

Exercising Your Rights: Understanding the Components of an IEP

A Guide to Advocating for Your Student
Illinois State Board of Education
2018-19 School Year

Whole Child • Whole School • Whole Community

CPS Section Guide to Your Child's IEP

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- Section 3. Purpose of Conference
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Section 1. Identification Information Section 2: Disability

Identification Information

- Disability
 - Autism Spectrum Disorder
 - Deaf/Blindness
 - Deafness
 - Developmental Delay (3 through age 9 only)
 - Emotional Disability (ED)
 - Hearing Impairment
 - Intellectual Disability (ID): Mild, Moderate, Severe, or Profound
 - Multiple Disabilities
 - Other Health Impairment (OHI)
 - Physical (Orthopedic) Impairment
 - Specific Learning Disability (SLD)
 - Speech/Language Impairment
 - Traumatic Brain Injury
 - Visual Impairment, Including Blindness



Section 3. Purpose of Conference

There may be more than one purpose of the meeting

- Domain Meeting to discuss assessment planning
- Eligibility Meeting Initial Evaluations and Re-evaluations
- IEP Annual Review yearly
- Other Meetings
 - Parent-requested conference or IEP meeting
 - Evaluation to consider a related service
 - IEP Revision Meeting amend services prior to A.R.



Section 4: IEP Team (participants as appropriate)

Who MUST attend?

- Parent(s) / Guardian
- A general education teacher who knows/teaches your child
- A special education teacher who provides services to your child
- Local School District Representative (e.g. Case Manager, Principal, AP, ODLSS District Representative)
- Those who conducted / can interpret evaluations (Initial Eligibility/new evaluations/reevaluations)

Only a Parent/Guardian can excuse a required IEP team member from an IEP meeting – in writing.





Section 4. IEP Team (participants as appropriate)

Who MIGHT attend?

- ODLSS District Representative or ODLSS Attorney
 - When you bring an <u>Advocate or Attorney</u>, or when the team will be discussing placement at a therapeutic day school.
- Related Service Provider(s)
 - If your child receives services from a school's provider, such as a Social Worker, Speech-Language Pathologist, Occupational/Physical Therapist, or Psychologist.
- Bilingual Specialist or Bilingual Teacher
- A Behavior Specialist
- A Specialist for a specific disability (e.g. Autism, Severe/Profound Intellectual Disabilities, physical disability)
- An Interpreter for those who have limited English proficiency or are deaf.
- Student students must be invited to attend if transition goals and services are being considered; student interests and plans must be considered.
- A Teacher qualified to teach pre-school if your child is 3-5 years old.
- A Community Agency Rep or Transition Representative when appropriate



Section 5. Procedural Safeguards

You are entitled to receive a copy of the Explanation of Procedural Safeguards. Must be provided to YOU 1x/year, and also when there is:

- 1. an initial referral,
- 2. a complaint, and
- 3. your request.

PLEASE REVIEW YOUR PROCEDURAL SAFEGUARDS REGULARLY!

NOTICE OF PROCEDURAL SAFEGUARDS FOR PARENTS/GUARDIANS OF STUDENTS WITH DISABILITIES (As of July 2018)

As the parent/guardian of a student or adult student with a disability who is receiving or may be eligible to receive special education and related service, you have rights which are safeguarded by state and federal law. The rights to which you are entitled are listed below. A full explanation of these rights is available from your child's school district. Please review this document carefully and contact the district if you have questions or need additional clarification regarding your child's services or the procedural safeguards available to you.

The notice of your procedural safeguards must be made available to you only one time a year, except that a copy also must be given upon an initial request for an evaluation, a receipt of the first written complaint or first due process complaint to the Illinois State Board of Education, upon a disciplinary removal that constitutes a change in placement, or upon request.

Additional information regarding your rights is available on the ISBE website: https://www.isbe.net/Pages/Special-Education-Parents-of-Students-with-Disabilities.aspx in a document entitled, "Parent's Guide - Educational Rights and Responsibilities: Understanding Special Education in Illinois (06/09)

PRIOR WRITTEN NOTICE

The local district is required to provide you with prior written notice:

- When the district proposes to initiate or change the identification, evaluation, educational placement or the provision of a free, appropriate public education to your child: or
- When the district refuses to initiate or change the identification, evaluation, educational placement or the provision of a free, appropriate public education to your child; or
- One year prior to your child reaching the age of majority (18 years of age). All
 educational rights transfer from parent(s)/guardian(s) to the student unless
 determined otherwise.

The written notice must be provided at least 10 days prior to the proposed or refused action and must include:

- A description of the action proposed or refused by the district, an explanation of why the district proposes or refuses to take action, and a description of any other options the district considered and the reasons why those options were rejected;
- A description of each evaluation procedure, test, record or report the district used as a basis for the proposed or refused action;

ISBE 34-57J (7/18)



Section 6. Language



- If English is not your primary language, and your child is an English Learner, you have the right to:
 - Request documents related to the IEP process (e.g. Procedural Manual), in your native language.
 - Request that an ESL/EL/Bilingual Certified Specialist attend the IEP meeting.
 - Request translation services at an IEP meeting
 - You may also request translation services in Due Process matters and at mediation



Section 7. General Considerations in the Development of the IEP

The FOUNDATION upon which the IEP is developed

- Student Strengths
- Academic Needs
- Developmental/Functional Needs
- Communication Needs
- Relevant Transition Information
- Medical Concerns
- Language and Cultural Considerations
- Parent Concerns



Section 8. Transition Services

If your child will reach 14 ½ or older between the start and end dates of the IEP, a transition plan needs to be developed.

