance credit from embedded coursework or are attempting to “test out” and receive their required ½ credit in the area of personal finance.
7. The National Assessment of Educational Progress (NAEP) is an essential measurement of student achievement in the United States and is the largest continuing and nationally representative assessment of what our nation’s students know and can do in core subjects such as mathematics, reading, science, and writing. It is administered in selected Missouri LEAs in grades 4, 8, and 12.

MAP-A: Fiction vs. Fact

FICTION

- Any student who would score poorly on the MAP should take the MAP-A
- Only 1% of students in the district or state can participate in the MAP-A
- When an LEA exceeds the 1%, individual student scores and reports are changed

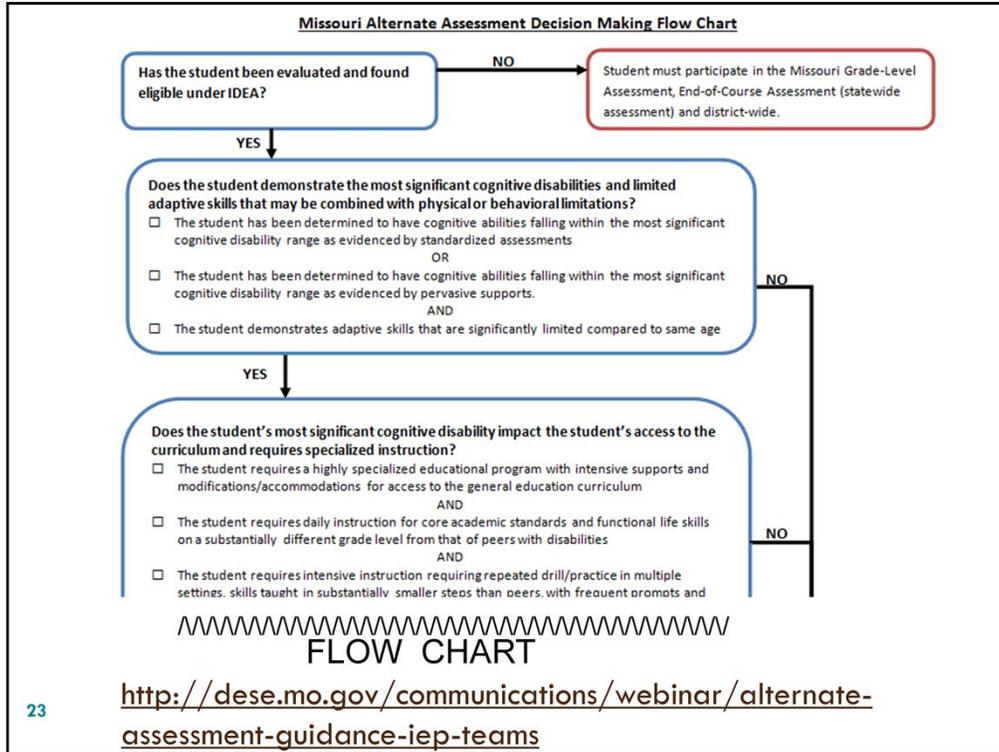
FACT

- Only student with the most significant cognitive disabilities who meet the eligibility criteria should take the MAP-A
- ALL eligible students can participate in the alternate assessment
- The 1% rule applies ONLY for accountability purposes NOT participation

Another area filled with misconceptions relates to the MAP-A. This slide will help you know what is fiction and what is fact.

The first and second bullets address who can take the MAP-A and the confusion with the “1% rule”. The federal government allows for up to 1% of proficient and advanced scores from the state-wide alternate assessment to be included for accountability calculations. The 1% rule does not affect or alter the responsibility for the IEP team to make individual determinations about how a child is assessed. Any student who meets all five eligibility criteria is eligible to take the Alternate Assessment. The 1% rule in no way limits the number of students with the most significant cognitive disabilities who may take an alternate assessment when the IEP team determines it is appropriate. Again, remember the 1% rule addresses only the inclusion of these scores for accountability calculations.

The third bullets relate to what happens when a district exceeds the 1% rule. Individual student reports are never changed and all students who score proficient or advanced on the alternate assessment will receive student reports that reflect the score achieved. The 1% rule only applies to the reporting of student scores falling in the proficient / advanced ranges on the alternate assessment for accountability purposes. For questions related to the 1% rule and accountability, please contact the Office of Data System Management in the Accountability Data Section.



