

# Maximizing Opportunities: IEP Development

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Special Educator – 1978 - 1993

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# Districts and Topics

- Consultations:
  - Consulted with 90+ districts across MA
  - Speaker at district, regional, national and international conferences
- Topics:
  - IEP writing strategies, DCAP, Transition, Co-teaching, Section 504, Accommodations/Modifications, Special Education law, Disability awareness

# Strategies and Templates to help educators

- Titles of some presentations:
  - IEPs: Can't we make this easier?
  - What's so special about special education?
  - You can do it – Making special education law and the IEP accessible and logical
- Templates and strategies
  - IEP writing is already difficult and stressful
  - Templates and strategies that can be used in many IEPs, yet are flexible enough to be individualized

# The IEP – You can't do it wrong!

- Yes, you can make mistakes but...
- Ground yourself in FAPE, Good Faith and LRE

# Entitlement to Public Education

- I think we can all agree that students are entitled to public education
- The Supreme Court has stated such
- What was the basis of the Court's entitlement interpretation?

# 14<sup>th</sup> Amendment

Section. 1. All persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

<https://www.law.cornell.edu/constitution/amendmentxiv>

# Goss v. Lopez, 1975

The Supreme Court in the ruling of Goss versus Lopez, 1975, indicated the concept of property in relationship to education. ... *and must recognize a student's legitimate entitlement to a public education as a property interest that is protected by the Due Process Clause, and that may not be taken away for misconduct without observing minimum procedures required by that Clause.*

<https://www.law.cornell.edu/supremecourt/text/419/565>

# What impacts property?

- Special education: eligibility, the IEP, services/placement
- Specially designed instruction/modifications
- Accommodations DO NOT impact property
- General educators misunderstanding of accommodations
- This can cause stress between general and special educators
- What to do? What resource?

# DCAP - Accommodations for anyone

- *All staff may provide individual accommodations to students on an as-needed basis and specific to the content or situation*
- *While it lists best practices, sample strategies and other actions from which the teachers and collaborating staff may select for appropriate accommodations for individual students, in no way does the DCAP limit the accommodations that staff may choose to implement in order to meet a student's needs.*

***From Reading Public Schools DCAP, Page 4***

Best Practices  
Differentiation/Accommodations  
District Curriculum Accommodation Plan (DCAP)

- **Some Students**
- Section 504
- 504 Plan
- Accommodations
- **General Educators**

- **Some Students**
- Special Education
- IEP
- Accommodations
  - **General and Special Educators**
- Specially-Designed Instruction/Modifications
  - **Special Educators**

# Accommodations

1. Often confused with modifications.
2. Assist the student in more effectively accessing curriculum.
3. Usually available in a general education setting, and could be made available to any number of students.
4. Do not take the student off grade level, nor do accommodations result in removal of the student from others without disabilities.

[www.pent.ca.gov/acc/common\*\*definitions\*\*\\_accom-mod.pdf](http://www.pent.ca.gov/acc/common<b>definitions</b>_accom-mod.pdf)

# ACCOMMODATIONS IN THE IEP

- **SETTING**

- Making purposeful determinations for **change in the environment** for a student

- **PRESENTATION**

- Making purposeful determinations for how **information is provided To a student** (this is statistically the most frequent accommodation)

- **TIMING/SCHEDULING**

- Making purposeful determinations for **altering time allocations or the schedule** for a student (extra time, at a particular time of day, etc.)

- **RESPONSE**

- Making purposeful determinations for **how a student will provide information** to the teacher or others

# Accommodations in the IEP or 504

- “Laundry list” of accommodations
- Time consuming to review
- Let’s make the list of accommodations more accessible

# Suggestions

It might be helpful to set up the four areas and begin with these sentence starters such as:

**Setting** – *Allan needs the following setting accommodations:*

**Timing** - *No timing accommodations are necessary at this time.*

**Presentation** - *Allan needs the following presentation accommodations:*

**Response** - *Allan needs the following response accommodations:*

# Accommodations (things are likely to change)

- Presentation, Response, Timing and Scheduling, Setting
  - Type
  - Provider
  - State or district wide assessment
  - Locations
    - Academic: Classrooms
    - Life of the school and non-academic environments
    - Extracurricular

(<http://www.doe.mass.edu/sped/improveIEP/representative-models.pdf>)

# Specially Designed Instruction

What type(s) of specially designed instruction is necessary for the student to make effective progress?

