
SPAN

Statewide Parent Advocacy Network, Inc.

Developing an IEP
For Achievement

What is SPAN?

SPAN (Statewide Parent Advocacy Network) is New Jersey's federally funded Parent Training and Information Center (PTI).

What SPAN Provides

- TRAINING
- TECHNICAL ASSISTANCE
- INFORMATION
- SUPPORT

...to parents of children with disabilities and special health and emotional needs.

Developing an Individualized Education Program Must Include:

- Appropriate assertiveness
- Advocating for your child
- Building self-advocacy



Developing an Individualized Education Program for Achievement Begins With:

1. Great Expectations
2. Understanding your child's abilities and disabilities
3. Understanding the general education curriculum
4. Understanding education laws and regulations
5. Building Partnerships

Great Expectations

- Visions

- Hopes

- Determination

- Dreams

- Perspective

- Courage

Understanding Your Child's Abilities and Disabilities

- List your child's abilities, skills and talents
- Read books, articles, journals related to your child's disability
- Attend lectures, workshops and conferences
- Be aware of local, state and non-profit service providers
- Become involved in local parent group
- Join national and state disability-specific organizations

Building Partnerships

Establish a
working
relationship

Encourage
mutual respect

Support Shared
planning &
decision-making

Develop honest,
direct & clear
communication

Promote joint
responsibility

Steps to Developing Advocacy Skills

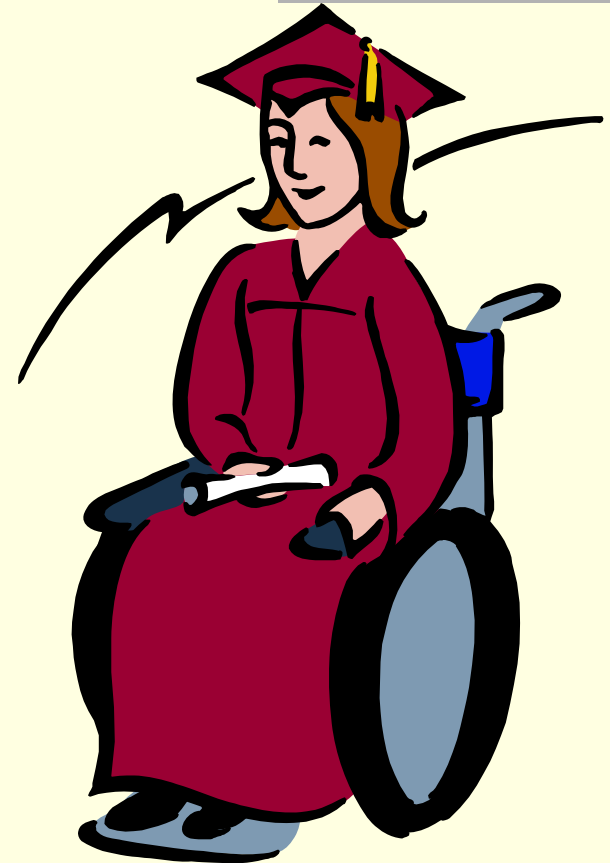
- Define what you need
- Know your rights
- Know your responsibilities
- Know the "system" and procedures
- Keep records!