This slide shows the top of the Missouri Alternate Assessment Decision Making Flow Chart. This document is a graphic representation of the alternate assessment criteria and the resulting choices to assist IEP teams to make decisions regarding a student’s eligibility to participate in the alternate assessment.

The Department has developed two other documents to assist IEP teams in making MAP-A eligibility determinations – the MAP-A Checklist and the MAP-A Guidance Document. All of these resources can be found on the Department’s webpage. IEP teams can use these resources to guide the process of considering each of the five criteria that must be met in order for a student to be eligible for participation in the alternate assessment.

In addition, there is a webinar with information at the website shown on the slide.

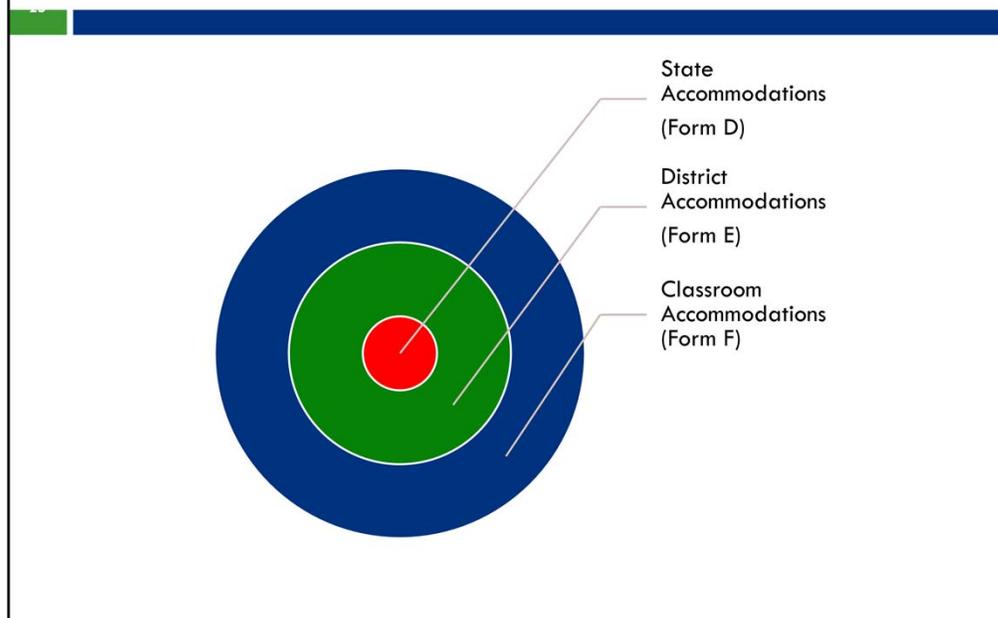
Determining Eligibility for MAP-A

Any “NO” Criterion = NOT eligible to participate in the alternate assessment

All “YES” Criterion = ELIGIBLE to participate in the alternate assessment

Using the Missouri Alternate Assessment criteria found in the flowchart, checklist and guidance document, IEP teams will be able to clearly ascertain if a student is eligible to participate in the Missouri Alternate Assessment. Please remember, for a student with a disability to be eligible to participate in the alternate assessment each criterion must be “YES.” If one of the criterion is “NO” then the student is not eligible to participate in the Missouri Alternate Assessment and must participate in the statewide assessments but with accommodations, if the IEP team determines that is appropriate

Form D and E Connect to Form F



Note that all accommodations chosen on State testing (Form D) and/or District testing (Form E) MUST also be provided as a classroom accommodations/modification selected for the student on Form F. This doesn't mean that each of every accommodation provided in the classroom must also be provided on state or district wide assessment. Instead, remember that only those accommodations used on a regular basis in the classroom setting should even be considered to be an accommodation for state/district wide assessment.

There have been many changes in the MAP program as a result of legislation passed during 2015. At this time Form D and Form F are being updated to match these requirements. They will be posted soon – be watching SELS messages announcing the updates. Please use the current model state forms to document decisions regarding for state and district-wide assessments.

Post-Secondary Transition

- Required to be considered for ALL students age 16+
 - Can be considered for younger students, if appropriate

- A Transition Plan must be included in the IEP not later than the first IEP to be in effect when the student turns age 16, and updated annually thereafter
 - Form C of the model IEP



The final special consideration is post-secondary transition services. These are required to be considered for ALL students age 16+ but can be considered for younger students, if appropriate.

