

## Part 5: THE IEP

### DEVELOPMENT OF AN IEP, IF STUDENT IS ELIGIBLE FOR SPECIAL EDUCATION AND RELATED SERVICES

At the beginning of each school year the school must have an IEP or service plan in effect for each student with a disability who is enrolled. **The focus of a student's IEP is on developing competencies in different ways based upon what is known about the student's individual learning styles, strengths, interests and needs.** The IEP is developed in a case conference. It depends upon team problem-solving around each student's educational needs. The process of writing the IEP provides a structure by which parents (as defined in Article 7), teachers, sometimes students, and other involved parties can share ideas and plan together as part of the educational decision-making process for the student. **The principle of shared decision-making with parents is firmly established in special education rules and regulations mandating the IEP and the process by which it must be written.** The intent is that parents actively participate in setting the educational priorities for their student based upon relevant, valued life outcomes, and that the educational professionals acknowledge their input and incorporate it in the IEP. A student age 18 makes decisions for his/her educational program.

It is our intent to begin with the thought that the student will be in the general education placement, identify needs, develop goals, and identify services needed by the student, and then consider placement.

Developing the content of a student's IEP requires careful thought, insight, and knowledge of the student in a holistic sense, in order for the IEP to be functional, relevant, and beneficial to the student. A quality IEP increases the likelihood that the student's educational services will be cohesive and delivered in a manner that will assist the student in accomplishing the educational outcomes identified in the IEP.

Each student is involved in, and progresses in, the general education curriculum, to the maximum extent possible, as determined by the student's case conference committee. The school may supplement the general education curriculum with modified programs of instruction or with curriculum that relates to state academic standards and functional skills to be achieved. Additionally, the school provides instructional materials and supplies to students with disabilities that are comparable to those provided to non-disabled students.

An IEP must include:

a statement of the student's present levels of academic achievement and functional performance including how the disability affects the student's involvement and progress in the general education curriculum, or, for early childhood students, how the disability affects the student's participation in appropriate activities;

a statement of measurable annual goals, including academic and functional goals designed to meet each of the student's educational needs that result from the student's disability so that the student may be involved in and make progress in the general education curriculum, (for

early childhood students, to participate in appropriate activities);

a description of how the student's progress toward meeting the annual goals will be measured and when periodic reports on the progress the student is making toward meeting the annual goals will be provided;

a statement of the special education and related services and supplementary aids and services, based on peer-reviewed research to the extent practicable, to be provided to the student, or on behalf of the student, and a statement of program modifications or supports for school personnel that will be provided to enable the student to:

advance appropriately toward attaining the annual goals;  
be involved in and make progress in the general education curriculum  
and to participate in extracurricular and other nonacademic activities; and  
be educated and participate with other students with disabilities and  
nondisabled students in school activities;

an explanation of the extent, if any, to which the student will not participate with nondisabled students in the general education environment and in extracurricular and other nonacademic activities;

a statement regarding the student's participation in statewide or local assessments of student achievement, including:

any individualized appropriate accommodations necessary to measure the academic achievement and functional performance of the student;  
Note: Only those accommodations provided on a regular basis and approved by the Indiana Department of Education are allowed the case conference committee determines that the student must take an alternate assessment of student achievement, instead of ISTEP or another statewide assessment, a statement of why the student cannot participate in the general assessment and why the particular alternate assessment selected is appropriate for the student;

a statement of the projected initiation date, projection of the duration date, and the anticipated length and frequency, location, and duration of services and modifications;

a statement of the student's need for extended school year services;

identification of the placement in the least restrictive environment; and

written notes documenting the meeting, including the date and purpose of the meeting, the names and titles of the participants, and the issues discussed.

Remember, a case conference committee member may be excused, if the parent agrees ahead of the case conference. The case conference committee member gives a copy of their report/information to

the school and parent in advance of the committee meeting. Obtain the excusal form from the “Schedule CCC Meeting” section of the IEP and have the parent sign.

The school gives the parent a copy of the IEP at no cost, either at the conclusion of the meeting or by mail. **The copy of the IEP must be received by the parent not later than ten (10) business days after the date of the case conference committee meeting.**

Any member of the case conference committee may submit a written opinion regarding the IEP within ten (10) business days after the date of the case conference committee meeting. The written opinion must remain with the student’s educational records.

For a student convicted as an adult and incarcerated in an adult prison, the student is exempt from participation in state and local assessments, and the case conference committee may modify the student’s IEP or placement without regard to whether the student is age eighteen (18) if the state has demonstrated a security or other compelling interest.

Following are detailed instructions for completing the Indiana IEP:

### PURPOSE OF MEETING

Select Purpose of Meeting from the selections on the IEP and indicate why you are convening a case conference committee meeting. There are many choices, including Initial evaluation, Move-IN, and Revise IEP.

### CREATE A TEAM

Select the individuals who will be at this case conference meeting.

### SCHEDULE CCC MEETING

Select the date, time, and place for the case conference committee meeting.