Developing a Vision of Advocacy

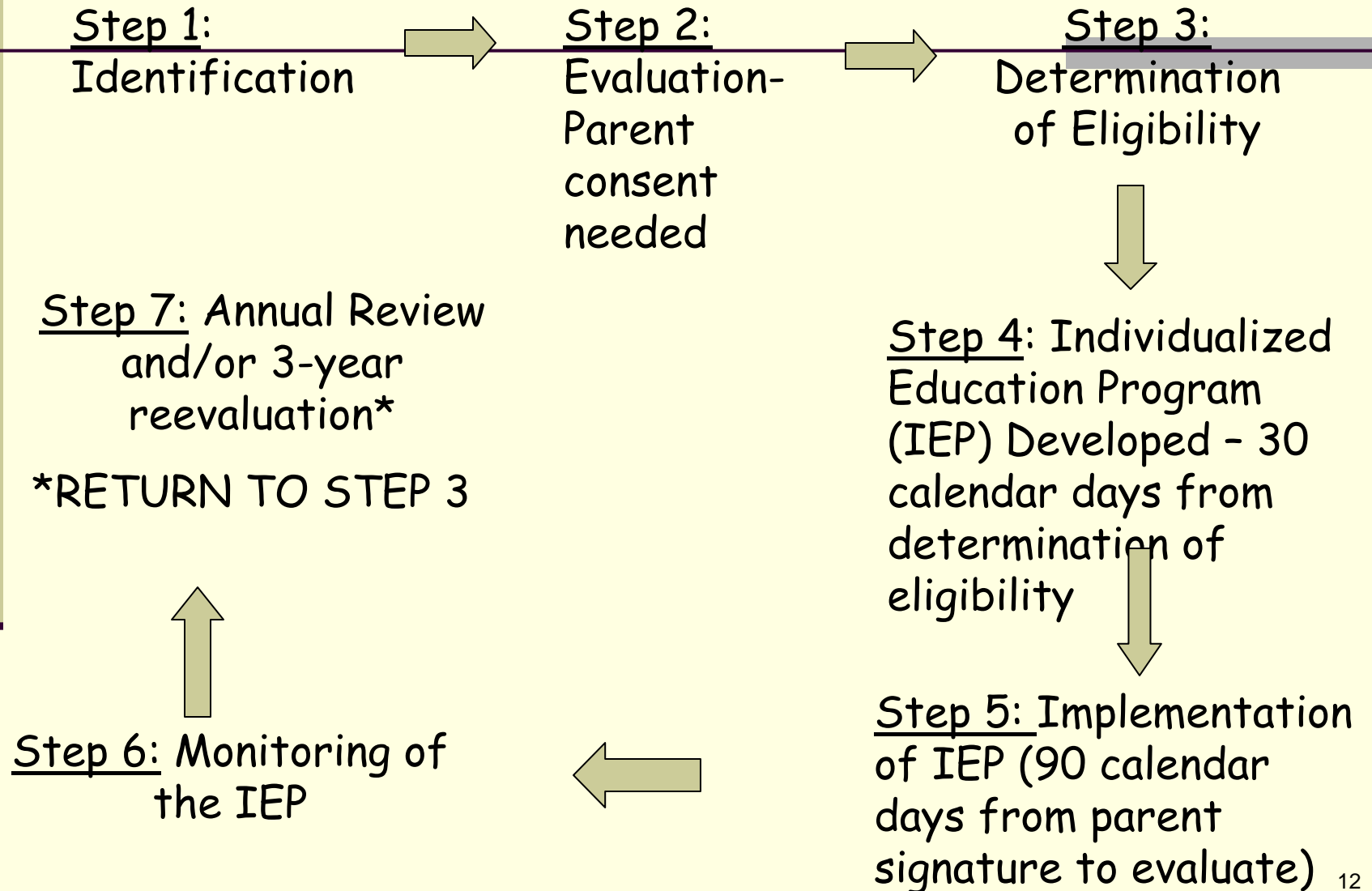
- I believe I am the expert regarding my child.
- I recognize that I am the constant in my child's life.
- I perceive myself as an active agent responsible for change.
- I recognize and promote my child's abilities, talents and interests...

Developing a Vision of Advocacy

- I expect people to view my child as a child first with the same basic needs as any other child.
- I believe a person with a disability is a valued and contributing member of the family and society.
- I have high expectations for my child and believe my child has the skills to obtain integrated services and full citizenship.



Special Education Delivery Cycle



Parental Signature

There are three occasions when parental signature is required in order for the local school district to take an action:

- When the child is first referred to the Child Study Team for a formal, complete evaluation
- To implement the very first IEP developed
- To conduct a reevaluation

Parent Participation

- Parents are part of the group that makes the decision regarding their child's eligibility and educational placement.
- Parents must be given the opportunity to participate in **all meetings** related to the identification, evaluation, educational placement and the provision of FAPE for their child

Revocation of Consent

Supplemental regulations released in December 2008 allows parents to revoke their consent to special education services for their child. The school district still has an obligation to educate the child in general education and will still be held accountable for that child's success or failure on NCLB tests.

The district may still be required to provide services under Section 504 if the child has a disability.



What are parental responsibilities?