A Transition Plan must be included in the IEP not later than the first IEP to be in effect when the student turns age 16, and updated annually thereafter. Note that Form C of the model IEP guides the IEP team to meet the compliance requirements related to transition planning.

Summary of Performance (SOP)

- Indicator 200.1320
- Required when a student's eligibility for IDEA terminates by
 - Graduating from High School
 - Reaching the age of 21
- Must include a summary of academic and functional performance AND recommendations for how to assist the student in meeting post-secondary goals
- Provided to the student
 - Not more than 60 days prior to expected date of eligibility termination OR
 - Not more than 30 days after eligibility has terminated

There are two other requirements to keep in mind when thinking about transition from high school.

The first is the Summary of Performance (SOP).

<Key Points to make:>

Required when a student's eligibility for IDEA terminates by

Graduating from High School

Reaching the age of 21

Must include a summary of academic and functional performance AND recommendations for how to assist the student in meeting post-secondary goals

Provided to the student

Not more than 60 days prior to expected date of eligibility termination OR

Not more than 30 days after eligibility has terminated

There is a copy of the SOP in the Model Forms book on your table.

Prior Written Notice of Action: Graduation or Reaching Age 21

- Indicator 200.1180
- Required because eligibility for IDEA is changing
 - Student will NO LONGER be eligible for special education
- MUST be provided at least 10 days prior to expected date of graduation or 21st birthday of the student
 - Parent CANNOT waive the 10 day waiting period
- Kaitlyn's Law
 - Allows student to participate in graduation with peers but remain in school until age 21

The second in the requirement to provide prior written notice when a student will graduate or reach the age of 21 and will no longer be attending secondary school.

<Key Points to make:>

Indicator 200.1180

- Required because eligibility for IDEA is changing
 - Student will NO LONGER be eligible for special education

MUST be provided at least 10 days prior to expected date of graduation or 21st birthday of the student

Parent CANNOT waive the 10 day waiting period

Kaitlyn's Law: This is a MO law that allows a student to "walk" with their graduating class and then return to school until the age of 21.

Measurable Annual Goals

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- S**pecific to a particular skill or behavior to be achieved
- M**easurable
- A**ttainable
- R**esults oriented
- T**ime-bound



The next section of the IEP is the development of measurable annual goals to address the concerns noted in the Present Level of Performance. This slide shows the requirements for determining if an annual IEP goal is “measurable”. An easy way to remember this is to use the acronym “SMART” goals.

SMART stands for: Specific, Measureable, Attainable, Results oriented and Time-bound. We look carefully at IEP goals during compliance monitoring and see that this is still an area that many special education teachers struggle with when writing IEPs. There are many resources and trainings available through your RPDC compliance consultants to assist your staff with this compliance requirement.

Most ridiculous IEP goal ever:
Susie will cross the street safely in 8 out of 10 opportunities.

ACTIVITY

SMART Goals

PRIOR TO SESSION:

1. Make copies of the SMART GOAL ACTIVITY sheet

GUIDED PRACTICE:

1. Lead the group to complete the Smart Goals Activity. Directions are found on the handout for this activity.

Special Education Services

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- Specific special education service
 - Clearly described (specialized instruction in reading skills)
 - NOT a class (Science)
- Amount of time
- Duration
- Location
- Frequency



Just as the Present Level drives the development of the IEP goals, the IEP goals drive the development of special education and related services. There **MUST** be measurable annual IEP goals in place for **EVERY** special education and related service included in the IEP.

This means that once the IEP Team has determined appropriate goals for the child, the team's next step is to consider the services necessary to assist the student in achieving those goals.

Special education services are defined in the regulations as specially designed instruction, at no cost to the parents, to meet the unique needs of the child with a disability. This section of the IEP needs to be specific. The IEP must indicate **CLEARLY** what special education service or services are to be provided.

Be sure to address each of these items for each service listed in the IEP – amount of time, duration (if different than the duration of the IEP), location and frequency. Again, these descriptions make it very **CLEAR** what services will be provided to the student, when those services will be provided, where the services will be provided and how often the services will be provided.