Transition Planning may include:

- ODLSS Student Transition Assessment
- ODLSS Parent Transition Assessment
- Community Agency involvement if needed
- Student involvement in the IEP meeting
 - Case Managers and Teachers have access to tools in the Knowledge Center to help Students participate in their own IEP meetings.



Section 9. Areas of Need

Indicates the areas of need that require specialized instruction (goals) and/or Accommodations and Modifications

9. Areas of Need									
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a	&	a &	a &						
s	М	I M s	I M s						
✓	✓ English Language Arts (ELA)	☐ ☐ Art	✓ ✓ Independent Functioning						
✓	✓ Mathematics		☐ Physical/Sensory						
	☐ Biological & Physical Sciences	☐ ✓ Physical Education	□ □ Speech/Language						
	Social Sciences	☐ ☐ Health Education	☐ ✓ Health/Medical						
	─ World Language	☐ ☐ Library	☐ Social/Emotional						
	Vocational	☐ ☐ Computer							
	Other 1	Other 2	☐ Non Academic						
	Other 3		 Extra Curricular Activities 						
†Ac	†Accommodations and/or Modifications								



Section 10(a). Accommodations and Modifications: Special Factors

What are "Special Factors?"

- A&M's designed for students who are blind/visually impaired or deaf/hard of hearing
 - E.g. braille, sign language, communication support, scribes, total communication systems, etc.
- A&M's for students who are English Language Learners
- Alternative or augmentative communication devices to help a student interact with staff & peers or access the curriculum

Section 10(a). Accommodations and Modifications: Special Factors (continued)

What are "Special Factors?"

- Assistive Technology to access the curriculum or meet the student's behavioral or adaptive needs
- Behavior Intervention Plans if the student's behavior his/her learning or that of others
- Paraprofessional Support if required to access the general education curriculum or meet social, behavioral or adaptive needs.

Section 10(b). Accommodations and Modifications: General

Each identified area should include A&M's that support the student's unique learning needs based on the information provided in Section 7.

- They should be <u>specific</u> to each area of need.
- They should be thoughtfully selected and discussed.
- They should be <u>realistic</u>.
- They should address <u>non-academic</u> and <u>extracurricular activities</u> if warranted.



Section 10(c). Accommodations and Modifications: Assessments

Types:

- Classroom Assessments
 - A&Ms that allow a student to demonstrate ability
 - E.g.: extended time, small group setting, format of the test
 - A student's disability category does <u>not</u> determine the A&M type

A&M's may differ across subject areas



Section 10(c). Accommodations and Modifications: Assessments

Types:

- District-wide Assessments
 - If the student does not require A&M's in a subject area, s/he will not receive A&M's in that subject area for District assessments

A&M's may differ across subject areas



Section 10(c). Accommodations and Modifications: Assessments

Types:

- State Assessments
 - If the student does not require A&M's in a subject area, s/he will not receive A&M's in that subject area for State assessments
 - Students who have a severe intellectual disability may be eligible to participate in the alternative assessment (DLM-AA).

Section 11. Specialized Instruction

Goals & Benchmarks

- An IEP goal reflects specific instruction and strategies tailored to the student's individual needs and strengths.
 - Ask: How does this instruction differ from that which is provided to a general education student?
 - Ask: How are these strategies designed to help my child specifically?
 - Ask: How will this goal be measured?
 - The evaluation criteria and procedure for each benchmark and measureable annual goal should make sense and align with the strategies reflected in the benchmarks and goal.

Section 11. Specialized Instruction

Goals & Benchmarks (continued)

- Present Levels of Academic Achievement & Functional Performance (PLAAFPs)
 - Included at the top of each goal they should differ for every goal.
 - Academic Achievement: Expands on information provided in Section 7 to describe what the student can and cannot do, progress, and interventions utilized
 - Functional Performance: Describes how the student functions in the classroom; social-emotional skills, independent functioning, organization (executive functioning), motor skills, communication.
 - Other Considerations: What else would be useful in assisting the student's teacher(s) to better understand the student's need and implement the goal?



Section 12. Justification of Placement in the Least Restrictive Environment (LRE)

LRE Grid

Purpose: Establish the specific number minutes of specialized instruction that will be delivered in a particular setting.

The percentage of time that the student is removed from the general education classroom must be justified by specific rationale.

12. Justification of Placement in the Least Restrictive Environment (LRE Grid (2018-2019))

The Individuals with Disabilities Education Act (IDEA) presumes that students with disabilities will be educated in the general education classroom with their non-disabled peers with the appropriate supplementary aids and services UNLESS there is educational justification for services in a separate setting. The bell-to-bell elementary school week is 2100 minutes and the high school week is 2175 bell-to-bell minutes; Preschool students in a half-day program have 775 bell-to-bell minutes.