Parents must learn to:

- Communicate more effectively with educators
- Increase knowledge of Federal & State Laws that affect children with and without disabilities
- Participate in education decision-making process
- Increase knowledge of the nature of their child's disability/special health care needs; and
- Meet other parents for the purpose of support, information sharing and confidence building.



IEP Process

1. Identification	7. Identification of Student's Strengths, Needs and Skills
2. Determination of Whether Evaluation will be conducted	8. Development of Goals & Objectives
3. Identification of Collaborative Planning Team	9. Identification of Supports and Services
4. Evaluation	10. Identification of Least Restrictive Environment
5. Determination of Eligibility	11. Provision of Ongoing Support and Monitoring
6. Eligibility Criteria	

Child Study Team

- Learning Disabilities Teacher Consultant (LDTC)
- Psychologist
- School Social Worker
- Speech Therapist/Teacher (children 3-5 and students for whom speech and language delays are a part of their disability)
- School nurse to review medical records

*at least two members must conduct evaluation

Evaluation

- Must evaluate in every area of suspected disability
- Initial evaluation must include at least two of the following areas:
 - Health
 - Psychological
 - Educational
 - Social
- Testing is individualized & validated for purpose used
- Administered by trained, knowledgeable personnel
- In appropriate language and form most likely to yield accurate information on what the child knows and can do academically, developmentally, and functionally, unless it is not feasible to so provide or administer (IDEIA) and in student's native language (NJ State Code).
- Nondiscriminatory (on racial or cultural basis)

Evaluation - continued

■ Functional Assessments:

- One structured observation in non-testing setting
- Interview with parents; teacher/s
- Review of pupil's developmental/educational history
- Review of interventions used in classroom

■ Functional Behavioral Assessment:

- In the case of a child whose behavior impedes his or her learning or the learning of others, include a FBA in the evaluation process.
- Looks at why a child behaves as he or she does, given the nature of the child and what is happening in the environment.

TIPS for participation in Evaluation Cycle

- Know your Case Manager
- Provide information about your family that is educationally relevant
- Network with other Parents
- Get a copy of all test and assessment results prior to the meeting (10 days in advance)
- Monitor the evaluation process.
- Review Parental Rights in Special Education

Determination of Eligibility

- When evaluation is completed, meeting is held to review evaluation data with the parent and determine eligibility.
- Parents must receive evaluation reports 10 days in advance of the eligibility meeting.
- If student is determined eligible, the team can begin developing the IEP or wait to convene another meeting to begin the IEP development

A child cannot be determined to have a disability based on a lack of instruction in math, reading or limited English proficiency, if the child does not otherwise meet eligibility requirements.

Parent TIPS for Participation in Eligibility Meeting

- Eligibility meeting usually leads directly into the IEP meeting, so be prepared for participation, or
- Request another meeting.
- Postpone discussion of classification until child's needs, annual goals and objectives (they are still in our Code), and services are determined.
- Do not let classification label drive the planning process!

NJ Eligibility Criteria

Auditorily Impaired	Multiply Disabled	Specific Learning Disability
Autistic	Deaf/Blindness	Traumatic Brain Injury
Cognitively impaired	Orthopedically Impaired	Visually Impaired
Communication Impaired	Other Health Impaired	Preschool Disabled*
Emotionally Disturbed	Social Maladjustment	Eligible for Speech/Language Services Only**

Independent Evaluation

- Parent has the right to an independent evaluation, at public expense, should there be a disagreement with the evaluation provided by the district
- Make the request in writing
- State which evaluations are being requested
- No need to identify why disagreement

Reevaluation

Is needed to determine:

- If the child continues to have a disability and continues to need special education and related services
- The child's present levels of academic achievement and functional performance and educational needs

LEA must ensure that reevaluation is conducted **if conditions warrant it**, or if the child's parent or teacher requests it, but at least once every three years, and no more than once a year unless the district and parent agree otherwise.

Reevaluation - Continued

- CST meeting **must be held** every 3 years to determine whether evaluations must be conducted to determine:
 - If any additions or modifications are needed to the child's program to enable child to meet IEP goals and participate, as appropriate in the general curriculum.
- Team reviews evaluation data and:
 - Evaluations and information provided by parent
 - Current classroom-based assessments and observations
 - Observations by teachers and related service providers

What is an IEP?

- Road Map to your child's education.
- Process
- Product
- Primary mechanism for parental participation in the special education cycle.
- Agreement between the local school district and parents to provide required services

Who develops the IEP?

THE IEP Team

- Parent
- Case Manager
- General Education Teacher
- Special Education Teacher
- Representative to commit resources
- Someone to interpret evaluation results
- Other specialists, as needed
- Child, as appropriate

*Note: Under State Code, Case Manager must be a Child Study Team member and must participate on IEP Team

IEP Team

- Must include the child's general education teacher if the child is or may be participating in general education
- General educator need not participate in all decisions or be present throughout the entire meeting, but must be present whenever issues affecting general education are discussed
- Each of student's teachers, including general educator(s), must be informed of responsibilities related to IEP implementation, and specific accommodations, modifications, and supports that must be provided

Excusal from IEP Meeting

- IEP team members whose area of expertise is not being discussed may be excused - with informed written consent. Parent may not be intimidated to consent, and do not need to give any reason for refusal to consent.
- IDEA 2004 allows for excusal of members with written input, even if their area is being discussed. NJ Code does not currently allow this. As of now, districts are not being encouraged to allow multiple members to be excused.

Participation of General Educator on IEP Team

■ Why is it so important?

- Knowledge of Core Curriculum Contents Standards and district curriculum
- Opportunity to “take ownership” and be better prepared to meet child’s needs
- Opportunity to discuss child’s strengths, needs, evaluation results, goals and objectives
- Opportunity to help shape services and strategies
- To alleviate fear about inclusion, we must provide opportunities for general educators to ask questions

Service Definitions Under IDEA

- Special Education & Related Services:
 - New language added to IDEA "based upon peer-reviewed research to the extent practicable."
 - Parents can use this language to question recommendations for services and placements that are not appropriate, or to request other services and placements that are research-based
 - Example: inclusive practices, positive behavior supports

Service Definitions Under IDEA

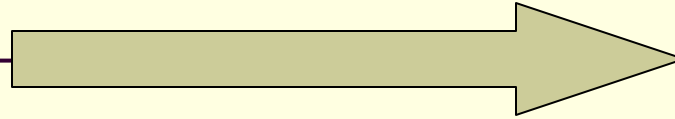
■ *"Specially-designed instruction"*

- Adapting content, methodology, or delivery of instruction, to meet each child's unique needs and to ensure his/her access to the general curriculum.

■ *"Supplementary aids and services"*

- Aids, services or other supports that are provided in general education or other education settings to enable children with disabilities to be educated with non-disabled children to the maximum extent appropriate.

IEP Development



Present
Levels
Of
Educational
Performance

Measurable
Annual
Goals
&
Short-term
Objectives

Program
Modifications
Or
Supports for
School
Personnel

Measurement
And
Report of
Student
Progress

Student
Needs

Instructional
Content

Access

Student
Progress

Required Components of IEP:

1. **Present Levels of Academic Achievement and Functional Performance**
 - Includes how child's disability affects involvement and progress in general curriculum
 - Current, Objective, Measurable, Understandable
 - Academic and non-academic areas affected
 - Includes student's strengths, parental concerns Includes every area of need (link to annual goals and objectives)
 - For preschool age children, how disability affects participation in appropriate activities

Present Levels - Continued

Academic and non-academic areas affected:

- Describes what student can do/is going (strength) and cannot do/is not doing (need)
- Basis for accommodations, adjustments and special services to access the general curriculum and appropriately participate in certain areas of curriculum
- Provides link to the rest of the IEP by stating needs that can be developed into measurable annual goals and benchmarks or short-term objectives

Parent TIPS: Student Strengths, Needs, and Skills

- Fill out Positive Student Profile; distribute it at the IEP meeting!

http://www.spannj.org/BasicRights/appendix_c.htm

- Complete Goals-at-a-Glance
- Determine your negotiable and non-negotiable support needs

Required Components of IEP

2. Measurable annual goals including benchmarks or short term objectives related to meeting:
 - The child's needs so the child can be involved and progress in the general curriculum
 - Other educational needs that result from the disability
 - IDEIA eliminated requirements for benchmarks or short term objectives in the IEP, except for students participating in alternate assessments
 - However, state regulations exceed this requirement, therefore, unless NJ Code is amended, the requirement to include them in all IEP's continues to be in effect.