Another important thing to remember is that OT and PT are related services and cannot be the sole services provided to a child. It is important to note that related services are defined as those services required to assist a child with a disability to benefit from their special education. This means a child must have a special education service and then, if appropriate, related services such as OT or PT to support those special education services and assist the student to meet their IEP goals.

Related Services

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- Transportation
- Speech-Language Pathology Services
- Audiology Services
- Interpreting Services
- Psychological Services
- Physical and Occupational Services
- Recreation
- Counseling including Rehabilitation Counseling
- Orientation & Mobility Services
- Medical Services for Diagnostic or Evaluation Purposes
- School Health Services & School Nurse Services
- Social Work Services
- Parent Counseling and Training



This slide lists some of the related services available to special education students.

The related services a child needs is determined during the IEP Team meeting based upon the present level and annual goals. Each service must be specifically listed and described clearly including the amount of time, frequency, duration, and location .

Remember, we would not expect a child to receive JUST related services. This is why OT and PT cannot be the only stand alone services on an IEP.

However, speech therapy and language therapy are the ONLY exceptions to this rule. Speech therapy and language therapy are not considered a related service when it is the specialized instruction needed to address that child's disability of Sound System Disorder or Language Impairment. Therefore, speech therapy or language therapy becomes the specialized instruction and not a related service for that particular child.

IEP Teams are expected to consider the child's need for these

services carefully and individually.

Supplementary Aids and Services

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- ❑ Counseling services
- ❑ Paraprofessional support
- ❑ Transportation
- ❑ Health services
- ❑ Clubs sponsored by the public agency
- ❑ Referrals to agencies that provide assistance to individuals with disabilities
- ❑ Employment of students, including both employment by the public agency and assistance in making outside employment available.



The IEP Team needs to consider whether supplementary aids and services are required for a student to be able to participate in nonacademic and extracurricular services. This slide shows some of the services and activities that may be considered as a supplementary aid or service.

Supplementary aids and services offer valuable tools to the IEP team for improving student access to learning and their participation across the spectrum of academic, extracurricular, and nonacademic activities and settings.

Supplementary aids and services can be provided within traditional education/academic classes as well as in other general education settings such as lunch, recess or in-between classes. They can also be provided in extracurricular and nonacademic activities/settings to enable children with disabilities to be educated with nondisabled children to the maximum extent appropriate.

Please note that we would expect to see paraprofessional support determined necessary for a child to receive FAPE to be listed in this section. All supplemental aides and services are to include a CLEAR description of that supplementary aid or service including the amount of time, the location, and frequency for each.

Placement Decisions are Based on LRE

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- Must consider Regular Education Participation
 - Section 7 of model IEP form
- Must consider the Placement Continuum
 - Section 8 of model IEP form



Placement Decisions must be based on the Least Restrictive Environment (LRE). LRE requires that, to the maximum extent possible, children with disabilities must be educated with their typical peers. Removing a child from his or her regular education classroom should *only be done when a satisfactory education cannot be achieved in the regular classroom* (with supplementary aides and services).

Note how the model form provides guidance for the compliance requirements related to LRE for both ECSE and K-12 students in Section 7 and Section 8.

In determining LRE, It is very important to be aware of the location where the specialized instruction will occur as this directly affects LRE decisions.

Any specialized instruction or special education service that is provided in a location AWAY FROM nondisabled peers is considered “special education minutes” and must be counted in determining the amount of time the student spends outside of the regular education classroom.

Any specialized instruction or special education service that is provided in a general education class (such as co-teaching), is considered “regular education” minutes since the specialized instruction is being provided in a location WITH nondisabled peers. These minutes of specialized instruction would NOT count towards the percentage of time the student spends outside the regular education classroom.

Whenever the student is NOT 100% of the time with nondisabled peers, the IEP team must

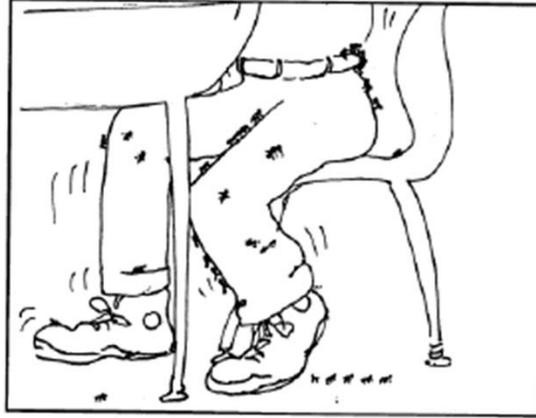
describe the reasons why a more restrictive setting is required. These reasons should align with the needs of the student described in the Present Level as well as the level of services the student requires in order to meet their annual goals. The decision CANNOT be based on:

- the child's disabling condition or label (such as placement in a special class for students with intellectual deficits just because a child has cognitive impairments);
- The disability program categories (placement in a particular program for students with learning disabilities (LD) just because a child needs LD services);
- the location of staff, on the funds that are available, or on the convenience of the school district

Remember, what is "least restrictive" for each child is based on that child's unique needs. This means that the school system cannot use a "one size fits all" approach to educating children who have a disability.

“Connections” Throughout the IEP Process Avoids Errors!

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AFTER A HASTY SPECIAL EDUCATION
PLACEMENT FOR BEHAVIOR PROBLEMS,
SCHOOL OFFICIALS WERE EMBARRASSED
TO LEARN THAT MARTY REALLY DID HAVE
ANTS IN HIS PANTS.

IEP Amendment

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- Allows for changes made to the IEP with or without an IEP meeting
 - Without an IEP meeting
 - MUST be agreed upon by both the parent of the child with a disability and the LEA representative
 - With an IEP meeting
 - Follow the process for holding an IEP meeting and provide Notice of Actions (if required)
- Must provide parent copy of the IEP amendment OR revised copy of the IEP incorporating the amendment

The IDEA recognizes that the IEP is a “living” document and provides for the ability to change the IEP without an annual IEP Team meeting.

Changes to a child's IEP after the annual IEP Team meeting for a school year may be made with OR without a meeting. There are a couple of ways IEP amendments can be made:

One option is when both the parent and the LEA agree with the proposed changes to the IEP AND agree to NOT convene an IEP Team meeting for the purposes of making such changes. In this case, the IEP amendment is made, Notices of Action are provided and signed (if necessary) and the LEA implements the changes.

Another option is when the parent is unsure of the proposed changes. In this situation, the IEP team will need to meet and follow all of the requirements for conducting a meeting. The IEP amendment would be discussed and proposed at the IEP meeting and the LEA would provide Notices of Action (if required) and would implement following the typical process.

A copy of the IEP amendment must be provided to the parent. However, a parent must be provided with a revised copy of the IEP with the amendments incorporated if they request it.

Prior Written Notice (NOA):
Notification of proposed changes. . .



<http://dese.mo.gov/communications/webinar/prior-written-notice-why-when-and-how-notices-action>

Remember that we previously talked about the NOA being required when the LEA proposes or refuses to **initiate or change the identification, evaluation, educational placement of the student or the provision of a free appropriate public education for the student (FAPE).**

The initial IEP or changes made in the IEP as a result of IEP amendments or the annual IEP review/revision process directly affect the educational placement of the student and the

provision of FAPE and thus require a NOA.

Again, note there is a webinar on this topic with additional information available at the website noted on the slide.

Prior Written Notice Reminders . . .

- For Initial IEP
 - Must describe the proposed placement
 - Must describe the eligibility category and subcategory, if applicable
 - Must describe services
 - Must obtain **consent** for provision of initial services
- For Annual or Amended IEPs
 - Must specifically describe the action
- For ALL NOA
 - Must provide all required information to be compliant
 - Know when consent is required

Here are some things to keep in mind when writing NOA's:

For Initial IEP

Must describe the proposed placement

Must describe the eligibility category

Must describe services

must obtain consent for provision of initial services

For Annual or Amended IEPs

Must specifically describe the action

For ALL NOA

Must provide all required information to be compliant

Know when consent is required

Parent Revocation of Consent for Services

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- Regulations allow parents to revoke consent for a special education evaluation as well as special education and related services.
- Indicators 200.1305 – 200.1310
- Request in writing
- Notice of Action terminating services
- No reevaluation required



You should remember that parents may revoke their consent for a special education evaluation from the previous session. It is also important to know that parents may revoke ALL special education and related services at any time.

Parents cannot revoke consent for a particular service on an IEP – that is an IEP Team decision. The district must receive the parent’s request to revoke consent in writing, provide a Notice of Action for change of services/placement to the parent and exit the child from services. There is no requirement for the district to conduct a reevaluation before exiting the child.

What are your questions?