Specialized Instruction Area and/or Related Services	Modification Accommod				ion of Special Education/Related Services be noted in number of minutes per week		
			Direct Services General Education		Direct Services in Separate Class	Community-Based Instruction	
Occupational Therapy Independent Functioning	Yes		15 MPW		15 MPW		
Independent Functioning	Yes						
Language Arts/English/Reading	Yes				1500 MPW		
Mathematics	Yes						
TOTAL # of minutes per week (MPW)			15 MPW		1515 MPW	0 MPW	

Consultation/Collaboration Subject	Consultation/Collaboration Will Occur Between the Following Providers	Frequency of Consultation/Collaboration
Independent Functioning	Occupational Therapist to Paraprofessional	15 minutes monthly
Health/Medical	Nurse to Special Education Teacher	15 minutes monthly

John is in general education with only accommodations and/or modifications for the following academic subject areas:

- Music
- Physical Education

John is with non-disabled peers for all other academic subject areas and non-academic activities with no accommodations or modifications.

John will have the same opportunity to participate in extracurricular activities as non-disabled peers.



Section 12. Justification of Placement in the Least Restrictive Environment (LRE)

"Least Restrictive Environment"

Individuals with Disabilities Education Act (IDEA)

- A public school must ensure that a child with a disability is educated with his/her nondisabled peers to the maximum extent appropriate.
- Special classes, separate schooling, or other types of removal from the general education environment should only occur if the nature or severity of the student's disability is such that education in a general education setting with supplementary aids and services cannot satisfactorily achieved.

What Drives the LRE Decision?

- DATA! Progress; response to specialized instruction and A&M's.
- A discussion on why your child's academic, functional, and/or socialemotional needs can/cannot be met through supplementary aids and services within the general education classroom.
- The LRE decision is revisited each year at the <u>IEP Annual Review</u> or sooner if necessary.



Section 13. Curriculum, Grades, Promotion, and Graduation

Curriculum

• This section should only be completed for students who require a significantly modified curriculum based on their disability (e.g. students who participate in low-incidence "cluster" programs).

Grades

- An IEP team may consider modifying the weight of grading components such as assessments, homework, classroom participation, and projects based on a student's disability.
- E.g.: A = 100% homework completed, 95% attendance, volunteering in class 1x a day B = 95% homework completed, 90% attendance, volunteering in class 3x a week

Promotion & Graduation

- Aligns with the CPS Promotion Policy* for Benchmark Grades: 3rd, 6th, 8th, and HS.
- The standard criteria applies to all students with disabilities unless modified in the IEP.
- Students with disabilities cannot be required to meet additional or higher promotion or graduation criteria as compared to their nondisabled peers.
- CPS policy indicates that Kindergarten students cannot be retained.



Section 14. Extended School Year

Extended School Year (ESY)

- Purpose: To prevent significant skill loss caused by an interruption in special education and/or related services.
- Eligibility (determined annually):
 - Regression / Recoupment
 - Regression of previously learned skills during a break in instruction and limited recoupment of these skills.
 - The student requires more time to recoup the knowledge / skills relevant to his/her IEP goals.

Critical Skills

- Skills that enable a student to increase academic or functional performance or self-sufficiency; the skills/goal is at a critical stage of development.
- Break in services will result in a loss of opportunity and/or skill mastery.
- Special Circumstances
 - E.g. frequent health-related absences, physical condition, extended absences.



Section 15. Transportation

Transportation

- Purpose: Provided if the student cannot transport him/herself to school in the same manner as his/her nondisabled peers due to the student's disability.
 - A student may also be provided if the District recommends placement at a school other than the student's neighborhood school (e.g., cluster program, therapeutic day school).
 - Transportation is <u>NOT</u> based on:
 - Age
 - Parent convenience
- Justification: The IEP Team must provide specific rationale for transportation eligibility and the manner in which the student should be transported.
 - If applicable, describe medical needs, behavior needs, specialized equipment
 - If the student is eligible for transportation, but you (Parent/Guardian) refuse or decline transportation, this must be noted in the IEP.



OTHER SECTIONS OF THE IEP TO BE AWARE OF



IEP Notes Section

- Should capture the <u>ENTIRE</u> meeting.
- 2. NOT the same as the Parents Concern Section.

3. SHOULD be provided a copy of this with your

students' IEP.



Dissent Section

There IS a Section of the IEP that acknowledges a DISSENT, which reflects a disagreement with any/all of the IEP.

NOTE: this does not prevent the IEP from being implemented!

- You MUST be given a copy of this, as it is becomes part of the IEP even if it is submitted after the meeting.
- 2. Anyone on the IEP Team can dissent, not just the parent / guardian.



What You Should Receive After the IEP Meeting

- A copy of the finalized IEP
- Data / finalized data collection forms
- 3. All finalized evaluation reports
- 4. Notice of Non-Implementation <u>if</u> services are not implemented within 10 school days of the IEP meeting (i.e. finalized IEP).

QUESTIONS?