1. Content – **What** needs to be taught/learned
2. Methodology/delivery of instruction – **How** the student will be taught/services necessary
3. Performance criteria – **How** student will be assessed/evaluated

NOTE: Progress reports, teacher observations, informal assessment

# PLEP A? PLEP B?

- What is the difference between the two?
  - Needs impact participation in curriculum – PLEP A
  - Needs impact areas that are NOT curriculum – PLEP B
- Good news – these are likely to go away in the next iteration of the IEP!
- Combined into one section and renamed: “Access and Participation Support in the Classroom and Life of the School”

(<http://www.doe.mass.edu/sped/improveIEP/representative-models.pdf>)

# When writing the IEP...

- The first thing that IEP writers obsess about is:
  - Goals and objectives
- I suggest that IEP focus on prior elements first
- Why?
- Consider the Writing Process...

You can't determine the **details** before you write about the **topic**.

### Goals and Objectives as a Writing Activity

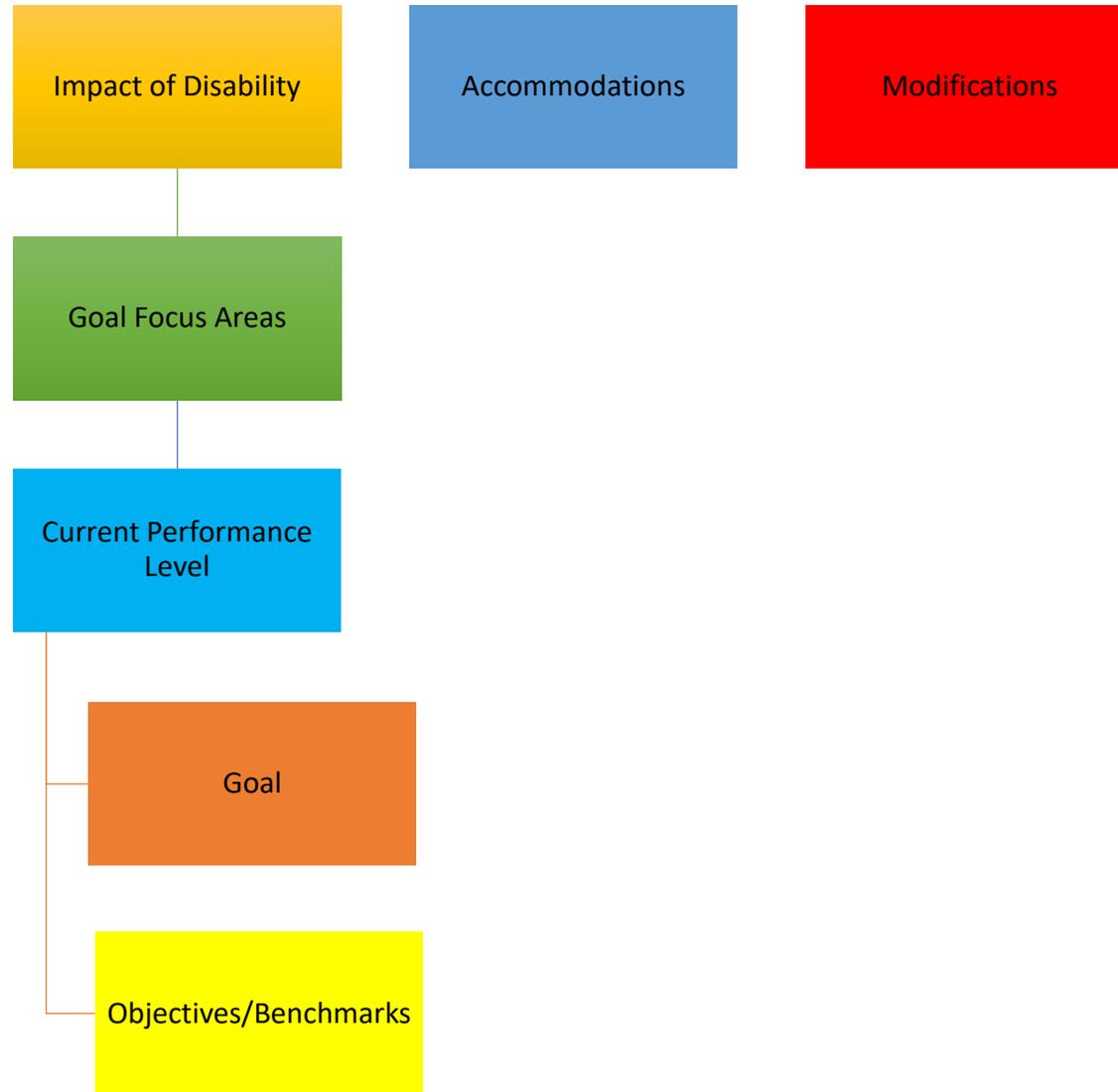
- The writing process:
- Determine a Topic.
- Brainstorm and put those thoughts into a Paragraph.
- Verify the Main idea
- Supporting details.

Apply this to determination of Goals and Objectives

Topic	=	Goal Focus
Paragraph	=	Current Performance Level
Main Idea	=	Goal
Details	=	Objectives

# The IEP as a funnel- it is only as good what gets poured in





# Determining goal focus (topic)

IDEA: § 300.320 Definition of individualized education program.

(a) General. As used in this part, the term individualized education program or IEP means a written statement for each child with a disability that is developed, reviewed, and revised in a meeting in accordance with §§300.320 through 300.324, and that must include

...(2)

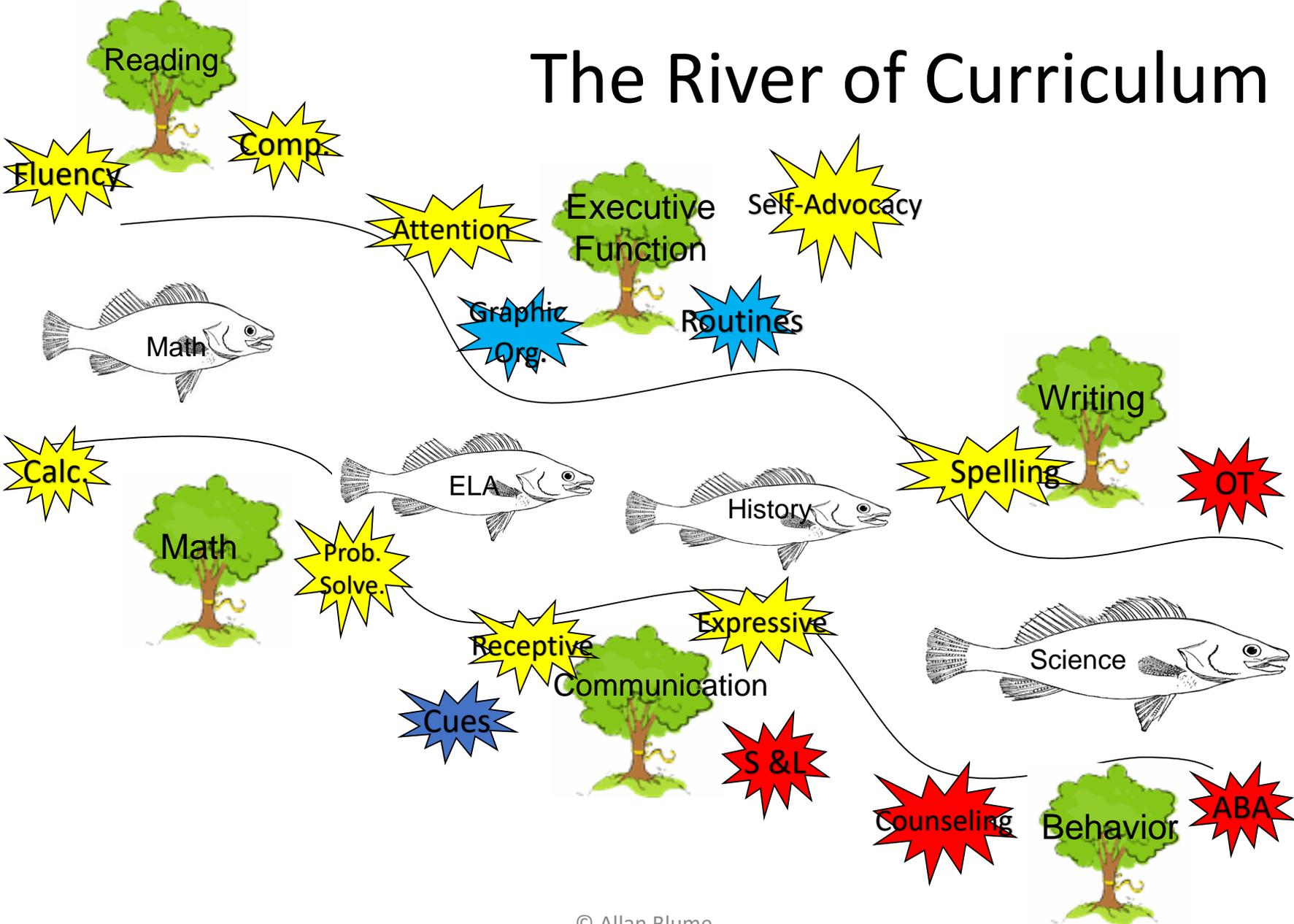
(i) A statement of measurable annual goals, including academic and functional goals designed to--

