

DEVELOPING AND IMPLEMENTING IEPS

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FIRST, WHAT IS AN INDIVIDUALIZED EDUCATION PROGRAM (IEP)?

- According to the Code of Federal Regulations (CFR) an IEP means a written statement for a child with a disability that is developed, reviewed, and revised [at least annually]... 34 CFR Sec. 300.320
- This one document decides the fate of each student who qualifies for special education and related services.
- A poor IEP can lead to students not graduating, not being employed, ending up in prison.

WHO ARE THE NECESSARY IEP TEAM MEMBERS?

34 CFR SEC. 300.321

- The IEP Team must consist of the following:
 - Parents
 - At least one regular education teacher *of the child* (if the child is, or may be, participating in the regular education environment) - *Must, to the extent appropriate, participate in the development of the IEP* 34 CFR 300324(a)(3)
 - At least one special education teacher *of the child*, or where appropriate at least one special education *provider* to the child
 - A representative of the School District who:
 - **Is qualified to provide or supervise the provision of specially designed instruction to meet the unique needs of children with disabilities;**
 - **Is knowledgeable about the availability of resources of the public agency**

- An individual who can interpret the instructional implications of evaluation results [may already be an IEP team member]
- Think about all of the assessments a district completes and the independent assessments parents complete — The IEP team must have a person able to understand and “interpret” these evaluations
- At the discretion of the parent or the [district], other individuals who have knowledge or special expertise regarding the child, including related service personnel as appropriate.
- Whenever appropriate the student



HOW MUCH DETAIL IS TOO MUCH?

- FOLLOW THE FORM - BUT ADD IN ALL THE DETAIL YOU CAN - USE THE MEETING NOTES AS WELL
- PARENT PARTICIPATION AND INPUT IS VERY IMPORTANT
- TEACHER/SPECIALIST INPUT - GET THEM TALKING

WHAT ARE THE MINIMAL REQUIREMENTS?

34 CFR SEC. 300.324

- The IEP Team Must Consider:
 - The strengths of the child;
 - The concerns of the parents - for enhancing the education of their child;
 - The results of the initial or most recent evaluation
 - The academic, developmental, and functional needs of the child

- The IEP Team must also consider:
 - The use of positive behavioral interventions and supports for students whose behavior impedes their learning or that of others
 - The language needs of the students who have limited English proficiency
 - For students who are blind or visually impaired - provide instruction in Braille unless determined not appropriate
 - Communication needs for students who are deaf or hard of hearing - consider the student's language needs, opportunities for direct communications with peers and professional personnel 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
 - Assistive Technology devices or services



WHAT PAPER TRAIL?

- DOCUMENT IN WRITING EVERYTHING
- IF IT IS NOT WRITTEN IT DID NOT HAPPEN

- A statement of the student's present levels
- Statement of measurable annual goals
- A description of the manner in which progress towards the goals will be made
- A statement of the special education and related services and supplementary aids to be provided
- An explanation of the extent, if any to which the pupil will not participate with non-disabled pupils in regular classes and activities
- A statement of accommodations necessary
- Projected service start dates, duration, frequency, location of services and modifications
- If 16 years old or older measurable postsecondary goals and transition services to help achieve those goals [20 USC Section 1414(d)]



**IT ALL STARTS WITH A CLEAR UNDERSTANDING OF
PRESENT LEVELS OF PERFORMANCE**

- TO GET TO OUR DESTINATION WE MUST
KNOW WHERE WE ARE

- Review strengths of student, concerns of parents, teacher/service provider input, review assessments - get a clear picture of where the student is functioning (all around).
- Develop their present levels - You must have a clear understanding of where each student is at to develop an appropriate program going forward.

WHAT ARE GOALS, HOW ARE THEY DEVELOPED, MEASURED AND IMPLEMENTED?

- Once Present Levels are determined - goals to address areas of weakness can be developed
- Goals drive placement and services
- For each area of identified need, the IEP team must develop measurable annual goals
- The purpose of goals and measurable objectives is to permit the IEP team to determine whether the pupil is making progress in an area of need.

HOW TO DECIDE ON PLACEMENT AND RELATED SERVICES

- - Least Restrictive Environment Analysis
 - *To the maximum extent appropriate children with disabilities must be educated with children who are non disabled*
 - *Gen Ed. - Four Factors - 1) The Educational benefits of a full-time placement in gen ed.; 2) the non academic benefit; 3) the effect the child would have on the teacher and the other students; and 4) the cost of mainstreaming the child. [Sac. City USD v. Rachel H (9th Cir. 14 F.3d 1398-1404)]*
- - Continuum of Placement Options
 - Regular classroom, rsp/special classes, nonpublic schools, state special schools, home/hospital instruction, residential treatment centers

IDEA requires that **placement** be individually determined on the basis of the disabled student's abilities and needs as articulated in the IEP, and not on the configuration of the school's delivery system, or administrative convenience. IDEA requires that **placement** decisions be made only after the development of the IEP. 34 *CFR* 300.552(a)(2); See also *Van Duyn v. Baker Sch. Dist.*, 502 F.3d 811 (9th Cir. 2006).

HOW TO DECIDE ON AN OFFER OF FAPE

- - High Expectations
- - Focus on the "individualized" part of the IEP



HOW TO HANDLE DIFFICULT ISSUES

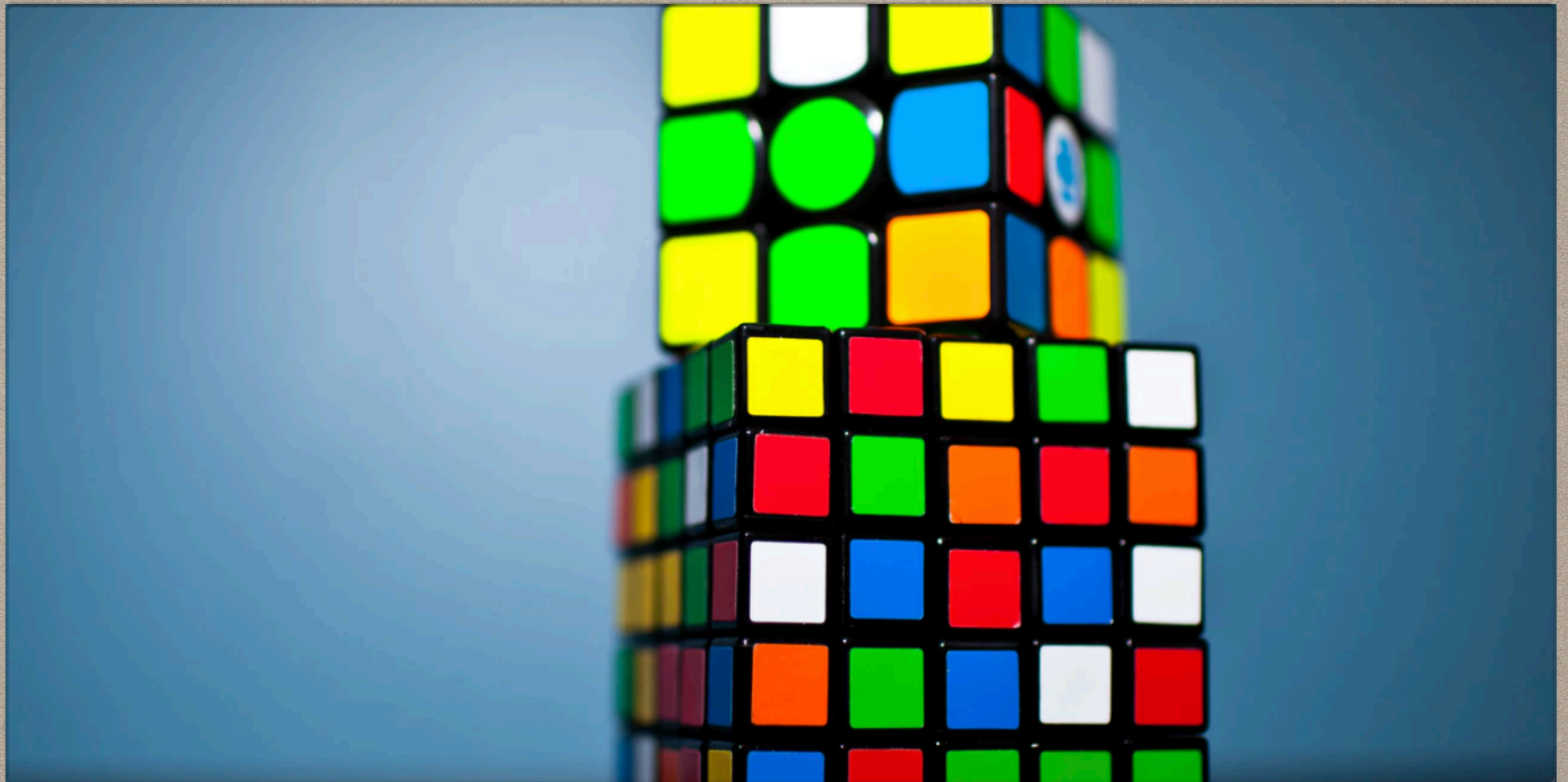
- Listen and Problem Solve
- Placement disputes
- Service disputes
- Personnel disputes



HOW TO RUN EFFICIENT AND POSITIVE IEP MEETINGS

- BE NICE
- DON'T TAKE IT PERSONALLY
- TRULY LISTEN (NO EYE ROLLING)
- FIND SOLUTIONS NOT JUST PROBLEMS





AN IEP IS ONLY AS GOOD AS ITS IMPLEMENTATION

- WHO IS GOING TO MONITOR THE IMPLEMENTATION?
- WHO IS GOING TO MAKE SURE ALL TEAM MEMBERS UNDERSTAND THEIR ROLES?
- COMMUNICATION IS KEY FROM THE FIRST CONVERSATION TO THE FULL IMPLEMENTATION OF THE BEST IEP