Developing Goals & Objectives

- Goals: Long-range plans
- Objectives: Intermediate steps necessary to reach the goal
- A well written goal is:
 - A positive statement that describes an observable event
 - Based upon present levels of performance with appropriate short-term objectives

Elements of a Goal

- Who: Who is achieving the goal?
- What: What skill or behavior?
- How: In what manner or at what level?
- Where: In what setting or under what conditions?
- When: When will desired behavior be accomplished?
- Mastery: Frequency child should exhibit desired behavior?

Matching Goals with Services & Supports

- Discuss Supports, Services, and activities to address goals
- Identify training needs of all staff
- Determine Supplementary Aids and Services

Parent TIPS: Development of Goals and Objectives

- Keep in mind --
 - New Jersey Core Curriculum Content Standards
 - Student preference
 - Your preference
 - Chronological age appropriate
 - Applying skills in new places
 - Physical enhancement
 - Social contact
 - Expanding horizons
 - Functionality

My Older Brother Daryl

- After 12 years of schooling, my brother Daryl who is 18, has learned to do a lot of things!
 - He can sort blocks by color, but he can't sort clothes for washing!
 - He can count to 100 by remote memory, but he doesn't know how many dollars to pay the waitress for a \$2.59 sandwich!
 - He can put 100 pegs in a board with 95% accuracy in less than ten minutes, but he can't put quarters in the vending machine for a soda.

Goals & Objectives Development - Example

- From "Present Levels":
 - Bill's listening comprehension is at the application level. He can use prior knowledge in new situations without being shown how to use it. He doesn't consistently comprehend at the analytical and interpretive levels. He doesn't determine cause and effect, draw conclusions or make predictions and inferences.
- Annual Goal:
 - Bill will increase listening comprehension skills to the interpretive level
- Benchmarks/Short Term Objectives:
 - Bill will:
 - Determine cause and effect by 11/1/97
 - Draw conclusions by 1/15/98
 - Make predictions and inferences by 5/1/98
- Implications for accommodations, modifications...

Required Components of IEP

3. Special Education and related services and other supports and services for child to:
 - Advance toward annual goals
 - Progress in general curriculum
 - Participate in extra-curricular activities and non-academic activities
 - Be educated and participate with children who do not have disabilities

The IEP Shall Include:

1. Explanation of extent of participation of student in general ed. & extracurricular and nonacademic activities
2. Statement of modifications in administration of State or District-wide assessment
3. Statement specifying projected date for beginning of services and modifications including frequency, duration and location of services
 - For in-class resource programs, specify frequency and amount of time in-class resource teacher will be present in gen. Ed.

Related Services

“Transportation and such developmental, corrective, or other supportive services as are required to assist a child with a disability to benefit from special education.”

■ Term includes:

- Speech-language pathology and audiology
- Psychological services
- Physical and occupational therapy
- Recreation, including therapeutic recreation
- Counseling including rehabilitative counseling
- Orientation & mobility services
- Medical services for diagnostic or evaluation purposes
- School health services
- Social work services
- Parent counseling and training

The IEP Shall Include: Transition Plan

4. Beginning at age 14, statement of State and local graduation requirements student must meet. Any exemptions must include rationale and description of alternate proficiencies to qualify for State endorsed diploma.
 5. Statement of transition from elementary to secondary program.
 6. Beginning at 14 or younger, statement of transition services needed to take student from school life to adult life
- IDEA 2004 states that the date for transition to begin is at age 16. State code remains at 14 as of now.

The IEP Shall Include: Transition Plan

7. Beginning at 16 or younger as needed, statement of transition services, including interagency responsibilities and needed linkages.
 - IEP include "appropriate, measurable post-secondary goals based upon age appropriate transition assessments related to training, education, employment, and where appropriate, independent living skills
 - *Transition services shall take into account the student's preferences and shall include:*
 - Instruction
 - Related Services
 - Community Experiences

The IEP Shall Include: Transition Plan

8. Person responsible as liaison to post-secondary resources.
9. Beginning at least 3 years before student turns 18, inform parent of transfer of rights that will transfer to student at age of majority.

The IEP Shall Include:

10. A statement of how progress toward annual goals will be measured
11. A Statement of how parents will be informed of progress, at least as often as report cards are sent out, including extent to which progress is sufficient to achieve goals by end of year
12. Defined roles and responsibilities in implementation of IEP
13. Exemptions from local disciplinary policies
14. Instructional strategies
15. Rationale for type of education & placement*

IEP Team Shall Consider:

- Strengths of student & concerns of parents
- Results of initial and most recent evaluations
- Behavior needs
- Language needs for students with limited English proficiency
- Instruction in Braille for visually impaired students
- Communication needs, including special needs of students who are deaf or hard of hearing
- Need for assistive technology
- Need for extended school year
- Beginning at 14, need for technical consultation with DVRS, Dept. of Labor/other agencies

Assistive Technology

- Device: Any item, piece of equipment, or product system used to increase, maintain, or improve the functional capabilities of a child
- Service: any service that directly assists a child with selecting, acquiring or using an assistive technology device and includes:
 - Evaluation
 - Providing equipment
 - Maintaining, customizing, replacing
 - Coordinating other therapies with AT
 - Training and technical assistance for children, families, staff

Assistive Technology

- May be provided as:
 - Special education services
 - Related services
 - Supplementary aids and services
- Supplementary aids and services:
 - Aids, services and other supports provided in regular education classes or other education related settings to enable children with disabilities to be educated with children who do not have disabilities to the maximum extent appropriate

Extended School Year

- Special Education and related services:
 - Beyond the normal school year
 - In accordance with the IEP
 - At no cost to parents
- Must be provided if services are necessary to insure provision of FAPE
- Services meet State standards
- Not limited to categories of disabilities or automatically limited in duration

Placement Decision is...

- Made by a group of persons including parents
- In conformity with LRE
- Determined annually
- Based on the IEP
- As close as possible to home

Least Restrictive Environment

All children are entitled to a free, appropriate, public education in the **LEAST RESTRICTIVE ENVIRONMENT (LRE)**.

AFTER the IEP is developed, the placement where the IEP will be implemented shall be determined by the IEP team. According to the law, first consideration should should always be given to placement in the general education classroom with appropriate supports and services,

This is often referred to as “**Supported Inclusive Education.**”

LRE in the Continuum of Educational Services

General Ed. With Special Education Support Services ↓	Day School & Special Class Clusters ↓
In-Class Resource Center Support & Other Related Services ↓	Residential Programs ↓
Pull-Out Resource Center Support & Related Services ↓	Hospital Schools ↓
Special Classes with Inclusive Opportunities in Academic & Non-Academic Classes	Home Instruction

*Always follow continuum as listed above only as far as necessary!*⁵⁹

Placement

- Teachers and administrators must be made aware of their “least restrictive environment” responsibilities
- Teachers and administrators must be provided with training and technical assistance to help them meet these obligations

Parent tips : Preparing for “The Meeting”

- Gather & review information
 - Do you need more information?
- Review Core curriculum
- Know your legal rights.
- Complete IEP checklist
- List significant changes
- Positive Student Profile
- List related services your child needs
- Any problems with current program?
- Notify case manager if bringing a support person
- Document phone calls

Parent Tips: Preparing for "The Meeting"

- Find out who will attend IEP
- Make sure enough time has been scheduled
- Be ready to support your ideas and requests
- Plan for the meeting
 - Organize your materials
 - Write down your questions
 - Know what you want to say
 - Practice communicating assertively

Parent Tips: Participation at “The Meeting”

- You are part of the team
- Commit to working together
- Participate in all meetings
- Take notes
- Bring a friend for support
- Review the IEP before signing
- Have student participate
- Be prepared to negotiate
- An IEP can be revised
- Follow up any requests in writing
- Thank team members

Parent Tips: Ongoing Support & Monitoring

- The IEP is written annually or sooner if needed
- Planning does not stop when the student is placed
- Use the resources of the Child Study Team
- Have current copies of IEP, NJ Administrative Code, local school policies
- Attend teacher conferences
- Discuss school at home
- Become a school volunteer

THANK YOU!

For more information contact us at:

SPAN

Statewide Parent Advocacy Network

35 Halsey Street - 4th Floor

Newark, NJ 07102

973-642-8100 or 800-654-7726

www.spannj.org