(A) Meet the child's **needs that result from the child's disability [Emphasis added]**

# Needs that arise from the disability...

- Skills, abilities, challenges that arise from the disability
- Needs are internal to the student – arise from the disability
- Goal focus areas come from the internal – not the external
- External to student: related services, curriculum, placement, services

# The River of Curriculum



# Possible IEP Goal Focus Areas identified within PLEP statements

- ❖ Reading comprehension
- ❖ Communication
- ❖ Time management
- ❖ Self advocacy
- ❖ Self-regulation
- ❖ Organization
- ❖ Independent travel
- ❖ Money management
- ❖ Interpersonal and social skills
- ❖ College and career exploration

- ❖ Mathematics skills
- ❖ Fine Motor skills
- ❖ Healthcare skills
- ❖ Writing skills
- ❖ Etc.

**Reminder:**  
**Goals are written to reflect what the student will do, not what service is provided.**

<http://www.doe.mass.edu/sped/cspd/mod3.html>

# How many goal focus areas?

- The number of goal focus areas are informed by the Impact of the Disability statement.
- For example: if 2 - 3 skill areas were identified in the PLEP statements then, likely to have 2 - 3 goal focus areas
- Per the Massachusetts Department of Elementary and Secondary Education, most IEPs should include only about three to four goals.

<http://www.doe.mass.edu/sped/iep/proguide.pdf> (page 18).

# Current Performance Level

- The Current Performance Level (CPL) is a **data-based narrative** regarding how the student is doing with the goal focus skill area.
- The CPL is a short narrative that provides objective **quantifiable** points of reference regarding the student's skill and performance within the goal focus area.
- The CPL is a data-based narrative that provides the **baseline** to measure all subsequent progress for the student within the specified goal focus area.
- A CPL is **not complete unless it contains data** – more on this later

# How long is the CPL good for?

- Even though it sits in the IEP for 364 days
- CPL is only as good as the day it was written
- The CPL in the IEP “expires” when the first Progress Report is written
- The Progress Report becomes the de facto new “CPL”

# How all of this works to your advantage:

- Current Performance Level – key word: **Current**
- Current Performance Level is **data-based**
- Current Performance Level = **Baseline** at a moment in time
- **Progress Report** is data-based = **New baseline**
- Progress Report = “**new**” **CPL**, even though the CPL within the IEP will reside there for a full IEP year.
- Each new Progress Report = **New baseline** = **new CPL**
- The last Progress Report written becomes the basis for the CPL for next year’s IEP which will reside there for a full IEP year

# The Goal –to be measurable you will have to observe it first (what about objectives???)

34 CFR 300.320 (a) (2)

(i) A statement of measurable annual goals, including academic and functional goals designed to--

(A) Meet the child's needs that result from the child's disability to enable the child to be involved in and make progress in the general education curriculum; and

(B) Meet each of the child's other educational needs that result from the child's disability;

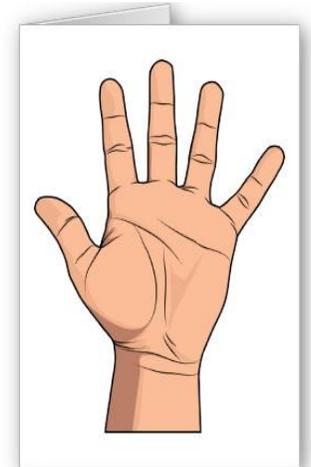
(ii) For children with disabilities who take alternate assessments aligned to alternate achievement standards, a description of benchmarks or short-term objectives;

# The concept of SMART

- **Specific**
- **Measureable**
- **Action Words**
  - **Realistic**
  - **Time-limited**
- SMART goals – in states that follow IDEA as written
- MA – we have goals AND objectives for ALL students
- Suggestion – make goals observable and measureable and make objectives SMART

# The Five Parts of a SMART Objective

- **Condition** – what needs to be present or provided in order for the skill to occur
- **Learner's name**
- **Skill/ performance or behavior** – something observable that the learner is expected to do (the verb in the sentence)
- **Criterion** - how the skill will be measured
- **Schedule/Mastery** - when we know that the learner has achieved or surpassed the expectation or when data will be gathered



# How does any of this reduce stress?

- Can't do it wrong
- Use the funnel...work with the flow not against it
- Know that changes are coming that should help
- Reduce stress in two ways starting today:
  - Divide accommodations into four areas
  - Engage general educators with their role in providing accommodations
  - Allow the PLEP statement(s) to identify and inform the subsequent goal focus areas
  - Make the goal observable and measureable, make the objectives SMART

# Questions?

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