### EXISTING DATA

Fill in all student data. Check individually at the conference with the parent to ensure you have the correct information. Be sure of the legal custody status, especially if there is a divorce or out-of-home placement. The student’s grade is the grade the student is enrolled in on the date the IEP is written.

After all case conference committee members have convened, review the purpose of the meeting.

Explain the *Notice of Parent Rights*, give parent a copy of their rights if they don’t recall getting one and explain the rights at least one time per year.

A detailed, data-based description/narrative of the student's current level of performance is written. This information relates to the progress of the student toward meeting the current IEP goals and

objectives.

Report just the facts.

First, document the student's strengths, including academics, developmental skills, and functional behavior.

Next, document the student's response to instructional strategies and research-based interventions. Discuss RTI, what was tried, how it worked, whether the student made progress, how the addition of time for more work in RTI impacted the student, etc.

Then document the student's progress monitoring data. These include grades and test results for tests that are given within the student's grade (NWEA, Terra Nova, Acuity, etc.) or for ISTAR. Be certain the tests report current results. **Also, be certain to discuss what the tests results mean (average, above or below average, well below average).**

**Note:** If a student is receiving consultation services, you may list the subjects for the student's grade level, his/her current grades, and then comment about the student's strengths and weaknesses as they relate to these subjects. Any information from general education teachers should be included in the appropriate section of the present levels. Do not attach information from individual teachers, summarize what they have said.

Document the present level of academic and functional performance by discussing your praises or concerns, the student's grades, daily homework completion, and anything interfering with the day to day work of the student.

Document ROD **Assessment** information, including intellectual and/or academic test results, as well as the date the assessment was conducted.

Document the student's social/emotional functioning as appropriate, if it is. Discuss peer interactions and interactions with adults. Discuss tendency toward mood swings, anger, crying, frustration, etc. If the student receives counseling, the social worker will have a report to attach with recommendations for services.

Document adaptive behavior/functional skills as appropriate, if it is. Record comments as appropriate. Discuss self care skills for moderate/severe and autistic students. Discuss independent living skills, ability to cook, care for oneself, maintain an apartment, etc.

Document the student's motor functioning as appropriate if it is. Present levels are provided by any related service personnel who provides either consultative or direct therapies. If outside therapies are provided through private providers at ROD expense, then present levels are provided by them. The teacher of record contacts the private therapist prior to the case conference to get needed information.

Document the student's communication, speech, language, and hearing levels.

Document any needs for assistive technology. Determine whether the student needs instructional materials, including print instructional materials in an accessible format such as Braille, audio, digital text, large type, tactile graphics, video, captions, or audio descriptions. Remember that any needed accessible format must be provided in a timely manner.

Document any medical diagnosis. **Remember that any student identified as Other Health Impaired must have a documented medical condition.** Document any **medical concerns, and medication** prescribed, including the dosage. Complete a health care plan if the student has extraordinary medical needs or circumstances. Inform the building principal and ROD if personnel need to be trained in medication administration or in medical emergency responses. The school and ROD will provide any needed training so that medical emergencies can be addressed properly.

Document student concerns. Students are strongly encouraged to attend the conference. Document the student's current response to school and his/her strengths at school. Also, inquire whether the student is employed and, if so, how long they have worked at the current job.

Document parent concerns and comments. There is a significant emphasis on the parents' participation in case conferences. Listen carefully to the parent and summarize their comments in a concise but thorough manner. Record parent's satisfaction/concerns with the program.

Throughout the IEP, summarize the discussion of the case conference in "Conference Notes". This includes the final decisions of the conference, and a summary of the student's overall performance. Describe the accomplishments of the student during the prior IEP and the overall plans for the student. This summary must be comprehensive enough that a reader who is not knowledgeable about the student can understand why decisions were made and what those decisions entail. Consider reevaluation. If it is not required, no further action is needed. If it is required, the case conference committee will decide which type of reevaluation is required. "Pre-Conference Planning" is completed and the "Notice of Reevaluation" is given to the parent, with a copy kept by the school. The parent signs and returns the "Notice of Reevaluation". The ROD multidisciplinary team schedules and completes the needed assessments and schedules the case conference with the "Reevaluation Purpose".

The case conference committee and ROD school psychologist will review the educational evaluation report and all relevant data to determine eligibility.

If the case conference committee determines the student's disability does not adversely affect the student's educational performance, the student is not eligible. From the eligibility information page in the IEP, a "Final Notice of Ineligibility" is created. A copy of the educational evaluation report and the Final Notice of Ineligibility is given to the parents/guardian. This completes the dismissal. The IIEP now records an ineligibility event for the student.

If the case conference committee determines the student remains eligible, complete the IEP and finalize it. Provide the student's parents/guardian

with the copy of the educational evaluation report and Final IEP.

## ELIGIBILITY

The "eligibility" section on initial evaluations is completed by the school psychologist who administered the psychological testing. If the student is not eligible for special education, the option is marked and the *Notice of Ineligibility* is printed. If the student is eligible for special education as defined in Article 7, then the area(s) of eligibility are listed as primary disability and secondary disability. Reasons of eligibility determination must be documented appropriately.

**Note:** The teacher of record use the same eligibility from one conference to the next.

If the eligibility for speech or language changes, the speech pathologist makes that determination following evaluation, in conjunction with the case conference. Eligibility may be changed.

Teachers may not change eligibility unless a school psychologist is in attendance.

## SPECIAL CONSIDERATIONS

There may be language needs related to limited English Proficiency. Describe and complete as appropriate.

Document any needs for a student who is blind/low vision. Describe the results of the functional literacy assessment and need for large print, Braille, etc. The case conference committee may determine, after a functional literacy assessment of the student's reading and writing skills, needs, and appropriate reading and writing media (including an evaluation of the student's future needs for instruction in braille or the use of braille), that instruction in braille or the use of braille is not appropriate for the student.

Document any needs for a student who is deaf/hard of hearing. Document whether the student requires additional support to communicate. Include the full range of communication needs and opportunities for direct communication with peers/professionals in the student's language and communication mode. Document opportunities for direct instruction in the student's language and communication mode.

## THE BEHAVIOR/DISCIPLINE OF THE STUDENT

First, list the behaviors of concern, being specific with language such as, five tardies in 12 days, hits others on arm or back on playground with 4 physical contacts in 2 days, or in a 20 minute social studies class student talked out 6 times. Too vague descriptions include inappropriate behavior in classroom, disruptive when teacher is talking, interferes with learning of others, insubordinate. This is a summary of the functional behavioral assessment (FBA).

Next, list the factors that affect behaviors, being specific with language such as, results of FBA indicate strong desire for attention from adults or peers, task avoidance, seeks sensory input, arrives

in an agitated state and makes noises as a result, or often reacts negatively to staff holding him/her to their expectations.

Prepare the Behavior Intervention Plan (BIP) using specific language statements such as review student handbook 1-1 with teacher/assistant principal, may go to calming area after requesting this with the adult supervisor, post rules in classroom/on desk, visual schedules, dismiss from class 2 minutes early to reduce peer contact during passing periods, refer to "Great Behavior" chart posted in the room, free time to help other students. BIPs may vary in length and complexity.

If you complete this section, an annual goal designed to address behavioral skill development is included in this IEP.

## OUTCOMES

### Summary of Findings from Age Appropriate Transition:

**Complete at least three assessments that are new each year.** (If you complete a major project such as Drive of Your Life, it will count as three assessments.) List the date they were administered. Discuss the summary, know your student, write about your student in a thoughtful manner, and show that you care about him/her.

### Post-Secondary Goals:

These are measurable goals.

Many students will not need an independent living goal, but you will clearly articulate why they do not. If they need an independent living goal, prepare one.

Regarding Employment after school, I will (complete as appropriate).

Regarding Education and Training after school, I will (complete as appropriate).

The anticipated date of graduation (complete).

Graduate Option: Select either Student will pursue a high school diploma, or student will pursue a certificate of completion.

## PARTICIPATION IN TESTING PROGRAMS

Complete this section as appropriate.

Reasons for the determination of participation in testing:

Cognitive delays that are significant impair the student's ability to participate. Student functions well below grade level. Student is on-track for earning a high school diploma at this time. Student does not qualify to take alternative assessments, so he will take ISTEP with accommodations.

Student will participate in IMAST, document IMAST needs.

Plan for participation in district-wide, national, or international assessments: complete as appropriate

## GOALS:

Name the goal (Language Arts, Academic Progress, Social/Emotional, Life Skills, etc.).

Present Level: describe clearly using data that is current. Using current data is critical as it will become the “Initial Value” in your graph..

Need: describe using a statement of what the student must learn. Use expected values as they will become the “Target Value” in your graph.

Goal Statement: a goal is measurable, it includes a performance level, and it includes conditions. Measurable means you can count it. Conditions are imposed on the student to show mastery (For example, when given a story starter, in three minutes write a three sentence paragraph with correct capitalization and punctuation, or given a design problem, the student will apply geometric and algebraic methods to solve for X). Performance level tells what the student is to achieve; 90% mastery on 3/4 trials, 75% mastery, or read and then retell with at least 4 details and the main idea on 3/4 trials.

(For transition) This goal has been written to support Education/Training Skills, Employment, or Independent Living. Select one, two, or three as appropriate.

Think about what you want the student to do and use a verb that can be observed (read aloud, match, list, compute, write, etc.). The behavior must be observable, measurable, verifiable, and repeatable.

Use action words to help with goal writing:

add	apply	calculate
analyze	arrange	categorize
collect	construct	define
compare	copy	demonstrate
describe	develop	discuss
design	diagram	divide
illustrate	inspect	locate
imitate	list	modify plan
multiply	operate	prepare tell
name	organize read	use
	report recall	sequence
	subtract write	follow
	respond repeat	
	select draw conclusions	

If you use verbs that can be inferred (appreciates, improves, respects, understands, enjoys) you will not obtain a measurement. These verbs are invisible or open to many interpretations.

Method / Instrumentation for Measuring Progress: percentages, grades, number of times an event occurs, etc.

Progress Monitoring Design: single point is preferred, but you may use single rubric. Descriptive is



used by speech language pathologists and by occupational and physical therapists.

Select Standard(s) Elements Aligned to Goal: Select the standard from the Common Core Standard.

*It is recommended that teachers provide a draft of goals and objectives to parents prior to the case conference. If the teacher comes to the IEP meeting with annual and short term goals written, the teacher must make it clear to the parents at the onset of the meeting that the goals and services proposed by the school are only recommendations for review and discussion with the parents. IDEA makes it clear that parents must be given the opportunity to be active participants in all major decisions affecting the education of their children with disabilities.*

### PARAMETERS TO BUILD GRAPH

Single Point (Preferred)

Initial value: this is where you are starting. You will need to know the ability levels of your students.

Initial date: this is the date of your conference. Target value: this is where you want to go

Target date: this is the date the IEP ends (or an earlier date if you choose it)

Frequency of collection: this tells how often you are going to collect data

Metric: this is how you are measuring. It might be percentage, test scores, etc.

Single Rubric: Select 4 from the display of 6. This may be appropriate for Moderate/Severe students.

Your choices include: not evident, developing, etc.

Collection of Indicators-do not use

Descriptive-just a few people use this, specifically social workers who are addressing social skills and speech language pathologists.

### ACCOMMODATIONS FOR STATEWIDE TESTING

Must be individualized and appropriate for the student.

Must be provided on a regular basis Must be provided for any subject.

Description of additional accommodations that will be provided for statewide assessment.

### SERVICES AND OTHER PROVISIONS

#### TRANSITION SERVICES AND ACTIVITIES:

list at least 2 transition services/activities

document frequency

tell who at the school will complete the services and activities. If you include the parent, you must select an individual at the school also. For example, the transition service is “visit a college”. The parent will be involved, but also the TOR who will schedule the college visit or help the student arrange the college visit tell the date of completion tell what the service will support, employment, education/training, or independent living

in the narrative section, describe the activity in greater detail

## SPECIAL EDUCATION SERVICES

### INDIRECT SERVICES:

The student is in general education class with special education support. The general education teacher provides the curriculum, accommodations, and grades. This includes co-teaching.

### DIRECT SERVICES:

The student is in special education class with special education teachers. The special education teacher provides the curriculum, accommodations, and grades.

## RELATED SERVICES

ROD related services including counseling, OT, PT, mobility training, etc. School based related services include transportation.

List the initiation date, frequency, length of time, duration, and location.

Tell what the service will support, employment, education/training, or independent living.

In the narrative section, describe the activity in greater detail.

## ACCOMMODATIONS

List the accommodations that are provided for statewide testing.

List accommodations that will be provided in the classroom.

## TRANSPORTATION

If the student receives special transportation, describe the student’s needs in the IEP, attach the completed transportation form to the IEP, and send a copy to the corporation transportation director.

## ACCESSIBLE MATERIALS

When a student needs instructional materials provided, document here. These are typically materials provided for blind/low vision.

## ASSISTIVE TECHNOLOGY

Describe the devices the student requires (voice output device, computer, etc.) without giving a brand name. If it is felt the student needs an assistive technology assessment, describe the reasons for the assessment.

## TECHNICAL ASSISTANCE

Use this section to describe any assistance the school personnel may need, including training.

## EXTENDED SCHOOL YEAR

Extended school year services are provided to enable students to make progress in their curriculum. Please consider regression and recoument of skills. Contact the Director for information.

## PROGRAM MODIFICATIONS

Explain any needed modifications.

## PERIODIC REPORTS ON THE STUDENT'S PROGRESS

Use the school reporting period for report cards or mid-term grades, typically 4.5 weeks, 6 weeks, or 9 weeks. This is when progress reports are sent to the student's home.

## EMERGENCY EVACUATION PLAN

Emergency evacuation plans should be written for some students with orthopedic impairments, wheelchairs, autism, and multiple disabilities. Document who will provide evacuation support, when it will be provided, whether that person will stay with the child, etc.

## LEAST RESTRICTIVE ENVIRONMENT

List the school district where the parent/guardian lives (this is legal settlement).

List the school the student attends.

Count the total instructional minutes per week, calculate the percentage of time in special education, and then in general education. Likewise, calculate the percentage of time in the general education setting. Enter the appropriate code.

- 50 Regular class 80% or more in general education
- 51 Resource room 40-79% in general education
- 52 Separate class 1-39% in general education
- 53 Separate School facility
- 54 Residential facility
- 55 Correctional facility
- 56 Parentally placed in private school
- 57 Hospital/Homebound

For homebound services when the student has been placed because of a manifestation determination, enter the same code as you used when the student was placed full time in the classroom. In the narrative/additional descriptors section, write that the student is placed on homebound for \_\_\_ days and then will return to the regular setting.

Students with disabilities are served in general education classrooms in their home schools as much as possible, giving full consideration to student specific needs. The CCC determines the placement based on the IEP, regardless of the disability. However, the student's cognitive levels and other areas of functioning must be considered in order to respect the intent of the least restrictive environment. As a result, a student may have needs that are addressed in a moderate/severe room. However, the student with intellectual functioning well above the moderate/severe level is not placed in the moderate/severe room.

The school is to provide supports so that the student receives services with students who are similar in ability to the student. The IEP is developed before the determination of the least restrictive environment (LRE). Services are provided based on goals and objectives, the full continuum of services is available to each student based on the student's needs. In selecting LRE give consideration to any potentially harmful effects of the suggested services. Be certain the student has an equal opportunity to participate with nondisabled students in nonacademic and extracurricular services and activities as much as possible. All school classes and activities, including meals, recess, PE, athletics, and graduation are available for each student. Use percentages from page 9, check appropriate boxes. Refer to Article 7 (511 IAC 7-27-9) for additional information, or contact the director of special education 812-623-2212.

#### ADDITIONAL DESCRIPTORS OF LRE

Include the name of the teacher of record, the percentage of time in general education, and the percentage of time in special education.

#### POTENTIAL HARMFUL EFFECTS ON THE STUDENT

Discuss the benefits to the student from being placed in the recommended program. Consider the potential harmful effects, or what is wrong, with the placement on the student or the quality of services needed. Discuss that the student may be placed away from age peers, may be placed with peers who demonstrate poor behaviors, may not be able to advance at an age appropriate rate, etc.

You may want to discuss:

the student needs time to interact with appropriate peer models and resource room provides that while full time special education does not;

the student's needs are primarily to generalize learned skills, so placement with typical peers will provide many opportunities for that;

Despite much difficulty with handwriting and motor skills, placement in general education provides for his needs, with accommodations.

The student requires intensive support and full time placement in special education provides that, whereas other placements do not.

Resource room and full time special education do not allow for learning with student's peer group.

The student will miss general education curriculum if in the resource room.

## REASONS FOR PROVISIONS AND REASONS FOR REJECTING OTHER OPTIONS

Discuss the reasons for the placement, including reasons for rejecting other options on the continuum. You must discuss how the student is impacted by being in special education rather than in general education.

Discuss all options considered and the reason your selection is appropriate. For example:

Being in full time special education was determined too restrictive since it does not allow for much socialization and opportunities to learn appropriate behavior from peers. Resource room placement provides needed support and time for the student to generalize and practice appropriate behavior. General education alone does not allow for the services the student needs.

This student has extensive articulation errors and needs to learn from appropriate peer models so general education is most appropriate. Resource services provide more support than needed.

The student has exposure to significant role models outside of school. At school the student needs the support in academics the resource room provides, he will receive many opportunities for interaction with peer models in the resource room. A full time special education placement is too restrictive. General education does not provide enough support.

In general, there are three reasons for removing a student with a disability from placement in a general education class:

1. when the nature and severity of a child's disability is such that education in general education classes with the use of supplementary aids and services cannot be achieved satisfactorily;
2. when the general education class placement would have a harmful effect upon the student with a disability or the quality of services; or
3. when the child's placement in the general education class is so disruptive that the education of other students is significantly impaired.

Issues to be considered include:

has the school made an effort to include or accommodate the student in the general education classroom with supplemental aids and services;

what are the nonacademic benefits for the student with disabilities that accrue when the student receives education in the general education classroom;

consider the student's functional performance, social, language, and emotional growth, as well as self-esteem;

consider the effect of the presence of the student with disabilities in the general education classroom;

compare the benefits of placement in a general education class and in a special education class;

the need for curriculum modifications is not a legitimate basis for excluding a student from the general education classroom unless the education of other students is significantly impaired;

the law does not require students with disabilities to perform at grade level in order to participate in regular classes.

## GENERAL CONSIDERATIONS

Your students should participate in all educational programs and activities that are made available to other students. If they do not, explain the limitations.

Your students should participate in all non-educational programs and extracurricular activities that are available to nondisabled students. If they do not, explain the limitations.

Your students should participate in the general education physical education program that is available to nondisabled students. If they do not, explain the limitations.

Your students likely are educated in the school they would attend if not disabled. If they do not attend their home school, explain the reason. Generally, it will be because the student has intense needs for a program located somewhere else.

Length of instructional day. If the instructional day is not the same as that of nondisabled students, you must explain the reason.

## PARTICIPANTS

Check the people who attended.

## DOES THE PARENT REJECT PROVISION OF FAPE?

The answer is no, unless the child is going to a private school at parental expense.

## CONFERENCE NOTES AND OTHER RELEVANT FACTORS

Notes recorded under "Conference Notes" appear here as written.

## NOTICE OF IMPLEMENTATION

Ask the parent to sign and date.

The educational placement or change of educational placement of a student may not take place without written consent from the student's parent when the student is *initially* placed. If the parent disagrees with a proposed placement, the student "stays put" in their current placement until the disagreement is resolved.

Parents may give their written consent for placement at the case conference committee meeting when the parent is prepared to make a decision and is informed of their right to request that a case conference convene at any time, and the parent is informed that their written consent may be revoked.

If the parents do not wish to make their decision at the time of the case conference, the IEP is given to the parent for their signature within ten (10) business days from the date of the meeting. Request that the parent sign indicating agreement or disagreement with the proposed placement and return the forms to the school. If the form is mailed to the parent, be sure the parent receives it within ten (10) business days from the date of the case conference.

If the parents do not attend the case conference committee meeting, the IEP is mailed to the parent. Be sure that the parent **receives** the IEP within ten (10) business days. The parent must sign indicating their agreement or disagreement with the proposed placement and return the IEP to the school.

For any IEP reviews or revisions of the IEP, if the parent does not return the signature page of the IEP for a case conference within ten (10) instructional days of their receipt of the IEP, the school begins to implement the IEP as written on the 11<sup>th</sup> instructional day after the date the copy of the IEP was provided to the parent. Document the date the IEP was sent to the parent.

EasyFax all signed IEPs to IDOE.

Services are put in place as soon as the necessary arrangements can be made, but no later than ten (10) instructional days from the date the signed consent is received.

After the IEP is completed, the original IEP is forwarded immediately to the ROD office.

The IEP may be amended in specific circumstances when the parent and school agree, without convening a case conference.

## SPECIAL CONSIDERATIONS

### EXIT IEP

IEP reviews for seniors should be held as late in the school year as possible. Determine if the student has enough credits for graduation, if they have met all goals and objectives, and have met the ISTEP or End of Course proficiencies. At the "Conference Notes" write that the student is exiting with a diploma or certificate of attendance or completion. At the "Conference Notes" section write something such as "Student is transitioning into post secondary education, work force, vocational program, etc. All requirements for graduation have been met (or all goals and objectives have been met)." At the "Documents" section, select Summary of Performance. First, describe the accommodations, modifications, and/or assistive technology that have been most helpful to the student. Next, describe what will help the student be successful after graduation. Finalize the IEP. Then go to the "Notice of Implementation, where parent/student will sign and indicate agreement with graduation or the student's exit from school. Provide the student and parent with a copy of the IEP.

### REVISE IEP WITHOUT A MEETING

Select "Revise IEP without a Meeting" as the meeting purpose. This allows you to have the appropriate documentation for the meeting. You may proceed with the IEP as though the parent/guardian is in attendance. Finalize the IEP and send it home for signatures.

Revising the IEP without a meeting is not used for annual case reviews when the parent can not be in attendance. It does, however, allow the teacher of record to make small changes during the course of the year.

## DOCUMENTS

The following are included at the “Documents” section of the IEP.

Billing Medicaid for Health Related Services Consent  
to Disclose Personally Identifiable Information  
Rejection of Services in a Public School Notice of  
Discontinuation of Special Education  
Notice of Initial Proposed  
IEP Summary of  
Performance  
Easy FAX Cover Sheet-External IEP Easy  
FAX Cover Sheet-General FAX Easy  
FAX Cover Sheet-Outside Evaluation  
IEP/ISP at a Glance Indicator 14 Letter

### NON-PUBLIC SCHOOL STUDENTS

Students with disabilities whose parents unilaterally place them in schools other than public schools are offered a **services plan** rather than an IEP. The ROD and/or the public school is responsible for providing notice of case conference committee meetings and assuring that a representative of the nonpublic school attends or participates in the case conference committee meeting determining the services that will be provided. The services plan must include:

- a statement of the student’s present levels of educational performance;
- a statement of measurable annual goals related to the services that will be provided, describing what the student can be expected to accomplish within a twelve (12) month period;
- a statement of the special education and related services and supplementary aids and services to be provided to the student or, on behalf of the student, by the public agency, or supports for school personnel that will be provided;
- if applicable, a statement regarding the student’s participation in statewide or district assessments, including documentation of any appropriate testing accommodations for the student;
- the projected dates for initiation of services by the public agency and the anticipated length, frequency, location, and duration of services; and a statement of the student’s progress toward annual goals, including how the parents will be informed of the progress.

A ROD consultant serves as the teacher of record for a student with disabilities who attends a nonpublic school. The ROD consultant assures that the parent is advised of the student’s right to a free appropriate public education from the corporation of legal settlement. Parental consent is obtained prior to the transmission of any documents between ROD and the district of legal settlement. All case conference committee meetings are convened within appropriate timelines.

If a student is evaluated by ROD, and the nonpublic school is located within the ROD area, the case conference committee determines eligibility for special education and related services and develops a service plan for the student, if eligible. The student’s parent is entitled to seek an offer of a free appropriate public education from the school district of legal settlement.

The parent must provide written consent (511 IAC 7-32-17) prior to ROD forwarding the educational evaluation, the parental notice of conference, and the services plan to the district of legal settlement.



## HOMEBOUND SERVICES

Students with injuries and temporary or chronic illnesses that preclude their attendance in school, including students who are not eligible for special education and related services, must be provided with instruction. The parent must first provide the school with a written statement from a physician that states one of the following:

the student has a temporary illness or injury that will require the student's absence from school for a minimum of twenty (20) school days and the student needs instruction to meet promotion or graduation requirements because the student will be unable to attend school through the end of the current year; or

the student has a chronic illness or other medical condition that will require the student's absence for an aggregate of at least twenty (20) school days over the course of the school year.

An IEP is developed for a student with disabilities who is unable to attend school for medical reasons, when the medical condition that is described is consistent with the paragraph above. The case conference committee meets to determine the appropriate services. Instruction may continue through the summer to enable the student to meet promotion or graduation requirements. Instruction is provided by appropriately licensed personnel.

Teachers providing homebound instruction to special education students complete the **Teachers Daily Report Form** which is to be forwarded to the school and ROD at the end of each two weeks of instructional service.

## TERMINATION OF SPECIAL EDUCATION SERVICES

A school proposal for the termination of **any** of the special education services (including related services) a student receives is considered a change of placement. The members of a case conference committee meeting, following a re-evaluation, determine whether a student should be dismissed from a service. All the case conference documents must be completed. The termination of the service, when proposed by the school, takes place upon the parent's signed consent for placement.

Parents have unilateral authority to terminate the special education and related services being provided to the student. At any time after the parent provided consent for services, the parent may revoke that consent and the school must terminate special education services. References to special education and related services are not removed from the student's educational record. ROD and the school may not use mediation or a due process hearing to override the parent's revocation of consent.

During a case conference committee meeting, if the parent revokes services, complete the Notice of Revocation of Services.

## DOCUMENTATION AND RECORD-KEEPING

Proper completion and filing of the Case Conference Committee Report/IEP must occur. This is the documentation that serves as proof of compliance with Article 7. It is a crucial piece of communication, as well as a record in the educational history of a student, providing valuable

information to the teaching staff and parents.

Submit the following documents to the ROD office within 10 days of the date of the case conference:

**Notice of Case Conference (including scheduling the conference and communications)  
IEP As needed, the:  
Transportation Plan  
(ROD 3:2); Health Care  
Plan;  
Functional Behavioral Assessment and Behavioral Intervention  
Plan; Emergency Evacuation Plan; Crisis Intervention Plan;  
and Any other documentation that is needed to complete the  
IEP.**

All of these forms must be completed accurately. Each item requested on the form is to be fully addressed in writing. The information requested on the forms includes items required by federal or state rules and regulations. **Leaving any items blank means required information was omitted from the case conference process.**

#### IEP AMENDMENT

After the annual case conference committee meeting, changes may be made by the case conference committee at a case conference committee meeting.

Alternatively, changes may be made without a case conference committee meeting if the parent and school agree not to convene a case conference committee meeting and to collaboratively develop a written document to amend or modify the student's current IEP. Select "Revise IEP Without a Meeting" at Meeting Purpose. Proceed to make changes, then finalize the IEP.

#### PROGRESS MONITORING

Monitoring the achievements of a student on a regular basis is expected. Use the Progress Monitoring Wizard in the IEP to access the monitoring. Regular recording of data is required.

#### BEHAVIOR and DISCIPLINE

Schools and classrooms involve behavior on different levels each day. Most of these behaviors seen in schools are fine, but occasionally students behave in a manner that impacts their discipline. There are several strategies which can help.

#### SETTING THE ENVIRONMENT FOR SUCCESS

Students need a sense of belonging, orderliness, and respect. Teachers and administrators should form supportive, balanced, and consistent relationships with students. Schools should build a positive climate through schoolwide positive behavior supports. In the classroom, clear expectations should be given regarding schedules and routine timing of activities as well as the roles and

responsibilities for students and staff. Students and staff need to determine which behaviors will be addressed in the classroom and which will be addressed in the office. Students need to be given challenging material and instruction so that they are engaged as much as possible in learning and

critical thinking. Administrators should hold staff accountable for maintaining consistency across the classroom and the school. Guidelines pertaining to suspension and expulsion should be published and followed.

If behavior(s) of one or more students is problematic, ROD may review your schoolwide positive behavioral supports and suggest changes or modifications.

## MAKING YOUR SCHOOL SUCCESSFUL

Invest in school wide positive behavioral supports to:

Prevent social behavior that impedes student academic and social success; Build a positive whole-school social culture by defining, teaching, and acknowledging clearly defined behavioral expectations for all students; Keep students engaged consistently in meaningful learning; Establish and apply consistently a continuum of consequences for problem behavior; Establish and apply consistently a multi-tiered continuum of behavioral practices that support behavioral success for all students; Collect and use data continuously to screen and monitor progress of all children, make behavioral and instructional decisions, and solve problems; and Assure you have the capacity to enable effective, efficient, and relevant implementation of evidence based practices. Structure classrooms (including the use of seating charts), hallways, lunch, bus seating, and even recess for some students; Post the discipline rules; Post the daily schedule; Post the assignments/homework with due dates; Consider differentiated instruction, with modeling, practice, and feedback so that all students can be successful at learning; Keep various disabilities and learning needs which impact behavior in mind; Implement behavior plans in IEPs; Give students frequent opportunities for practice and feedback; Plan all lessons including objectives, materials and activities that students find relevant; Set specific, measurable goals for academics and behavior (and post in the classroom); Increase student choice in instruction and materials; and

Have a strong “Bullying Prevention” system.

## CLASSROOM AND BEHAVIOR MANAGEMENT

Students are more likely to achieve when they are:

continuously engaged in structured learning activities;  
taught predictable and relevant school and classroom routines;  
acknowledged clearly and consistently for positive academic and social behavior; and  
treated by others with respect.

Effective behavioral supports in schools involves:

investing in the whole school rather than just students with problem behaviors;

focusing on preventing the development and occurrence of problem behaviors;  
reviewing data to adapt school procedures to the needs of all students; and  
providing extra academic and social behavioral supports for students who are not  
making progress at expected levels. Treat all students with respect;  
Post, discuss, and teach the definitions of behaviors and rules for the  
classroom, school, hallway, lunchroom, bus, etc.;;  
Model prosocial behaviors such as conflict resolution, positive reinforcement,  
respect for differences;  
Teach the behaviors that are desired;  
Use positive attention and reinforcement to increase desired behaviors;  
Use a continuum of classroom strategies, beginning with differential reinforcement  
and planned ignoring to decrease undesired behaviors;  
Develop schoolwide systems to acknowledge students whose behavior meets expectations; A  
schoolwide positive behavioral intervention will support students as they move year to year;  
and  
Be aware of Article 7 protections for students with disabilities.

### USING DATA EFFECTIVELY

Teachers must consistently follow school procedures for collecting and using data about each student's academic status and behavior. Use this data to set specific, measurable goals for academics and behavior. In addition, use multiple measures to assess each student's skills, progress, and outcomes.

The school must have a system for collecting academic/behavioral data;

Outcomes and program effectiveness will be evaluated;

Keep data related to behavior/discipline referrals accurate;

Include both formative and summative data in assessment.

Review data for patterns/trends by gender and disability;

Continuously review data to ensure that rules and policies are applied equally to all students;

Establish effective communication between school staff, students, and families for a shared understanding;

Maintain confidentiality of special needs students when discussing behavior; and

Consider using AIMSweb to manage academic and behavioral data.

Use the data to decide whether methods, strategies, etc. need to be changed. Use initial or benchmark data to establish criteria for success and to monitor progress toward identified goals and outcomes. The school should share data in accessible and meaningful formats so that staff in the school are aware of patterns and trends within a building. Use multiple sources of information to

determine any needed interventions.

You may contact ROD for assistance in developing schoolwide positive behavioral supports.

### FUNCTIONAL BEHAVIORAL ASSESSMENT / BEHAVIORAL INTERVENTION PLAN

A Functional Behavioral Assessment (FBA) collects and uses data to identify patterns in the student's behavior and the purpose/function of the behavior for the student. The FBA is conducted with input from the school, parent, and student. Remember that critical information often is obtained by discussing the student's problems with the student. Data collection may be completed before a conference. Written parental consent is required for an FBA.

An FBA is conducted when:

- the student is being evaluated for a suspected emotional disability;
- the student has been suspended for a period of three (3) school days;
- the student's behavior is impeding the student's learning or disrupting the learning of others;
- the case conference committee has determined at a manifestation determination meeting that the student's conduct was a manifestation of the student's disability (unless a behavior intervention plan is already in place, in which case the committee will review the behavior intervention plan and modify it as necessary to address the behavior);
- the case conference committee has determined at a manifestation determination meeting that the student's conduct was not a manifestation of the student's disability; or when a student is removed to an interim alternative education setting.

In some instances there are opportunities to observe the student prior to developing the FBA. Obtain parental consent prior to the observation.

Consider that problem behavior falls (usually) within:

- behavior that produces attention and other desired events (desired activities, favorite toys);
- behavior that allows the student to avoid or escape demands or other undesired events and activities; and
- behavior that occurs as the result of its sensory consequences (feels good, relieves pain).

Determine a time frame for data collection (10 days, 2 weeks, 3 weeks).

Define the targeted behaviors (hitting, kicking, physical contact, refuses to comply by putting head down, drops to floor, etc.).

Document who is responsible for collecting the data.

Prepare a document outlining the setting or environment where the behavior occurs, what happens before the behavior (antecedent), in behavioral and objective terms, exactly what the behavior looks like, and what happens after the behavior (consequence). