Introduction

How to Use This Manual

The Special Education Process—Flow Chart & Overview

Guiding Principles
Navigating the Special Education Process

This manual was prepared by the Albuquerque Public School's Special Education Office specifically to assist educators and parents in developing quality Individualized Education Programs (IEPs) for students with exceptionalities. It was developed in large part by the New Mexico State Department of Education's Special Education Office and then edited by APS to meet our specific needs and match our district's forms and processes. It provides comprehensive information and guidance for ensuring that the Special Education Process is carried out in compliance with state and federal laws and regulations.

A good place to begin is to review the Flow Chart on page 4, which provides a visual map of the Special Education Process. This is followed by a more detailed written explanation of the Special Education Process—specifically the mandated procedures that must be adhered to when identifying, referring, evaluating, and serving a child with exceptionalities.

Though it is not necessary for educators serving students with exceptionalities to memorize all the provisions of the Individuals with Disabilities Education Improvement Act of 2004 (IDEA), it is essential that they follow its basic procedures and know their responsibilities under the law. The section entitled Guiding Principles on pages 8 and 9 offers the rationale for the procedures detailed in this manual.

The IEP—Cornerstone of Special Education Service

A medical doctor prescribes treatment of a patient based on a specific diagnosis and the individual needs and circumstances of a patient. Even with the same symptoms, no two patients are exactly alike. Each case is unique. It is the same with the professionals responsible for educating students with exceptionalities. They must make their recommendation for an educational program based on their assessment of the whole child—not just an isolated symptom—and take into account the child’s unique circumstances. In addition, like doctors, they must carefully document the diagnosis and prescriptive treatment plan, note progress as treatment is implemented, evaluate and revise the treatment as necessary, and, of course, inform and include the patient (and/or family) in the entire process. For those involved in the special education process, the IEP is the written documentation of the child’s needs, specific recommendations, the annual goals and how they are to be measured, the services needed and how and when they are to be provided, the consideration of any special factors, a schedule of progress review and evaluation, and of course, the involvement and the consent of the parents.

The bulk of this manual is devoted to preparation of a quality IEP. Like a doctor’s treatment plan, an IEP must be detailed, specific, and done in accordance with the law. The initial IEP meeting is the time and place where the foundation for the quality of the child’s services will be laid. Here a team of professionals, the child’s parent(s), anyone else who can offer insight, and ideally the child, (required to be invited if age 14 or over) all contribute valuable pieces of a puzzle, which if put together carefully, can provide the child his or her best opportunity for success. This meeting is so important that a separate section entitled
The IEP Meeting is included in this manual beginning on page 10. In addition to covering the planning and conducting of the meeting itself, there are tips and strategies for effective communication among the participants.

After considering all the information gathered at the IEP meeting, the team must develop the IEP for the child. The section entitled Writing the IEP on page 22 is a step-by-step guide to the process. Detailed information is given about what must be documented and who is responsible for each part of the child’s program. Pre-developed forms ensure that all the required components are covered. These forms are referred to in the text and are available in the Appendix A section. (Forms can be ordered through the APS warehouse.) Appendix B contains optional forms and additional resources to assist in completing an IEP. Optional forms are not provided by the district however, schools are free to duplicate any they find useful.

Developing a quality IEP for a child with exceptionalities is more than a responsibility—it is the law! Before beginning, be certain that everyone involved is familiar with these key points:

- The Special Education Process (flow chart p. 3 and rationale pp. 8, 9) must be followed.
- The IEP must be an individualized written statement documenting the assessments, needs, services, goals, accommodations, service schedules, and progress of a child identified as being eligible for special education and related services.
- According to the Individuals with Disabilities Education Act of 2004 and state special education regulations, local educational agencies must follow the special education process and develop and implement an IEP for any student who is found eligible to receive special education services.
- For an IEP to be in compliance with the Federal and State laws and regulations, it must be complete, specific, and written.
The Special Education Process Flow Chart

Prereferral/Referral

Initial Evaluation

Eligibility Determination

IEP Development

IEP Implementation

IEP Review & Revision

Reevaluation

Eligibility Determination

No

Not eligible?

Have the SAT (Student Assistance Team) consider a 504 Accommodation plan

Yes

IEP Review & Revision

(as needed; at least annually)

Reevaluation

(as needed; at least every three years)

Exit from Services

Continue Services
An Overview of the Special Education Process

Local school districts must follow the special education process established under the IDEA and New Mexico State Board of Education regulations. In order to qualify for special education and related services under Part B of the IDEA, a child must be between the ages of 3 and 21,* must meet the definition of one or more categories of disabilities specified under the IDEA, and demonstrate a need of special education and related services as a result of his or her disability. (Not all students who have a disabling condition require special services because of the disability.)

In addition to the categories of disabilities defined by the IDEA, New Mexico’s special education regulations include gifted students who show high intellectual ability paired with one or more exceptional skills in aptitude, achievement, creativity/divergent thinking, or problem solving/critical thinking and demonstrate a need for services to supplement and enhance their educational program.

REFERRAL: Federal regulations established by the IDEA require states and local school districts to be responsible for locating, identifying, and placing students in special education programs. Since a large number of children are not identified through school referrals because they are not yet in the regular school setting, a procedure called “Child Find” is conducted by state agencies, local school districts, and others. Through Child Find activities in the community, parents or professionals may refer a child for evaluation to determine if the child has an exceptionality. Whether located through Child Find or through regular school channels, a child who may need special education is first referred to the student assistance team (SAT) for pre-referral intervention strategies and/or evaluation. Before a formal evaluation is considered, the SAT must implement and document intervention strategies to help the student achieve success in the regular class setting. If these interventions are not effective or deemed to be insufficient, the student may be identified as needing a formal evaluation to determine if additional supports and services are required to enable the student to benefit from his or her education. Parents must give consent before their child is evaluated to determine if he or she has an exceptionality. (See page 12.)

For a child suspected of having a learning disability, there must be a determination that prior to, or as part of the referral process, the child was provided appropriate high quality, research-based instruction in the regular education setting, and there must be data-based documentation of repeated assessments of achievement, which are provided to the child’s parent(s). There must also be documentation of the child’s response to research-based interventions used to support expected progress in the general curriculum. However, these requirements should not create an undue delay in the evaluation of a child suspected of having a disability. These changes to the process will be phased in during the 2005-2006 school year.

* reach at least 3 years of age at any time during the school year; not reached age 22 by the first day of the school year
** under the New Mexico State special education regulations, the Child Find requirement does not apply to potentially gifted children who have not yet reached age 5 prior to September 1 of the school year and/or school-age children who are not enrolled in public schools

EVALUATION: A variety of assessment tools, including interviews and observations, are used to gather functional and developmental information about the child. Assessments
must be nondiscriminatory and selected based on the language and communication mode of the child, and take into account the student’s level of English proficiency. In addition, an evaluation must assess the child in all areas related to the suspected disability*. To be eligible for special education services in New Mexico, a child must be identified as a “child with a disability” as defined by the IDEA or show the exceptionality of “gifted” as described above.

* The Federal Law defines the term “child with a disability” as a child evaluated in accordance with the IDEA as having mental retardation, a hearing impairment or deafness, a speech or language impairment, a visual impairment including blindness, emotional disturbance, an orthopedic impairment, autism, traumatic brain injury, a health impairment, a specific learning disability, deaf-blindness, multiple disabilities, or developmentally delayed (ages 3-9).

DETERMINING ELIGIBILITY: Upon completion of the evaluation, a group of qualified professionals and the parents, commonly known as the Multidisciplinary Team (MDT), meet to discuss the evaluation and decide if the child meets the criteria to be eligible for special education and, if appropriate, related services. If so, an IEP is developed. This may begin immediately by continuing and extending the scope of the current meeting, or scheduled as a separate meeting soon thereafter.

If parents do not agree with the evaluation results, they have the right to request an Independent Educational Evaluation (IEE). They can ask the school district to pay for the IEE.

DEVELOPING THE IEP: Once a child meets the criteria for one or more exceptionalities and is determined to be in need of special education and, if appropriate, related services, a team that includes parents, school professionals, and the student (when appropriate) must meet to develop an IEP for the child. The IEP is a document that directs and guides the development of meaningful educational experiences to provide students with opportunities to gain skills and knowledge that will assist them in achieving the standards and expectations for all students in the educational system and prepare them for transition into adult life. Student participation in the IEP development is mandatory at age 14 and over, but is strongly recommended for younger students as well. No matter what age or how severely disabled the child is, his or her presence at the IEP meeting helps team members focus on their purpose—to enable that child to learn and achieve as much as he or she possibly can. Part of this task involves assessing the capabilities, strengths, needs, and interests of the child. Whenever possible, the team should ask for and include the child’s input in its deliberations.

The IEP developed for a child identified as disabled under the IDEA or gifted under New Mexico regulations must conform to federal and state regulations. The IEP must be developed based on a review of the child’s strengths, as well as areas of need and visions for the future. Parents must give informed written consent before the school can provide special education and, if appropriate, related services for the first time. If the parents do not agree with the IEP and placement, they may discuss their concerns with other members of the team and try to reach an agreement. If this does not solve the problem and parents still disagree, the district may offer an unbiased IEP facilitator or "mediation" opportunities. Parents also have the option of requesting a due process hearing to resolve a dispute over proposed IEP provisions. A Resolution Session and formal mediation must be made available as part of
the due process procedure. It is this district’s policy to always engage in mediation at this level of the complaint process.

**Tip!** Most communication, if oral only, will be remembered slightly to very differently by each person who heard it. To avoid unnecessary misunderstanding, it is imperative that the member of the IEP team who is recording information on the IEP form carefully document on the Prior Written Notice page what was suggested, proposed, discussed, and decided, and by whom.

**IMPLEMENTATION OF THE IEP:** When developing the IEP, the team must document on the IEP specifically how the plan will be implemented and by whom. Every person involved with the education of the child must be notified of the plan and fully understand his or her responsibilities in its implementation. The initiation of special education services date is important. It is the date upon which school staff must be prepared to implement the IEP. The initiation of services must not be unduly delayed. Again, clear communication is essential for success.

**Tip!** At the first IEP meeting (if not pre-determined), one school professional should be designated as the coordinator, case manager, or lead teacher. He or she takes the responsibility of ensuring that all the people involved understand and are prepared to implement their part of the IEP after the meeting. However, it is the building administrator’s responsibility to ensure that all the provisions of the IEP are properly implemented.

**REVIEW AND REVISION OF THE IEP:** An IEP defines one or more annual goals for the child. For students who take the Alternate Assessment, the annual goals also include short-term objectives and/or benchmarks (intermittent steps or milestones of accomplishment toward a goal). These goals are based on the student’s needs according to his or her present levels of educational performance and provide direction for the IEP. Each annual goal set at the IEP meeting must spell out precise expectations, including identifying what methods of measurement and criteria will be used to track progress and judge success. The IEP must also identify who is responsible for implementing each goal and an anticipated date of mastery.

Once implemented, the law requires that the IEP be reviewed and revised as needed, but at least annually. Of course, IEP reviews can and should be done more often if necessary, and must be conducted if requested by the parents. With or without a formal IEP review meeting, progress toward annual goals must be regularly monitored and measured. Written progress reports must be provided to the parents at least as often as they are provided for the rest of the student population.

During the student’s IEP year, teachers, parents, and other professionals may have conversations about the student’s progress. Informal communication is not considered an IEP meeting and does not require formal documentation; however, keeping notes is a wise strategy.

All staff who provides services to students through an IEP must keep records in the student’s working file that documents their instructional goals (and objectives if required for that student). These need to be reviewed prior to documenting progress towards goals and reporting progress to parents.
REEVALUATION: Students receiving special education services should be informally evaluated continuously through the IEP process to determine if the services are meeting the goals and objectives for the child and/or if the child continues to benefit from them. Formal reevaluation can be done at any time as needed or as requested by parents, but the law requires that it be done at least every three years, and not more than once a year unless the parent and school staff agree that it is needed.

Under the IDEA of 2004, IEP teams have a responsibility to review existing evaluation data on the student, including evaluations and information provided by parents of the student, current classroom-based assessments and observations, and observations by teachers and related service providers. On the basis of that review and parent input, the team decides what, if any, additional data is needed to determine whether the student continues to have a disability. If the team decides that no additional data are needed and the parent disagrees, the parent may request further assessment.

DETERMINING ELIGIBILITY: During a reevaluation, the child’s academic achievement and functional performance are reassessed. If the team determines that the child remains eligible for continued special education services, the IEP development process is repeated and the child continues to receive appropriate services. If it is determined that the child no longer meets eligibility criteria (that is, no longer a child with an exceptionality) he or she exits from the special education program.

Each step of the special education process is discussed in more detail in subsequent sections of this manual. Forms are provided to support those areas of the process that require documentation.

What’s the IDEA Behind This Manual?

This manual is based on and follows the requirements of the federal Individuals with Disabilities Education Act of 2004 (IDEA) and New Mexico State Board of Education regulations. It is designed to assist educators and others who are responsible for children with exceptionalities ensure that federal and state regulations are being met on their behalf. The guiding principles of this manual are in concordance with 34 CFR Sec. 300.1, which states the primary purposes of the IDEA:

- Ensure that all children with exceptionalities have available to them a free appropriate public education that emphasizes special education and related services designed to meet their unique needs and prepare them for further education, employment and independent living.
- Ensure that the rights of children with exceptionalities and those of their parents are protected.
- Assist states, localities, educational service agencies, and federal agencies to provide for the education of all children with exceptionalities.
- Assess and ensure the effectiveness of efforts to educate children with exceptionalities in the least restrictive environment and provide them access to the general education curriculum.

Question: What’s the IDEA?
Answer: The Individuals with Disabilities Education Improvement Act of 2004.
The reauthorized IDEA represents a shift from the previous federal focus of providing access to a Free Appropriate Public Education (FAPE), to one that strives for **improved educational and transitional outcomes** for students with exceptionalities. To achieve results, educational systems now, and in the future, must maintain high academic standards and clear performance goals for students with exceptionalities. **The standards, goals, and expectations for students with exceptionalities are to be consistent with the expectations for all students in the educational system.**

Students who are eligible to receive special education and related services must have an Individualized Education Program (IEP)—the instrument that identifies the child’s special needs and provides how they will be met. A student’s IEP is based on an assessment of his or her present levels of achievement, plus takes into account the student’s interests, preferences, and strengths. The IEP is the vehicle for carrying out the requirements of the IDEA and therefore must be prepared carefully and consistent with the mandated regulations.

---

**Checkpoint...**

- students with exceptionalities will be involved in and progress in the general curriculum;
- parents and students will be involved in the IEP process and work with special and regular educators in making decisions to support each student’s educational success in the least restrictive environment;
- students with exceptionalities will be provided with opportunities to prepare for employment and other post-school activities.

---

The IEP requirements in Part B of the IDEA emphasize the importance of three core concepts:

- students with exceptionalities will be involved in and progress in the general curriculum;
- parents and students will be involved in the IEP process and work with special and regular educators in making decisions to support each student’s educational success in the least restrictive environment;
- students with exceptionalities will be provided with opportunities to prepare for employment and other post-school activities.

These requirements strengthen the parents’ role in educational planning and decision making on behalf of their child, focus on students with exceptionalities having access to and progressing in the general curriculum in the least restrictive environment, and ensure that all students meet high academic standards and gain the skills needed to achieve their post-school goals.

The IEP meeting is an opportunity for parents, teachers, administrators, related service personnel, and students (when appropriate) to communicate and work together to improve educational outcomes for the student. **Providing an IEP for a student identified as having a disability under the IDEA is not optional—it is the student’s right under the law.** Students aged 14 and over are required to be included in the IEP development process. The New Mexico State Department of Education strongly encourages student involvement in the IEP process at all ages.

Student participation encourages ownership in the plan and increases opportunities for successful completion of the child’s educational program. Many New Mexico school districts have implemented IEP processes that are student centered or even student led. Students who prepare for and participate in their own IEPs are given added opportunities to develop self-determination and self-advocacy skills. These skills will help them to make better decisions about everything from course offerings at the secondary level to career goals, as well as help them learn to advocate for the services and accommodations they will need to be successful. If the development of these self determination and self-advocacy skills is begun early in a child’s program, it will only strengthen as the child transitions to adult life. The IEP meeting is an opportunity for students with exceptionalities to interact with professionals, gain a better understanding of their exceptionality, begin taking responsibility for their own lives, and be active participants of the team.
IEP development and implementation is the cornerstone of quality education for students with an exceptionality. This technical assistance manual is designed to assist educators, parents, and others involved in the education of a child with an exceptionality to understand and develop appropriate IEPs that are goal- and objective-based and comply with the law.
The IEP Meeting

Preparing for the Meeting

Before, During, and After the Meeting

Strategies for Effective Meetings
The IEP Team

At an IEP meeting, the individualized education plan for a student is developed by a team who, together, make informed decisions designed to provide the student with his or her best opportunity for success both in the present and future.

Under the IDEA and New Mexico State Board of Education regulations, the Albuquerque Public School District is responsible for developing, implementing, reviewing, and revising an IEP program in compliance with all applicable regulations and standards for each child with exceptionalities served by the district or referred to or placed in a private school or facility by the agency. The IEP is the core document and is required for an eligible student to receive special education services. Parents must be invited members of the IEP team. They must be given written notice, sufficient time to respond, and the opportunity to ask for rescheduling of a meeting. Though the Albuquerque Public School District strongly urges that each student be invited to participate in the development of his or her own IEP, students aged 14 and over must be included. The team will also include regular education teachers, special education teachers, administrators, district representatives, other professionals with relevant knowledge or expertise, and individuals invited by the agency or parents (such as an interpreter or an advocate).

When Is an IEP Meeting Necessary?

By definition, an IEP is the written statement documenting a unique educational plan to assist a student with exceptionalities to receive a free appropriate public education, and is required for any student eligible for services. Obviously, before needing an IEP, the student must have been referred, evaluated, and found eligible for services—the first steps in the special education process.

Tip! Be sure to have the proper documentation for the first steps in the special education process. Completing the forms in Appendix A will provide the necessary written documentation of (1) the parents’ consent to an educational evaluation, (2) a determination of eligibility, (3) the existence of a learning disability (if applicable), and (4) the parents’ invitation to the IEP meeting.

Before, During and After the IEP Meeting

BEFORE the Meeting. . . Step by Step

Several steps must be taken before a student can be considered for receiving special education and, if appropriate, related service. The Multidisciplinary Team has the responsibility of ensuring that the required steps are followed. (Note: All key steps in the process require documentation. A copy of forms that must be used in this process can be found in Appendix A. These required forms can be ordered from the APS warehouse.)
Before organizing and planning an IEP meeting, it is important to make sure that the SAT process was followed. The SAT must include (but is not limited to) in its process the following:

- Parents were informed of concerns identified by the school.
- Parents were involved in the SAT process, evidenced through documentation in the referral packet.
- Area(s) of concern are specifically described and documented.
- Appropriate interventions and modifications were implemented and the results documented.
- Vision, hearing, and health screenings were conducted early in the SAT process, and follow up was conducted if appropriate.
- Language proficiency was evaluated if a student’s primary home language is other than English (PHLOTE), and appropriate alternative language services implemented as necessary.

The SAT is responsible for determining whether a student is in need of an evaluation or not. Since parents are to be an integral part of the SAT, it is possible for a parent to request that their child be reviewed by the SAT to determine if special education testing is appropriate. The SAT process is to be followed regardless of who makes the initial referral for SAT intervention.

Once the SAT determines that a student is in need of an evaluation:

- A referral "packet" is compiled, and includes all information gathered from the SAT.
- An observation of the student must be conducted, during the part(s) of the school day in which concerns are most evident.
- A letter of notification (Appendix A) is sent to the parents informing them of the referral to special education for testing.
- The referral is "processed" on the student information system.

The referral is assigned to an Evaluation Specialist, and parents are contacted to schedule an appointment to sign a consent for evaluation (Appendix A), and provide a case history. A child cannot be tested initially without the written consent of a parent or guardian. Testing is then completed, and a comprehensive report is written. Once the evaluation has been completed:

- Written notice to parents (Appendix A) inviting them to an MDT/IEP meeting is sent.
- Sufficient time for response and the opportunity to request another time in order to accommodate the parents’ schedules must be allowed.
- The MDT examines the data and determines if the child meets the criteria to be considered eligible for special education and, if appropriate, related services.
- This decision is recorded on an MDT summary form (Appendix A).
- The MDT might also need to determine if the child has a specific learning disability. That determination is recorded on a separate MDT form for Specific Learning Disability (Appendix A).

Evolution of a child must be completed within 60 days of receiving parental consent for the evaluation.

A phone conversation with a parent or a verbal invitation does not meet the requirements for notifying parents of an MDT/IEP meeting (except as noted on page 13). Federal and state regulations require that the parents of a child with a disability be provided with advance written notice of MDT and IEP meetings and any other meetings in which the parent has a right to participate. If necessary, use certified mail or hand delivery to ensure
parents receive the notice. “...Schedule the meeting at a time and place agreeable to the parents and the school...” A Guide to Individualized Education Program, OSERS, USDOE, July, 2000

Description of Referral and Evaluation Forms in Appendix A

Prior Written Notice of Proposal to Conduct an Individualized Multidisciplinary Evaluation (or Prior Written Notice of Reevaluation)

Parents must be notified in writing whenever the school district "proposes to initiate or change the identification of a child" (CFR 300.503(a)(1)(i). The content of the notice must include [CFR 300.503(b)(1)(2)(3)(4)(5)(6)(7)]:

- a description of the action proposed
- an explanation of why the district proposes to take the action
- a description of any other options that were considered and why those were rejected
- a description of each evaluation procedure, test, record, or report used as a basis for the proposed actions
- a statement that the parents of a child with a disability of protection under the procedural safeguards of IDEA and how those can be obtained
- sources for parents to contact to obtain assistance in understanding the provisions of IDEA.

The Prior Written Notice to Conduct an Individualized Multidisciplinary Evaluation and the Prior Written Notice of Reevaluation must be accompanied by a copy of the Parent and Child Rights in Special Education in order to comply with these regulations.

Consent for Initial Multidisciplinary Special Education Evaluation (or Consent for Special Education Reevaluation)

Parents must give written consent to have their child formally evaluated. The Consent for Initial Multidisciplinary Special Education Evaluation (or Consent for Special Education Reevaluation)

1. must be filled out completely
2. informs the parents that the purpose of the evaluation is to determine if the child has a possible need for special education and related services
3. allows the school to indicate precisely what tools will be used to evaluate the child
4. is written in or explained to parents in a language understandable to them
5. must be signed by a parent before the child can be formally evaluated.

Parent Notification of Multidisciplinary Team/Individualized Education Program Team Meeting (or Parent Notification of Individualized Education Program (IEP) for Transition Team Meeting)

Parents must be notified of the meeting in writing. A conversation is not sufficient!

Follow these guidelines when completing the notification of MDT/IEP meeting form:

- Include the job role of each person you expect to be attending the meeting.
- Include the name and telephone number where the contact person (IEP coordinator or lead teacher) can be reached or where a message can be left.
- When sending a parent an invitation to an IEP meeting, it is mandatory to enclose a copy of the parental rights. If hand-delivered, include it with the invitation.

- If it is known that a parent will not be able to read or understand the notice, consider other ways to ensure the parent is aware of the meeting and has an opportunity to review the parent’s rights, such as through a home visit or other personal contact.
If it is known that English is not the primary language spoken at home, arrange for an interpreter to help deliver the notice.

Document the date the notice is sent or delivered and the method (e.g., hand delivered, mailed).

**Note:** If the parent or guardian does not attend the scheduled meeting, the meeting may need to be rescheduled and new notice requirements may apply. A meeting may be conducted without the parent, but only if the school can clearly show it has made several good-faith efforts to convince the parents that they should attend. (See the following federal regulatory language.)

**Multidisciplinary Team Meeting Evaluation Summary**

The MDT has the responsibility of reviewing available referral information (appropriate instruction prior to referral, appropriate interventions and modifications prior to referral, test results, etc.), any additional information provided at the time of the meeting and the results of the special education evaluation in order to determine if a student is eligible to receive special education services. Eligibility for special education services requires that not only are test criteria met but that the student exhibits the need for specialized instruction. This form requires that:

1. the eligibility category(ies), if any, for which the student met the descriptive **test criteria** is indicated
2. the areas of educational performance that are significantly impacted by the identified eligibility category(ies) be indicated and the **need for specialized instruction** is established.
3. if the student found to be eligible for special education services, the MDT notes the category in which the student is eligible.

A student may be found not eligible because he or she did not have a qualifying exceptionality; or because, even if the criteria were met, the student’s educational needs may be met without special education services. If the MDT cannot make a determination without further information, it indicates what additional input it needs. Parents must also be given a copy of the MDT Summary form.

**Note:** If a student is found eligible for special education because of a specific learning disability, the MDT must also complete the form Determining the Existence of a Specific Learning Disability, discussed next.

**Multidisciplinary Team Meeting Evaluation Summary for Specific Learning Disabilities**

If a student is suspected of having a Specific Learning Disability, the MDT would begin their meeting by completing the MDT form for SLD to confirm or negate this. A student who is behind or having difficulty learning does not necessarily have a learning disability. “A child with a disability” is clearly defined by the IDEA. This form requires that the team determine:

1. that each specific eligibility criteria for Specific Learning Disability **was** addressed with an indication of whether each criteria was met or not
2. whether special education services are necessary to correct the learning difficulties
3. whether prior to, or as a part of the referral process, the student was provided high-quality research-based instruction in the regular education setting
4. that the SAT process, including the child’s response to scientific, research-based intervention, was reviewed
5. that there is data-based documentation of repeated assessments of achievement and student progress that has been provided to the student’s parent(s)
6. that information regarding relevant behaviors relating to processing/academic difficulties is noted, as well as any educationally relevant medical information
Meeting without a parent present? See what the law says...

7. that the primary cause of the learning problem is not: visual, hearing, or motor disabilities, mental retardation, emotional disturbance, or environmental, cultural, or economic disadvantage

Each team member must sign this form, and indicate agreement or disagreement with the team’s decision. Any team member who disagrees must submit a separate statement presenting his or her conclusions. The response to intervention model for determining eligibility for special education services as a student with a specific learning disability will be phased in during the 2005-2006 school year.

The IEP Meeting

Typically, when a student has had an evaluation or reevaluation, if the student qualifies for special education services, the IEP meeting is convened immediately following the MDT meeting. Students who do not qualify for special education services do not have an IEP (the Student Assistance Team should reconvene in these cases and determine further courses of action for the student). The same individuals who participate in determining that a student qualifies for special education services also need to participate in the program development for a student who does qualify for special education services.

It is critical to plan carefully when and where the meeting should be held, whether it will be a continuation of the eligibility meeting, or held separately a short time later. As with the MDT meeting, parent participation at an IEP meeting is very important. Federal and state regulations require that efforts be made to afford parents the opportunity to participate. Being sensitive to parent needs and time limitations can support the quality of parent participation. It is a good practice to give at least ten days notice of a meeting, although there are times when this may not be possible.

Note: There may be rare emergency situations where an IEP meeting is needed and time does not permit a formal written notice. In such instances, documentation that notice was given via phone or face-to-face conversation with notes showing the notice requirements were met can replace the regularly used notification form or letter. Even in these circumstances, however, the notice must be given to the parents early enough to allow them an opportunity to attend or to reschedule the meeting if they are unable to attend.

The school is often the best place to hold the IEP meeting. However, the staff should be prepared with an alternative meeting place if the school site is not appropriate. It might be necessary to consider other options, such as conference calls when parents are unable to meet in person. In such cases, it is very important to ensure the parent has full access to any material to which other members of the IEP team may refer during the meeting.

At age 14 and up, and/or when transition services or planning will be discussed, the student must be invited to his or her IEP meeting. At that time, it is necessary to provide a notice of invitation to the student also. While not all students are required to attend IEP meetings, it is desirable to invite the student to be part of his or her IEP team.

Pursuant to IDEA at 34 CFR Sec. 330.345 (d), conducting an MDT/IEP meeting without a parent in attendance: A meeting may be conducted without a parent in attendance if the public agency is unable to convince the parents that they should attend. In this case, the public agency must have a record of its attempts to arrange a mutually agreed on time and place, such as these:
Helping Parents Prepare for an IEP Meeting

An IEP must be developed so as to provide a baseline that reflects the entire range of the child’s needs, including academic (reading, math, communication, etc.) and non-academic (motor skills, daily life activities, health, etc.). Background information about the child’s strengths, needs, learning styles, and interests needs to be gathered. In order to form a balanced picture of the child from which to develop an appropriate IEP, parents’ input is critical. Once the MDT has determined that an IEP is the appropriate path for a student, the parents must be given the opportunity to contribute and the IEP must reflect consideration and inclusion of information the parents provide. One way to do this is to incorporate into the IEP their answers to a Parent Report Questionnaire (Appendix B). This optional form could either be sent to the parent with the Notification of MDT/IEP Meeting to be filled out and brought with them to the meeting, or completed at the meeting by eliciting answers verbally. Either way, if the form is used, its contents should be discussed, considered, and incorporated in the IEP.

An IEP is designed to plan an individual educational program based on a student’s present levels of educational performance, but with goals in mind for the future. The questionnaire not only guides parents to think specifically about their child’s current strengths and needs, but also addresses the parents’ hopes for their child’s future. At the IEP meeting, one of the first steps is to complete a student profile and create a vision statement. Combining the professional assessments with the observations and input of the parents (and student, when appropriate), makes the IEP team more effective in its efforts to address the needs of the whole child as a member of a family, school, and community.

For parents to be able to participate comfortably as members of the IEP team, they must first understand what an IEP is and the purpose for it. The Parents’ Guide to an IEP (Appendix B) is an optional letter designed specifically to familiarize parents with the IEP and what to expect. The content is in question-and-answer form from the parents’ perspective, i.e. the questions are written as if being asked by the parent.

It is very important that parents’ input be heard and addressed. If, during a meeting, a parent suggests verbally or in writing proposals for placement, services, or modifications, they must be considered. If accepted by the team, they must be incorporated into the IEP. If not, written notification must be given to parents explaining why the
proposal was rejected (using the *Prior Written Notice form, Appendix A*).

It is important that school staff be sensitive to the needs of parents who have a disability or who are not proficient in English to ensure that they have access to the information contained in the IEP, and are provided the support they need to participate. Some examples of support that could be provided are: holding the IEP meeting in an accessible location for parents with a physical disability; or arranging for an interpreter for a parent who is deaf or for whom English is not his or her first language.

**Helping Students Prepare for the IEP**

Though the basic purpose of the IEP is the same for students of all ages, the law includes additional requirements and provisions for students aged 14 and over. These students face transition into post-school activities and their IEPs reflect the need for identifying realistic goals and developing skills to reach them. An important component of this process is the input of the student. Though the regulations require that students 14 and over be included in their IEP meeting, students of all ages would benefit from participating in the process, as appropriate.

Self-advocacy is a learned skill for all students and a challenge for many. For individuals with exceptionalities it is even more critical to be able to communicate their needs and interact with others in a way that can be understood and respected. Participating in the IEP process, at any age, gives the student a meaningful opportunity to begin to develop self-advocacy skills and the confidence to use them.

Even young children have a lot to say about themselves—their strengths, their needs, their interests and preferences, and what they would like to do in the future. A student’s presence at IEP meetings reminds other team members that IEPs are opportunities for communication that focus on the student’s abilities and interests. Students have much to gain from being involved in the IEP process.

Active participation in their own IEP process helps students:

- learn and share more about their strengths and skills and be able to tell others.
- learn and share about their exceptionality, including how to talk about and explain its nature
- learn and share what accommodations are and what types of accommodations might help them succeed in the classroom
- learn and demonstrate how to speak for themselves
- develop skills necessary for self-determination and independent decision-making
- understand the goals and objectives that form the basis of their education
- become more involved in their own education

The development of an IEP can be a positive learning experience when professionals and parents have a mutual respect for each other and value input from all team members. Preparing students for the meeting will help them feel comfortable enough to speak up regardless of who is present. Through participation students are accepting responsibility, making informed decisions, communicating with adults, understanding their exceptionality, and making connections between current programs and future results.

Below is a list of activities that can be done by educators and/or parents to help a student prepare for his or her IEP meeting, followed by some resources that may be useful in...
Note: Related service providers have critical information about the student and should be invited to all annual IEP meetings as needed to support the written goals.

A member of the IEP Team shall not be required to attend if both the parent and the school-based IEP facilitator consent to the excusal in writing. The excused member’s input must then be provided in writing prior to the meeting.

Parents may invite others to the IEP meeting. Parents should be encouraged to inform the school prior to the meeting if they plan to bring others. Though prior notice may not always be possible, any guests of the parents should be made to feel welcome and comfortable.

Resources for additional information for involving students in their own IEPs:

*Student’s Guide to the IEP and Helping Students Develop Their IEPs.* (1995) Audio cassette and booklet; available from National Information Center for Children and Youth with Disabilities (NICHCY), P.O. Box 1492, Washington, DC 20013-1492; (800) 695-0285. Also see: [www.nichcy.org/pubs/stuguide/ta2.htm](http://www.nichcy.org/pubs/stuguide/ta2.htm).


*Student-Led IEPs: A Guide for Student Involvement.* (March 2001) Available from The Council for Exceptional Children, 1110 North Glebe Road, Suite 300, Arlington, VA 22201-5704; phone 1.888.232.7733; TTY 866.915.5000; fax 703.264.9494; e-mail service@cec.sped.org. Also available on the web at [wwwcec.sped.org](http://wwwcec.sped.org).

*Steps to Self Determination Assessment Battery.* (1995) by A. Hoffman, S. Field and S. Sawilowsky. Wayne State University, Detroit, MI.

*Transition Trek.* PACER Center, 4826 Chicago Avenue South, Minneapolis, MN 55417-1098; phone 888.248.0822; TTY 612.827.7770; fax 612.827.3065, email alliance@taalliance.org; website: [www.taalliance.org](http://www.taalliance.org).

Inviting All Participants

In addition to the parents and student (when applicable), other participants at an IEP meeting need to be invited and informed about their role in the meeting.

**Participants who must be invited to an IEP meeting**

- Parents
- At least one regular education teacher (if the child is or may be participating in the general education environment)
- The child’s special education teacher
- School system representative who has the authority to allocate resources
- A professional who can interpret evaluation results, if needed
At an IEP meeting where transition is a component, include

- Appropriate service agency and/or post-secondary representative(s)
- The student (must be invited)

Other participants the school or the parents may want to invite, or at least inform about the meeting

- Related service providers
- All teachers who work with the student
- The principal, if other than the school representative
- Other individuals who have knowledge or pertinent information to contribute
- Parent advocate

**DURING the Meeting . . . Focused But Flexible**

Even when all the initial steps are done and team members are assembled to begin, the IEP meeting will not run itself. One solution is to appoint a facilitator. This person’s function is vital to ensuring that the goals of the meeting are met, the participants feel comfortable, and the time is used efficiently. The facilitator should have an agenda designed to accomplish the purpose of the meeting in the time allotted. During the meeting the facilitator should keep the group focused on the agenda, but be flexible enough to allow for the unexpected—perhaps some new information is revealed, a question raised, or a conflict arises. While offering everyone opportunities to communicate, the facilitator should keep the group focused on the positive and the present, rather than the negative and the past. The facilitator can remind the group that its common goal is to build upon the strengths of the student so that he or she may be as successful as possible.

The facilitator holds the key to the success of the meeting. He or she must conduct the meeting so that everyone stays on task, yet has opportunities to contribute. Below are some tips on how to achieve this. More ideas are offered under **Strategies for Effective Meetings**, below.

1. Have a prepared agenda. Either post it or give a copy to each participant.
2. Thank everyone for their time and interest.
3. Remind participants that they are members of a team who all want the best for the student.
4. Set the tone by defining the objectives for the meeting and what is hoped to be accomplished.
5. Encourage participants to introduce themselves and share their perceived role in the meeting.
6. Pay attention to the time and keep the meeting moving.
7. If the discussion gets off-track, summarize what has been said, then redirect the topic.
8. If a topic or issue is brought up that is not relevant to the IEP, place it on a “sidebar” as something that needs to be revisited. (Tip! List it on the board or a posted sheet of chart paper for all to see. At the end of the meeting, indicate how the topic or issue will be dealt with.)
9. Use good listening skills to validate others’ input and effective questioning techniques to encourage participation and stay on topic.

AFTER the Meeting . . . Follow Up

When a meeting is conducted well, ideally, the planned agenda was followed and the objectives of the meeting were accomplished. Everyone came away with the feeling of having contributed and been heard. In reality, a meeting may conclude with unanswered questions, topics that still need to be addressed, problems that need to be resolved, decisions that need to be made, and more tasks that need to be done.

Whatever the true outcome of the meeting, follow up is essential. “Follow up” can be thought of as preparation for the next meeting if anything from the first meeting was left undone. It also means that commitments made need to be honored, communication continued, and new issues or topics that arose be addressed.

Characteristics of an Effective Meeting

An effective meeting is characterized by clear goals, members feeling involved, voices being heard, opinions respected, concerns addressed, and a sense of accomplishment. The most important component of a meeting is the people in it. In an effective meeting the group has opportunity to give input and express views, but remain positive and focused on the intended purpose and outcome. The facilitator takes the role of conductor at the meeting. Just like an orchestra conductor, he or she pre-determines the program and directs the participants. The composing of a symphony takes effort, but the results are music, not spontaneous noise. There are things the facilitator can do to create an atmosphere that is conducive to harmonious interaction and keeps up a steady pace. Following are a few suggestions:

✔ Take time at the beginning of the meeting to get to know the participants. Through an informal (and non-pressured) conversation, the facilitator may be able to get a sense of everyone’s attitudes and concerns ahead of time and make them more comfortable.

✔ Gather extra resources that may be useful to explain or support educational findings or decisions, such as books, research, or other materials. The facilitator may ask specialists to help locate resources. Have these on hand for the meeting, if needed.

✔ Prepare a written agenda with time blocks in mind. For example, consider about how long it might take (with time for comments and questions) to go through each item on the IEP form. Allow a little extra time for unanticipated events. Keeping in mind that a meeting of this nature should not run more than 1.5–2 hours in length, the facilitator can then decide if the objectives can be accomplished in one meeting, or if two would be more reasonable.

✔ Check to be sure that the proposed meeting location has needed access and adequate space for each person expected at the meeting. The facilitator should insure that participants are arranged so that no one is crowded or obscured and everyone has equal opportunity to see, hear, and be heard.
The nature of an IEP meeting makes it special. Developing an IEP for a student shown to have exceptionalities often involves a mixture of people who may have very different points of view and motivations, or even different cultures and languages. The strategies and ideas presented in this manual could apply to many kinds of meetings, but are particularly helpful and effective for use with IEP and other educational program meetings.
Writing the IEP

The IEP Document

Components of the IEP:
Consideration of Special Factors
Student Profile & Student/Family Vision
Transition Services
Present Levels of Educational Performance
Annual Goals/Objectives/Benchmarks
Least Restrictive Environment
Summary of Services
 Modifications
Supplementary Aids and Services
Participation in Mandated Testing
 Discipline
Medical / Significant Health Information
Extended School Year
IEP Progress Documentation
Meeting Participants
Parent Rights
Sponsor Teacher Responsibilities
Prior Written Notice of Proposed/Rejected Actions

Implementation
& Follow Up
The Individualized Education Plan (IEP)

Before a child can receive special education and, if appropriate, related services, he or she must be formally evaluated (with informed written consent of the parents) to determine eligibility. Local school districts must follow the special education process established under the IDEA and New Mexico State Board of Education regulations. (See Section I, Introduction, for an overview of the special education process and the mandated procedures that must be adhered to when identifying, referring, evaluating, and serving a child with exceptionalities.) The law requires that an IEP be developed for a child who meets the criteria for one or more exceptionalities and is determined to be in need of special education services.

The IEP is developed at a meeting that includes school personnel, the parents, and when appropriate, the child and other professionals. (See Section II, The IEP Meeting, which covers the planning and conducting of the meeting, plus offers tips and strategies for effective communication among the participants.) Involvement of the parents is very important and every effort should be made to accommodate them and encourage their input as valued members of the IEP team. In addition to the parents, students 14 and older must be invited to an IEP meeting, but participation by younger students is encouraged.

An IEP meeting may begin immediately following the MDT meeting, or scheduled for a separate time soon thereafter. An IEP is a written document that:

1. directs and guides the development of meaningful educational experiences to provide students with opportunities to gain skills and knowledge that will assist them in achieving the standards and expectations for all students in the educational system and
2. prepares them for transition into adult life. Together, the IEP team makes informed decisions to develop an IEP for the student that provides him or her with the opportunities and experiences for success. The IEP supports both the present needs of the student and his or her vision for the future.

An IEP must contain or address in writing:

- Student Profile & Student/Family Vision
- Transition Services*
- Present Levels of Performance
- Annual Goals/Objectives/Benchmarks
- Consideration of Special Factors
- Least Restrictive Environment
- Extended School Year
- Participation in Mandated Testing
- Schedules & Levels of Services
- Accommodations & Modifications
- IEP Progress Documentation 
- Prior Written Notice of Proposed Actions

A copy of the APS IEP form, and attachments can be found in Appendix A.

*Transition planning is required beginning at age 14. This promotes early planning for post-school goals.

Note: A complete IEP must be prepared for students who are being reviewed for continued service, as well as for those newly eligible to receive special education services for the first time.
Components of the IEP

Student and Parent/Guardian Information (IEP Page 1)

The IEP document begins with general information about the student. Demographic information is very important in establishing a baseline about the student and is needed to track the student from year to year or from place to place. Dates are critical. The date of the IEP establishes the timing of the annual review; reevaluation due date gives important information about how old the evaluation data is and when a reevaluation is due. The student’s date of birth is vital—transition services must be included by age 14. If the student will turn 14 during the IEP year, transition services must be addressed at the IEP prior to his or her birthday. The primary (and if applicable, secondary) exceptionality is noted in this section.

When a student will be or has reached age of majority, the IEP team must notify parents (and the student) of the law with regard to student’s rights when he or she reaches age 18. If applicable, the student and parents can be given a copy of The Student Bill of Rights found in Appendix B.

Consideration of Special Factors (IEP Page 1)

Federal regulations require that the IEP team consider the following six special factors when developing an IEP for a student with:

1. **Visual** impairment/blindness
2. **Communication** needs of a child who is deaf /hard of hearing
3. **Limited** English proficiency
4. **Assistive** technology needs
5. **Behavior** that impedes the child’s learning or that of others

To complete this portion of the IEP, consider each question carefully. Check *no action needed* or the *yes, action needed* response. If any question is answered yes, the IEP team must describe how the need is to be addressed using the appropriate attachments (see Appendix A). Because of their broad nature, the two areas of assistive technology and behavior can be particularly challenging for the IEP team. They are discussed in more detail here.

**ASSISTIVE TECHNOLOGY:** Assistive Technology (AT) is a device or service provided to students who need specialized equipment to have access to the general curriculum and to improve the functional capabilities of the child. Any device or tool that helps the student learn—ranging from a simple pencil grip to a specially-designed desk—is considered assistive technology. However, the Assistive Technology Department does not generally provide low technology items such as pencil grips, or universal design items that can be used by many students at a site. AT services may include both the provision of the
technological devices and the consultant services for assessment, application, fabrication, or training in the use or maintenance of the devices. It is important to note that AT is not limited to students with severe exceptionalities. The IEP team needs to consider assistive technology and services for all students with exceptionalities, regardless of the type or severity of the exceptionality. If the IEP team does not feel it has enough information about AT to determine what may or may not be appropriate for the student, the team should first determine whether the related service personnel at the school are able to provide the necessary support or information. If the assistive technology needs cannot be met at the school, a referral for an assistive technology assessment can be made. Be sure to document the proposed assessment on the prior written notice page of the IEP, and to complete the required paperwork and submit it to the Assistive Technology team. It is the IEP team’s responsibility to craft an educational plan that will provide a free appropriate public education (FAPE) for the student; to do that, the team must base decisions on the student’s needs and goals, and must consider all strategies and accommodations necessary to allow the student to make reasonable education progress, including assistive technology. The team may consider the following questions:

1. What task do we want this student to perform that he or she is unable to do at a level reflecting his or her skills and/or abilities (writing, reading, communicating, seeing, hearing...)?
2. Is the student currently able to complete tasks with the special strategies or accommodations already in place? If yes, then document.
3. Is there available assistive technology (either devices, tools, hardware, or software) that could be used to address these tasks? If so, what?
4. Is the use of an AT device, AT service, or both, necessary for the student to perform this skill more easily or efficiently, in the least restrictive environment? If yes, then document.

Assistive technology is just one type of related service or supplementary aid possible in designing an individualized education program for a student with an exceptionality. To comply with state and federal regulations regarding consideration of special factors, the IEP team must consider assistive technology for every student with an exceptionality and, upon making an informed decision, provide the necessary devices, services, or both.

BEHAVIOR AND DISCIPLINE: One of the special factors the IEP team must consider is behavior—specifically, whether or not the student’s behavior impedes his or her learning or that of others. The IEP team has the responsibility to address the behavior in a manner consistent with the severity of the problem. The three avenues for managing problematic behavior include the following:

1. Address the behavior concerns in the IEP through goals/objectives/benchmarks
2. Conduct a Functional Behavioral Assessment (FBA)* - Appendix A
3. Develop and implement a Behavioral Intervention Plan (BIP) - Appendix A

Goals with objectives/benchmarks regarding behavior are developed the same way as those for academics, except instead of basing them on the present levels of educational performance, they are based on behavioral performance. Conducting an FBA will provide baseline information regarding behavioral performance and is required after a student has been suspended for 10 school days in a school year. It is highly recommended that a FBA be conducted whenever behavior interferes with the student’s learning or that of others. An FBA is an assessment that examines the student’s behavior...
and addresses the relationship between a behavior and the relevant factors that may be interfering with the student’s or others’ learning. The FBA will identify problematic behaviors and the circumstances under which they occur, so an effective intervention plan can be designed. The FBA form (see Appendix A) requires that information be collected from a variety of sources, using both prior and new data. Information about behavior may be gathered from school records, parents, interviews, classroom observations, and other sources. The parent must always be involved in this process. The FBA attempts to determine if there are specific circumstances or triggers that occur just prior to the problematic behavior and what reinforcement typically follows it. From the baseline information gathered in an FBA, the IEP team determines appropriate goals to include in the IEP and/or develops and implements a Behavioral Intervention Plan, which describes positive interventions and/or accommodations designed to address the reasons the target behavior is happening and strategies for redirecting it.

Minor behavior modification may be addressed within the IEP through annual goals, but when problematic behavior is frequent, persistent, or severe, a BIP is formulated. The BIP specifies what interventions are needed to positively redirect the targeted behavior that is seriously interfering with the student’s learning or the learning of others. The BIP included in Appendix A requires that the behavior of concern be specifically described, and that specific positive interventions and/or accommodations be listed that will enable the student to learn appropriate responses to the circumstances or triggers prompting the behavior. Strategies for Behavior Assessment and Intervention, a supplementary page listing some specific strategies for assessing behavior and examples for each of the intervention technique categories can be found in Appendix B.

**Note:** When behavior is identified as a special factor to be addressed, the FBA and BIP become components of the student’s IEP.
ADDRESSING STUDENT BEHAVIOR

The IEP team must determine whether or not the child requires a particular service, intervention or program modification to address a behavior concern. If so, the team must include in the IEP one of two things:

1. Annual behavioral goals with a description in the instructional modifications section of the IEP of positive behavioral supports, strategies, and interventions to be used in pursuit of those goals; or
2. An FBA and a BIP (an FBA and BIP must be a part of the IEP if student behavior is being considered a special factor).

Assessing Behavior

Conducting an FBA is required after a student has been suspended for 10 school days in a school year, but it is highly recommended for any student with persistent problematic behavior. The purpose of this assessment is to 1) gather data, 2) analyze behavior, and 3) hypothesize why it is occurring.

Ways to categorize targeted behavior:

* **Function**—why the student is demonstrating the behavior
  Examples: to get attention, to get stimulation, to elicit a desired response, to get a desired activity, to escape demands/requests, to escape an activity or person, to escape an environment, to control something,…)

* **Skill deficit**—a skill that the student does not know how to perform
  Example: In a disagreement, the student hits the other student because he does not know other strategies for conflict resolution. In cases of skill deficit, the intervention plan needs to describe how the skill will be taught and how the student will be supported while learning it.

* **Performance deficit**—a skill the student does know, but does not consistently perform
  Example: A student is chronically late for the classes she doesn’t “like.” In cases of performance deficit, the intervention plan may include strategies to increase motivation.

**TRAP 1**—assuming that a particular behavior exhibited by a student is by choice, i.e. the student does it even though he “knows better.” For example, a student who interrupts may, or may not, be aware that there are alternative, more appropriate ways to be heard. When analyzing a behavior, consider if it is more likely that the student “can’t” behave differently because he does not know differently, or if he does know differently and just “won’t.” In general “can’t” indicates a skill deficit, whereas “won’t” indicates a performance deficit.

**TRAP 2**—assuming the “obvious” motivation for a certain behavior. For example, a student who steals from her classmates may not be doing it out of selfishness or disregard for others, but because she is embarrassed that she does not have money and/or possessions others have and does not want be “looked down upon” by her peers.

For comprehensive guidance on behavior and/or discipline, go to [www.cecp.air](http://www.cecp.air).
STUDENT/FAMILY VISION: Though the New Mexico Content Standards and Benchmarks are the basis for developing educational objectives, the views and feelings of the parents and student must be considered. One way to do this is to work with the parents (and family members as appropriate) to develop a vision statement tailored to the student’s preferences and interests. A vision statement simply describes what the family and the student hope to achieve—their vision for the student’s post-school future. In some cases, it may provide a general description of expectations over time. In others, it may reflect more immediate and specific desired outcomes. Either way, a family vision provides a common foundation for dialogue and allows the team to focus on developing a plan that will help the student be able to set and reach realistic goals and realize his or her aspirations.

A vision statement:

- Summarizes what the student and family want for the student
- Describes the student’s expectations and hopes for the future
- Addresses the student’s/family’s situation and/or concerns
- Is developed through dialogue with the family and/or student
- Can and should be revised as circumstances or aspirations change

Examples of vision statements:

1. Tom’s parents are pleased with his progress in his ability to hold a pencil and write his name legibly. They have expressed concern about his short attention span. Tom would like to have a job someday. His parents hope we can suggest activities that will engage Tom and help him focus his attention for longer periods of time.

2. Rose and her parents feel she has made great strides in the past year. She is more independent and responsible. Rose would like to eventually work in child care. Her parents hope that she can one day live independently.

Note: When developing an IEP for students who are or will be 14 or older during the year the IEP will be implemented, the vision statement should reflect and incorporate the student’s goals for secondary school and/or post-school plans.

As part of the commitment to include and involve the family in the student’s IEP, the school may wish to offer the Parent Report Questionnaire found in Appendix B. This could be included with the notification of MDT/IEP meeting (Appendix A) that the parents complete and bring to the meeting or, if more appropriate, the form could be filled out during the IEP meeting as parents verbally respond. Whether collected on this form or through other means, information from parents should be incorporated into the resulting IEP.

STUDENT PROFILE: The Student Profile is a summary of what the IEP team currently knows and perceives about the student. The team discusses and considers the student’s strengths and educational needs, the concerns of the parents, the results of evaluations and state and district assessments, and the impact of the disability on the child’s involvement and progress in the general curriculum, or for preschool, to participate in appropriate activities. As part of the IEP team, the parents (and student, when appropriate) must be encouraged to offer their input. Though professionals can describe assessment results and observations, it is the parents (and student) who really have the whole picture and know all the subtle factors that affect the student’s ability to learn, progress, and succeed.

The purpose of the IEP is to assist the student in achieving educational goals. It must provide ways for the student not to feel “locked out” from being able to achieve by his or her exceptionality. Professionals may know which doors lead to opportunity, but parents hold the
keys that open the doors for their child. Professionals and parents working together as a team can not only find the doors that lead to success for that student, but also provide the means to unlock them.

When completing the Student Profile section of the IEP, the team must consider and describe the student’s strengths, the concerns as identified by the parents, and the educational needs identified by the IEP team members in all relevant domains or skill areas. Some areas may not apply to certain students. However, even a kindergartener may show aptitude in an area that may one day lead to a job! Both objective assessment results and subjective information should be considered and there should be a balance of input. If recommendations are suggested, include these as well. For all information gathered, identify who provided it.

Methods or modifications that have been tried before should be brought up and assessed—both in the learning environment and at home. School personnel can and should share the documented interventions and/or accommodations that were previously implemented as part of the pre-referral process and the results of those efforts. Parents can offer strategies that have been successful or unsuccessful at home. For example, the parent may relate that, at home, the student responds well to verbal praise but not necessarily to rewards.

As the team works together to fill out the student profile, it is establishing the foundation and tone for developing the rest of the IEP. It is important to maintain a balanced focus that addresses the concerns by building on the student’s strengths. Encouraging and building upon every strength increases the student’s potential opportunities in the future.

Unlike judgments, performance can be measured, and therefore be objectively evaluated. When filling out the profile, the team should word the entry in terms of the student’s performance. For example, if 10-year-old John shows strength in math but is challenged by reading, in the Academic Domain his strength could be noted as “tests above grade level (5.6) in math computation” (not “good in math”). A concern might be noted as “overall math score (4.0) is lower because John’s reading level of 2.6 impacts his ability to solve word problems” (not “he can’t read word problems”).

The completed IEP will include specific goals, which must be measurable. The student profile is a good reference from which to address concerns and build upon strengths. Wording descriptions on the student profile in terms of performance whenever possible will help when recording the student’s present level of performance and writing objectives.

Transition Services (IEP Pages 3a, b, and Transition attachment)

One of the primary purposes of the IDEA is to ensure that children with exceptionalities are prepared for employment and independent living. At age 14, or sooner if appropriate, IEPs become future-directed. Part of the IEP team discussion and decision-making must focus on designing and implementing an educational program with experiences that prepare students for transition to adult life. These transition-planning activities are a required component of an IEP for students 14 and up. It is important to distinguish between the terms "progression" and "transition". The term "progression" is used when a student is progressing from preschool to kindergarten, kindergarten to elementary school, elementary to middle school and middle to high school. "Transition" refers to the student's transition from the world of school to the world of work or post secondary education. Transition IEPs are regulated by IDEA and must contain measurable post secondary goals based upon age
appropriate transition assessments. Transition IEPs are designed to specifically address the student’s needs in terms of preparing him/her for life beyond school age years. A progression IEP may include activities that will assist a student in making a smooth progression from one level of education to another, but generally speaking the discussion is related to the school setting and not the world of work.

If a student will reach the age of 14 during the IEP year, transition planning for secondary coursework must be included in the IEP for that year.

Incorporating transition into the IEP includes early identification of, and planning for, the student’s post-school goals by defining a course of study. Transition makes education relevant to the student and is driven by these beliefs:

- the IEP represents and supports the vision of the student and the student’s family.
- transition helps prepare the student for the changes and demands of life after school.
- transition is an ongoing and outcome-oriented process that includes commitment of resources and collaboration between people and agencies.
- the family, school, and adult service agencies share responsibility for the transition.
- transition planning promotes relevant instructional objectives within the least restrictive environment, including community-based experiences as appropriate.

Transition services means a coordinated set of activities based on the student’s strengths, needs, interests, and goals that includes post secondary education, vocational education, employment, continuing and adult education, adult services, independent living or community participation, and when appropriate, the acquisition of daily living skills and functional vocational evaluation.

By age 14, the student’s IEP must include a planned course of study designed to select high school courses based on the student’s post-school goals and graduation requirements. Students in New Mexico may graduate using one of three pathways to a diploma. The IEP team determines the most appropriate pathway based on the student’s needs and impact of his/her exceptionality.

IEP page 3a addresses the student’s desired post-school outcomes, course of study and pathway to a diploma or certificate. Specific requirements and sample program plans can be found in the NM State Department of Education Technical Assistance and Training Resource Document, *Pathways to the Diploma: Graduation Requirements for Students with Disabilities*. The document can be accessed from the NM State Department of Education’s website at http://sde.nm.us/divisions/learningservices/specialeducation/pathword.pdf.

The three pathways for students receiving special education services to graduate with a high school diploma are:

- Standard Pathway: A standard program of study based upon meeting or surpassing all requirements for graduation based on
New Mexico Standards of Excellence, with or without reasonable modifications of delivery and assessment methods.

Career Readiness Pathway: A career readiness program based upon meeting the State Board of Education’s Career Readiness Standards with Benchmarks as defined in the IEP, with or without reasonable modifications of delivery and assessment methods. (For an explanation of the application of cut scores see appendix B).

Ability Pathway: An ability program based upon meeting or surpassing IEP goals and objectives, with or without reasonable modifications of delivery and assessment methods, referencing skill attainment at a student’s ability level, which may lead to meaningful employment.

If the team chooses a pathway other than the standard one, it must document the reasons for doing so. At each annual review of the IEP after age 14, the team needs to evaluate the student’s progress toward meeting his or her graduation requirements. If the student is not progressing as expected, the team must decide what adjustments need to be made in the student’s program.

If the student has not met his or her graduation requirements and peers are ready to graduate, the district may choose to award the student a certificate. This certificate allows the student to participate in the graduation activities with peers, but does not end his or her entitlement to services. A certificate must be accompanied by an IEP that will lead to a diploma on or before age 22.

**Note:** When planning a student’s transition, the composition of the IEP team must meet federal and state requirements. When a graduation program of study is proposed, an individual knowledgeable about high school curriculum must be included on the team. When the IEP team meets to review the program of study and/or student progress to determine if he or she has fulfilled graduation plan requirements, a building administrator must be included on the team.

In addition to planning a course of study, beginning at age 16 (or sooner if appropriate), the student’s IEP must address post-school plans and goals. On page 3b of the IEP the four areas of possible student needs are listed: community participation, employment, post-secondary education/training and independent living. The IEP team then lists the activities and/or strategies to be implemented and who is responsible for providing and paying for them. If there are no significant changes in the information on this page, it is possible that this page can be updated and not completely re-written every year.

The foundation of transition planning is to provide activities and experiences that will enable students to reach their post-school goals. This is achieved through coordinating the student’s interests with his or her needs. It is a two-tiered process. At the first tier (age 14 or sooner) the team builds a projected plan of study for the high school years. The plan is designed to steer students into appropriate courses that will both lead to a diploma and assist them in realizing their post-school goals. At the second tier (age 16 or sooner), the team continues to revise the program and begins the process of connecting with outside agencies that will help with the transition of the student from school to post-school life. The team is responsible for ensuring that a student is linked to, and will receive, needed post-school supports, services, or programs (see Transition attachment).
Example: At age 14, Ellen expressed an interest in cosmetology. The team chooses a painting class as one of Ellen’s elective high school courses, since cosmetology and painting are both activities dealing with the artistic use of color to produce pleasing effects. Each year the team continues to review and revise her program of study, and by age 16, begins the process of connecting with outside agencies such as the Division of Vocational Rehabilitation, and/or having Ellen gather information on cosmetology schools, making visits, and so forth.

Transition is an essential part of the IEP for any student aged 14 or older. Many factors have to be considered, many different people have to be involved, and requirements must be met under IDEA. In Appendix B, there is a Transition Services Checklist, adapted from Transition Requirements: A Guide for States, Districts, Schools, Universities and Families” by O’Leary, Storms, and Williams. This comprehensive manual is available electronically on the Western Regional Resource Center’s website at http://intertact.uoregon.edu/wrrc/wrrc.html. In it is a wealth of additional help and support with this vital component of an IEP—from general information, references, requirements and regulations, to FAQs, sample letters, and IEPs.

When developing an IEP that includes transition services, the following must be kept in mind:

✓ Students aged 14 and older must have been invited to participate in their own IEP. If the student does not attend his or her IEP, the public agency must take steps to ensure that the student’s preferences and interests are considered.

✓ In New Mexico, any person who has reached his or her 18th birthday is considered to have reached the age of majority and is an adult for all purposes not otherwise limited by law. Unless there is a court-appointed guardian, parental rights transfer to the student at age 18. Each annual review for a child who is 16 or 17 must include a discussion of the rights that will transfer when the child turns 18 and, if appropriate, a discussion regarding parents’ plans to obtain guardianship prior to that time.

Present Levels of Educational Performance (IEP Page 4a or 4S)

Under the IDEA and New Mexico State Board of Education regulations, the IEP of a student with an exceptionality must contain a statement of the student’s present levels of educational performance (PLP), including how the exceptionality affects the student’s involvement and progress in the general curriculum; or for preschool children, how the child’s disability affects his or her participation in appropriate activities. The Present Levels of Performance is based upon the Student Profile (Pages 2a, b, c…).

The PLP describes the student’s present level of performance in any area of education impacted by his or her exceptionality.

The part of the IEP that addresses the student’s present levels of performance is the blueprint for the whole IEP document. It establishes a base from which the other components are built and supports and links together the entire structure. The purpose of the statement is to identify precisely where the student is currently functioning, thereby laying the groundwork for developing an appropriate and quality plan for him or her. The PLP describes the impact of a student’s exceptionality on performance in the areas identified—academic or non-academic (including behavior).
To record the PLP, the IEP team should develop statements that give a specific account of the student’s skills, knowledge, behaviors, or other areas that are to be addressed in the IEP. The PLP should also indicate problems that interfere with the student’s education and detail the needs of the student so that all participants (including any outside service providers) have an accurate picture of the student.

The information on the PLP should be:

- **Current**—based on recent data, observation, and evaluation
- **Relevant**—how the student’s disability affects his/her education
- **Specific**—described as precisely as possible
- **Objective**—unbiased and from a variety of sources (i.e. formal observations, work samples, input from teachers, parents, service providers, formal and informal tests)
- **Measurable**—conclusions from assessments, test scores, and other quantifiable data

When the information used to develop PLP statements is current, relevant, specific, objective, and measurable, the IEP team can make better-informed decisions about setting goals for the student, and identifying appropriate services, placements, and programs that meet his or her needs. If the PLP is vague, broad, and/or subjective, the IEP will be ineffective. Conversely, if the PLP is clear, specific, and incorporates both objective and measurable baseline data, the IEP is more likely to target and meet the needs of the student. It also allows the student’s progress to be measured by degrees from one benchmark to the next.

The remainder of the IEP will be based on these PLP statements. When the following two samples are compared, the difference becomes obvious:

**WEAK:**

Instructional/Domain area: Reading  
Present Level of Educational Performance: Jack is a poor reader. He doesn’t have good word attack skills. Despite getting help, he hasn’t made much progress. Jack needs more help.

This PLP statement leaves many unanswered questions:

- *In what grade is Jack now? At what precise grade level is he reading? What was used to measure his reading level? When was it last measured? What were his scores in each area of reading? What are “good” word attack skills? On what basis was it determined that his word attack skills are not good? What kind of help has Jack been getting? What progress was expected and how should progress be measured? Is Jack’s reading difficulty related to his exceptionality? If so, how?*

**REVISED:**

Instructional/Domain area: Reading  
Present Level of Educational Performance: Reading textbook placement test: comprehension - low second grade; word attack middle first grade level (1½ yrs. below gr. level). Reading deficits negatively impact performance in all content areas.
The focus of the PLP is narrow. The PLP only addresses areas impacted by the student's disability.

The student’s first IEP establishes a baseline from which to begin implementing special education and, if appropriate, related services. The PLP is the blueprint on which the team assesses the student’s needs, determines priorities, and then builds the student’s attainable annual goals with objectives and/or benchmarks.

As the student continues to receive special education services, more information will be gathered about what approaches, modifications, and interventions are effective in assisting the student to learn. There will be measurable ways to track progress. The child’s learning style may become more evident.

At the first, and at each subsequent annual review, the IEP team will have, and should use, the cumulative information available to develop even more precise PLPs. Pinpointing strengths, learning styles and methods that have worked in the past allows the team to define with even greater precision an effective IEP for the student.

The following is a summary of a few key points to keep in mind when writing PLP statements:

- Ensure that there is a direct relationship between the identified needs and the present levels of performance.
- Use information that is current, relevant, specific, objective, measurable, and obtained from a variety of sources.
- Use details about evaluation and test results, grade levels, and assessments—particularly data that can be quantified by degrees or compared to standards and benchmarks.
- Consider the observations by teachers (regular and special education), parents, and input from the student (either directly or in the form of work samples or other evidence of performance levels).
- Take into account the effectiveness of any interventions, modifications, or supports that have previously been implemented.
- Write a separate PLP statement for each specific problem and/or need for which an annual goal and objectives or benchmarks will be established. (Keep the number of goals to an amount that is attainable in 12 months.)

**Annual Goals and Short-Term Objectives or Benchmarks**

(IEP Page 4a, b, c…)

The next step in developing the IEP is to write one or more annual goals for the student. These goals provide the purpose and direction for a student’s IEP. They must address a direction of change, be measurable, and be directly related to the needs identified on the PLP. Using the PLP statements written, the IEP team must first prioritize the student’s needs. Then, it must decide which and how many goals the student can reasonably be expected to attain within one year.

Note: Page 4a and 4S… of the IEP form is designed to write one goal for an instructional/domain area. More than one page may be used if there are multiple goals for a student and/or instructional/domain area.

Each goal must address a need identified on the student’s PLP, be measurable, and be attainable within one year.
SELECTING AND WRITING GOALS: In addition to the criteria above, when selecting goals, consider both formal and informal assessments. Also, keep in mind the student’s interests and vision for the future. **Write goals directed toward enabling the student to be involved and progress in the general curriculum.** Example; Darin does not complete writing assignments in the given amount of time. He struggles with handwriting, but he likes computers. A good goal for Darin would be that, within 12 months, he would complete 90% of class writing assignments on time using a word processing program on the computer. Finally, the IEP team should select goals based on *New Mexico’s Standards for Excellence Regulations: Content Standards and Benchmarks.*

When writing a goal, state what the student will do as a result of the special education services being provided. The goal should be written in such a way that even someone unfamiliar with the student could implement it and assess its mastery. Include these components in each goal:

- **Conditions:** under what conditions progress will be measured
- **Behavior:** identify measurable performance; actions by student
- **Criterion:** quantifies how much, how often, to what extent
- **Timeframe:** exactly when mastery is expected
- **Method of Measurement:** how progress and/or mastery will be measured

Short-term Objectives are no longer required for most students. However, students who take the Alternate Assessment are still required to have short-term objectives or benchmarks written for each goal.

**WRITING SHORT-TERM OBJECTIVES AND/OR BENCHMARKS:** For students who take the Alternate Assessment, the IEP team must write short-term objectives or benchmarks to accompany each goal. The team may decide to use either or both, based upon its judgment of how the student may be best able realize the goal. Supplemental page 4 may be used if more than 2 objectives are written for that goal.

**Short-term objectives** are a logical breakdown of a task (or goal) into smaller, often progressive steps—each of which may be a prerequisite for the next step. For example, for a physically disabled student to realize the goal of drinking from a cup independently, she must first be able to grasp the cup, then hold it steady, lift it to her lips, sip the drink, replace the cup on the table, and release it without spilling. Each of these steps could become a short-term objective toward reaching her goal. There may be several intermediary steps, as in the previous example, but obviously, there will be at least two or more short-term objectives needed for each annual goal. A related service provider would be helpful in developing objectives for a student whose evaluation results indicate deficits that may need to be addressed in order to achieve the student’s goals.

**EXAMPLE of a GOAL and SHORT-TERM OBJECTIVES for Jason**

**Goal:** By the end of the school year, when asked to write his name, Jason will be able to write his name independently 100% of the time as measured by evaluation of written work.

**Objective#1:** When asked, Jason will correctly spell his name orally 100% of the time.

Constructing appropriate and complete short term objectives or benchmarks is critical to planning an effective IEP for a student.
Objective#2: When presented with letter cards, Jason will identify the letters in his name with 100% accuracy.

Objective#3: When shown his name in print, Jason will copy it from the model with 100% accuracy.

It is clear that Jason’s goal lends itself well to being broken down into progressive short term objectives. He must master all three objectives in order to reach the goal.

Benchmarks, in contrast, describe the amount of progress a student is expected to make within a certain segment of time during the year in order to achieve the goal by the end of the year. Benchmarks are most appropriate for goals that involve increasing skill levels, rather than learning new ones. For example, for a student with the goal of improving his mean length of utterance from 1 to 4 words, benchmarks may be set in three-month intervals—by October 15, he will communicate using 2 word utterances, by January 15 using 3 word utterances, and so on. Since benchmarks represent skill levels along a time line, the year will be broken into two or more time segments with defined levels of increased skill along the way.

EXAMPLE of a GOAL and BENCHMARKS for Chris

Goal: In 36 weeks, Chris will be able to walk independently from the classroom door to the playground at recess with adult supervision.

1st Benchmark: By 9 weeks, Chris will be able to walk independently from the classroom door to the end of the ramp with adult supervision.

2nd Benchmark: By 18 weeks, Chris will be able to walk independently from the classroom door to the sidewalk with adult supervision.

3rd Benchmark: By 27 weeks, Chris will be able to walk from the classroom door to the fence with adult supervision.

Whenever possible, related service providers should use goals and objectives/benchmarks established for instructional/domain areas rather than creating any specific to an area of related service. There are situations that occur when this is not possible and the related service area that needs to be addressed is so specific that a separate goal and objectives/benchmarks must be written. See appendix B for related service examples.

The IEP team may choose to use short-term objectives, benchmarks, or both, but must base them on the specific needs identified in the present level of educational performance (PLP). Both objectives and benchmarks must be measurable and represent progress toward the goal. Each specifies a skill or performance level the student must accomplish between his or her starting point (PLP) and final goal. Objectives and/or benchmarks guide the IEP team in the development of strategies (and modifications as needed) to help the student realize the goal.
To write effective, measurable goals means having to focus on measurable data and observable behaviors, rather than on thoughts, feelings, or bias. This “objective” method of describing circumstances and expressing desired results is a learned skill. It takes practice and requires vigilance in word choice. For example, Janet has a consistent pattern of physical aggression. If Janet’s teacher reports that she is “constantly” hitting other students in class, the parents and teachers may say they want her to learn to “control herself.” Obviously, the words “constantly” and “control” are not definable. If written correctly, Janet’s PLP statement would reflect observational data, such as “Janet was observed on five different occasions for one-hour periods. During those times, she pushed or hit another student an average of five times per hour.” The goal could then be set in measurable terms.

In addition to identifying the student’s annual goal, page 4a and 4S of the IEP form asks for additional information critical to the success of the student’s IEP.
1) Identify the reference from *New Mexico’s Standards for Excellence Regulations: Content Standards and Benchmarks*
2) Complete the following for each goal or objective/benchmark:
   - Evaluation procedure
   - Performance criteria
   - Schedule for evaluation

Use this five-point list to check the validity of a written objective or benchmark:
✓ Is it written in terms of what the student will do, not someone will do for the student?
✓ Does it state the condition under which the student will demonstrate the behavior (in what setting; under what circumstances)?
✓ Does it define specific measurable behavior to be displayed by the student, not general and subjective, such as “learn” or “understand”?
✓ Does it specify what criteria will be used to measure progress or mastery (described by degree, such as 9/10 times, not “accurately” or “successfully”)?
✓ Is an evaluation procedure included with an expected time for the desired level of attainment to be reached (i.e. within 8 weeks when orally given a pair of words with different short vowel sounds, the student will be able to correctly identify the vowel sounds with 80% or greater accuracy as measured/recorded by the service provider)?

*The term benchmark as used in development of a student’s IEP goals is different from its use in the New Mexico Standards for Excellence Regulations: Content Standards and Benchmarks. There it refers to components of Content Standards, which are set expectations for all students in public education agencies in New Mexico.*

**Note:** For more help, see *Appendix B: Writing Effective Short-Term Objectives.* This handy one-page guide is also useful for selecting wording in writing benchmarks.

**Least Restrictive Environment (IEP Page 5)**

**CONTINUUM OF ALTERNATIVE PLACEMENTS:** The IDEA provides that, to the maximum extent possible, students with exceptionalities should be educated with age-appropriate peers who do not have exceptionalities. It also mandates that a student be given the opportunity to learn in the Least Restrictive Environment (LRE). The key concept is that
placement within the home school among peers is desirable; but the IDEA recognizes that an "inclusive" environment is not always appropriate, nor does it always provide the LRE.

The extent to which an individual student with exceptionalities participates in the regular education setting must be decided on a case-by-case basis. A wide range of placement options, known as the continuum of alternative placements, must be available to insure that each student is educated in the LRE for that individual. To determine the placement that offers the LRE, an inquiry into the unique educational needs of the student is required. The first section of page 5 of the IEP requires that the setting be determined and noted. The setting is determined by calculating how much of a student's instruction takes place in the regular classroom environment. The vast majority of students placed in special education programs on public school campuses will have a setting of 01, 02 or 03. It is critical to determine and record this setting level accurately, as it reflects directly to State and Federal personnel how well we adhere to the concept of educating students in the least restrictive environment.

**LEVEL OF SPECIAL EDUCATION AND RELATED SERVICES (FUNDING):** The next part of the LRE section of the IEP form is designed to record the level of service (hours the student is receiving special education service). The level of service determines the funding of the special education services. "Formulas" are provided for determining the appropriate funding level for a student. It is important to separate the concepts of setting and funding. There are no direct correlations between the two. A student can be in a 01 setting, and be "D" funded because he/she is in the regular class all day with a special education assistant.

To get the most accurate result, follow this guideline: when calculating level of service, count hours the student receives special education and related services that are being implemented within the regular education setting, as well as those in a special education setting. Example: in a six hour day, the student receives a total of three hours of special education—two hours delivered in a special education setting and one hour in the regular education setting; the other three hours he is in regular education setting and not receiving special education services.

**LRE JUSTIFICATION:** The IEP team must document the need for special education placement. This involves explaining whether the student can be served in regular education classrooms with support, or whether s/he must be served in some combination of regular education classroom and special education classroom, or in a special education classroom for most of the day. The reasons for the choice must be documented.

This justification must be written in a way that makes it very clear exactly **why the student requires special education** in order to be successful at school, both academically and non-academically. This statement should, very generally, summarize the discussion and conclusion of the IEP team's decision regarding special education services.

**POTENTIAL HARMFUL EFFECTS:** The IEP team must also discuss whether or not the recommended placement will result in the student experiencing any "harmful effects", and if so, those must be documented. "Harmful effects" may include things such as:
- anxiety due to separation from siblings or established friends
- regression of skills due to a change in routine and/or setting
- longer bus ride that might fatigue the student
- a medical condition that may impact the student, the teacher, the class, or the environment
- a behavioral pattern that service providers should be made aware of
- a known reaction to something that would not normally be expected
If any issue exists, a plan to remediate or alleviate it must be developed and documented in this section of the IEP. Additionally, the student’s placement and location of services with regard to safety concerns in the event of an emergency and/or evacuation must be examined. **If for any reason the student would have difficulty with, or be unable to follow the emergency and/or evacuation procedures with the general school population without assistance, an individualized emergency and/or evacuation plan must be prepared for the student.**

**Note:** The plan should identify where the student will be at any time and how the student is to be evacuated from each location. A copy of the plan should be posted in each work area the student attends, as well as kept in the appropriate administrative office. The plan should be detailed enough to show emergency response, assisting personnel, routes of evacuation, and method of evacuation. Parents and guardians should be encouraged to discuss the plan with the child’s doctor. There may be complications of which the staff is unaware. It may be necessary to administer medicine, respond to a medical emergency, or move the student to a second, safer location. If the student has any special needs regarding emergency and/or evacuation procedures, all staff who interact with the student should be informed, and trained if needed, to carry out the responsibility of ensuring the child’s safety in the event of an emergency. The plan should be followed during drills, reviewed at least once a year, and modified as needed.

**SPECIAL TRANSPORTATION:** The IEP team must carefully consider if accommodations or supports are required for the student to be transported with peers without exceptionalities in the Least Restrictive Environment (LRE). If he or she has special transportation needs, identify them in this section of the IEP form. IDEA states that all persons who are providing services needed to implement a student’s IEP must be informed of their responsibility. The APS Student Transportation Form must be used when requesting special transportation. This document will assist the transportation office in implementing the student’s transportation needs. If the student does not require special transportation, but modifications are necessary in order for the student to be successfully transported to school with peers without exceptionalities, the sponsor teacher must inform the bus driver of those modifications.

**Schedule of Services (IEP Page 7)**

This is the point where the IEP team considers which service providers are necessary to deliver the regular and special education instruction and which related services are required for achieving stated goals. Keep in mind that related services are the supporting services the student must have in order to benefit from special education. These would include (but are not limited to) such things as counseling, audiology service, speech/language, physical therapy, interpreter service, occupational therapy, psychological service, social work services, school health services, and parent counseling and training. (See Related Services and Adapted Physical Education Handbook for further information.) Related services can be provided only if an evaluation has been completed documenting the need for service. If a proposal for a related service is made at the IEP and an evaluation has not yet been completed, the request for evaluation must be documented on the Prior Written Notice page of the IEP, and the appropriate paperwork for the referral be completed following the IEP meeting.

According to IDEA 2004, services need to be based on peer reviewed research to the extent practicable. If no peer reviewed research is available, a service provider needs to
document student performance/outcomes. If a student is not making gains, the service provider needs to change the strategies/materials/program, being used.

Only if the IEP is a progression, the Schedule of Services must be completed twice, separating the services to be delivered in each school year.

Special education and, if appropriate, related services may be provided within the general education setting, and/or special education setting. The schedule of services directs the implementation of the student’s IEP. All service providers are accountable for fulfilling their responsibilities under the schedule. It is vital that it is completed carefully, accurately, and specifically:

- Document the specific schedule of special education and related services needed based on the goals and objectives or benchmarks previously identified. The types, amounts and frequency of services, and the start and ending dates (typically one calendar year in length) must be indicated (example: 2 ½ hours per week: 3 hours month). **Note: This must be based on the student’s need, not on what is convenient or available.**
- Indicate the setting (regular or segregated) in which each service will be provided.
- If modifications are necessary for student participation in general education, mark the Modification box and complete p.7. Copies of p. 7 must be given to all services providers (see appendix B for further explanation).

**Note:** The IEP team must notify any person expected to provide service, or modifications of their specific responsibilities in implementing the IEP. It is the expectation that regular education teachers will be included among those who will provide special services to a child. However, regular education teachers may be either uncomfortable or unprepared to do so without help. Special Education teachers must be prepared to assist regular classroom teachers in appropriately providing any services of modifications noted in the IEP.

---

**ADDITIONAL SUPPORTS FOR IDENTIFIED:** Indicate what supports may be needed in order to implement the IEP. For example, the regular education teacher may need training with an unfamiliar device or information about the student’s exceptionality or a demonstration of the required accommodations. This section is particularly important for students who will spend a large percentage of their time in the regular education classroom. The supplemental services and supports a child needs to be successful in the regular education classroom must be documented.
Modifications (IEP Page 8)

Accommodations and modifications are provided to the student to assist him or her in participating and learning in the least restrictive environment. For many students, supplying supplementary aids or services in the regular education classroom will allow the student to be educated with his or her peers without exceptionalities. In other instances, modifying the educational program or setting enables the student to progress in the general education curriculum.

Accommodations and modifications must be determined on an individual basis and reflect the true needs of the student without regard for ease of delivery or availability. An accommodation for a student with poor vision may be to provide large-print versions of classroom materials; a modification for a student who has poor small muscle control and therefore can not fill in the bubbles on an answer sheet may be to allow the student to take the test orally or dictate her answers to a recorder. The possibilities are as numerous and varied as the students who need them.

Based on the identified needs of the student and annual goals, the IEP team determines what kind of adjustments would give the student better access to the general education program and help him or her achieve the goals in the LRE. First, all areas of the program must be considered, such as physical environment, instructional presentation, in-class and mandated testing, specific subject areas, grading, homework and assignments, social and behavioral management, technology and media, transportation, in-school non-academic time, and extracurricular activities. Keeping in mind that accommodations and modifications are to be provided for any area that is directly affected by the student's exceptionality, the IEP team fills out page 8 of the IEP form.

Though accommodations may be useful in other areas, the team must adhere to only those situations directly affected by the exceptionality. A good gauge is to verbalize exactly how the accommodation will offset the exceptionality, not just that it would be generally helpful.

Participation in District and State Testing (IEP Page 6)

Under state regulations and the IDEA, students with exceptionalities are required to participate in district and state testing. The IEP team has the responsibility to determine not if they will participate, but how they will participate. If a student is not reasonably able to participate in the standard test administration with students without exceptionalities, the team selects the most appropriate allowable accommodations. In making this decision, the IEP team should begin by reviewing the allowable accommodations as determined by the Public Education Department, and then considering what accommodations the student requires for instruction. In most cases, accommodations regularly used for instruction will correlate with those needed for assessment. However, when determining testing accommodations for a student, the team should consider that the testing environment may differ from the instructional environment, and plan accordingly. On page 8 of the IEP, the team must indicate which testing method will be used to allow the student to participate in district and state testing, as required by law. The choices are as follows:
- **Standard Administration**: The student takes the test without accommodations or modifications.
- **Standard Administration with allowable accommodations**: The student takes the test with standard instruction and timing. Accommodations may be used, but only to the extent that they are not expected to influence or alter the interpretation of either individual criterion- or norm-referenced test scores. Examples of accommodations: use of adaptive furniture, special lighting or acoustics, large print answer sheets, or turning pages for the student.
- **Non-Standard Administration with modification**: Modifications may have an effect on performance and alter the essential nature of the assessment, so the interpretation of either individual criterion- or norm-referenced test scores will need to reflect their use. Because the use of modifications will affect the school’s reporting of annual yearly progress, the school principal must be given a copy of any IEP that includes this testing option.
- **Alternate Assessment**: The student is tested in a manner that gives him or her the opportunity to demonstrate competency in basic skills. For this purpose, the New Mexico Alternate Assessment is administered. For the Alternate Assessment, the IEP team must base its determination on multiple records and sources of information, and the student must meet eligibility criteria for New Mexico Alternate Assessment. In making this determination, the IEP team must use the *Attachment for Determining Eligibility for the New Mexico Alternate Assessment* in Appendix A.

### Discipline (IEP Page 6)

In order to function as a community, all schools have a general school-wide discipline plan or code of student conduct, including specific policies and procedures regarding expected and acceptable behavior. As part of the IEP for a student with exceptionalities, the IEP team must decide if the student can follow the school-wide plan as is. If modifications and/or instructional accommodations are needed, they must be described as goals/objectives in the student’s IEP. If a BIP was developed to address the student’s behavior, the BIP must be included in the IEP.

**Note**: Though the IDEA does not require that a FBA and/or BIP be incorporated into a student’s IEP unless and until the student has been first removed from his or her current placement for more than ten school days in a year, the New Mexico Special Education regulations strongly encourage incorporation of these measures well before behaviors result in drastic disciplinary actions. (See Subsection F of 6.31.2.11 of NMAC.)

For a student with behavioral concerns, keeping accurate discipline records is essential for the evaluation of the student’s behavior and progress toward goals. The team should agree on what consequences are appropriate for certain behaviors, and make certain that the parents and the student are aware of the expectations and consequences. Each person who interacts with the student in circumstances in which the targeted behaviors occur should record his or her observations, what measures were taken to redirect the behavior, and their results. Consistency is a vital factor in the ability to reshape behavior, so all those who work with the student should coordinate their efforts and share their information.

- School personnel must be fully aware of the regulations under the IDEA and the New Mexico regulations regarding discipline of a child with an exceptionality, including the provisions for removal of a child with an exceptionality for violation of school rules.
If not available on site, paper copies of the IDEA can be obtained at most public libraries and electronic copies can be obtained online through OSEP at www.ed.gov/offices/OSERS/IDEA/regs.html. The New Mexico regulations can be obtained online through the State Department of Education at www.ped.state.nm.us.

Medical / Significant Health Information (IEP Page 6)

In this section of the IEP form, note what type of medications (if any) the student takes, plus any significant medical/health information and/or the need for an Individualized Health Care Plan or other school nursing services. Also note any related services such as catheterization or tube feeding that may be needed to enable the student to attend school. Identify what type of physical education program is appropriate for the student. If the student requires assistance to move around the school, note and describe his or her needs.

Extended School Year (IEP Page 6)

If a student has demonstrated significant regression of learned skills (relative to the current IEP goals, objectives, and present levels of educational performance) that cannot be recouped in a reasonable length of time, the student may be considered for Extended School Year (ESY) services. If the team determines that ESY is appropriate, it needs to document its rationale on the Attachment for Determining Eligibility for Extended School Year Services in Appendix A and attach it to the IEP. For further guidance please refer to the ESY revised Technical Assistance manual on the SDE website.

IEP Progress Documentation (IEP Page 6)

In developing the IEP to this point, the team has evaluated the student’s present levels of educational performance, set annual goals and objectives and/or benchmarks, and determined what accommodations and modifications the student needs to allow him or her to achieve those goals in the least restrictive environment. Federal law and New Mexico regulations state that the progress of students with exceptionalities must be reported to parents at least as often as to their peers without exceptionalities (more often, if needed). Space to document progress for each annual goal is provided on page 4a, or 4S of the IEP. Additionally, on page 6 of the IEP information regarding how often progress will be reported must be provided. When reporting progress, keep the following in mind:

1. A progress report for a student with an exceptionality must be based on the IEP goals (as opposed to the service being provided).
2. Progress must be reported for each annual goal in the IEP. If more than one service provider is implementing a single goal, those sharing the responsibility for the goal and service may combine their evaluation on a single report. This will require collaboration between service providers.
3. For each reporting period, the service provider(s) must record the report date and give his or her assessment of the student’s progress on the goal and by what method(s) the student’s progress was evaluated.

Note: Although not required by the IDEA including a narrative along with the progress report that provides suggestions of what the student could do to accelerate or improve his or her progress is recommended. These suggestions build a bridge from the present to the future, and give the student and parents something concrete to focus on as they look ahead. Some examples of teacher comments for next steps might be:
- Increase class participation - Ask for help more often
- Organize materials - Work more independently
- Have better attendance - Maintain concentration
- Participate more with peers - Follow class rules
- Show more effort - Make up missed work
- Practice and memorize - Complete homework
- Opportunity to mentor or lead - Practice skill in the everyday world

Provided in Appendix B is a Contact Log form for ease of tracking each service provider’s contact with the student—ensuring clear documentation of actual time spent with the student, as well as specific records of time missed and the reason (holiday, absences, etc.)

The process for the distribution of page 4 each time it is completed is as follows:
1. Using either the original page 4 (in the student's confidential file), or the copy in the student's working file, document progress toward goals and objectives/benchmarks.
2. A photo copy is made and sent to the parent, and the original is returned to the confidential file or working file, as appropriate.
3. Continue to document progress, using page 4, until either it is completely filled in (begin another page 4 if necessary), or the school year has ended.
4. At the end of the school year, the sponsor teacher is responsible for ensuring that all Page 4 documentation of progress toward goals is filed in the student's confidential file.

Meeting Participants (IEP Page 9)

The rest of page 9 includes the final, but very critical, steps in completing the IEP planning phase. First, each member of the IEP team documents his or her participation by signing the Meeting Participants section. If an individual does not want to sign the IEP the facilitator of the IEP meeting should write that person's name to indicate his/her participation in the meeting.

Second, parents acknowledge that 1) they were given the opportunity to participate in the IEP development and the recommended placement and services, 2) the information was presented in an understandable manner, and 3) that they have received a copy of their procedural safeguards. They initial the Parent Rights section.

If the parent(s) and the principal/designee agree that it is not necessary for a staff member to attend the IEP because his or her area of curriculum or related services will not be addressed during the meeting, that person may be excused with parent agreement. The parent must initial the meeting participants page of the IEP. A member of the IEP team may also be excused even if his/her area of expertise will be discussed at the IEP meeting if s/he submits input in writing prior to the meeting to both the parent and the principal/designee. The parent must initial the meeting participants page of the IEP to indicate agreement with the excusal.

The sponsor teacher responsibilities section designates the responsibility for ensuring that everyone involved in the implementation of the IEP has access to it and is given the information necessary to carry out his/her responsibilities.
Federal and state regulations require that parents of a child with an exceptionality be informed of, and consent to, any actions that would initiate or change the identification, evaluation, educational placement, or the provision of a free appropriate public education for their child before implementing the proposed action.

In developing the IEP, the team assesses and identifies the needs of the student, sets goals, and proposes specific actions to be taken, such as accommodations and modifications of the general education program, providing special education and related services, or recommending an alternative placement.

To implement any actions that change the student’s existing program without prior written notice to the parent or guardian is against the law.

IP-16 and IP-17 fulfill this requirement under the law. First, a summary of the IEP meeting is documented. The date of the meeting is recorded, followed by a brief, but specific, indication of what data was reviewed during the discussion of possible special education and related services for the student.

The parent’s proposals (if any) must be considered and included in the documentation.

Next, all items that were proposed or options that were considered are noted, regardless of the source. Each is marked accepted or rejected, and why. (If additional room is needed to list or explain proposed actions, a separate sheet can be attached.) It is important to keep in mind that the items marked “accepted” are intended to become the actions implemented for the student under the IEP. Once accepted and consent given, if appropriate, the directives of the IEP become a legal obligation.

The final steps of the IEP fulfill the requirements under the law regarding parents:

- Secure written parent consent, if appropriate, before implementing the proposed actions.
- Ensure that parents have been informed of and understand their rights.
- Give parents the opportunity to ask for clarification, disagree with the proposed actions, or request another IEP meeting.
- Offer parents assistance in understanding procedural safeguards and due process rights by listing specific contacts at the local and state level and informing them of parent advocacy support.
- Document that the content of the notice was translated if needed in the parents’/student’s primary language, and if so, by what method and by whom.

When the IEP is completed...
When the IEP meeting is over and all members have signed the document, the IEP is completed. It may seem as if this is the end, but completing the IEP is just the beginning of the team’s responsibilities to the student. Until it is implemented, the IEP is just a plan. It is expected that the IEP of a student will be implemented as soon as possible. The first thing that must occur, if it has not already, is to secure parent consent to put the plan into action. Evaluation, reevaluation with testing, and initial placement cannot be provided without consent of the parent or legal guardian (unless the student is 18 or older without a legal guardian).

Implementing the IEP involves ensuring that all those sharing responsibility for providing services for the student as identified in the IEP document are aware of their role in the plan and are prepared to deliver service. All members are responsible for ongoing evaluation of the student and regular reporting of progress. It is important that each service provider document his or her contact with the student and be accountable for that portion of the IEP he or she is designated to fulfill.

The parents should be given a copy of the completed IEP document and encouraged to communicate with the school about their child. If appropriate, the student should also be fully informed of the provisions in the IEP and what is expected of him or her.

Once implemented the IEP defines the student’s individualized educational program for one year, though some services may be for less than a year. It must be reviewed at least annually, but should be reviewed more often if, at any time during the year
– concerns about its effectiveness are raised;
– services are not being provided as defined;
– the student is falling short of expected progress;
– there is a change that affects the appropriateness of the existing IEP;
– new factors or circumstances arise; or,
– the parents or student request a review.

**Conclusion—It’s the Law**

34 CFR 300.342
(a) At the beginning of each school year, each LEA, SEA, or other State agency shall have in effect for each child with a disability within its jurisdiction, an individualized education program, as defined in Sec. 300.340.
(b) An IEP must:
(1) be in effect before special education and related services are provided to a child; and
(2) be implemented as soon as possible following the meetings described in Sec. 300.343.

The “law” has been referred to many times throughout this manual. It cannot be stressed too much that the obligations of the public education agencies are not a choice. The laws designed to protect and assist children with exceptionalities do not do their job unless the real people serving those children carry them out. This technical assistance manual was created with the hope that by presenting the information in a readable, useful form, those people will not only be in compliance with federal and state mandates, but also better serve the students to whom they are so tirelessly devoted.
Coming Soon!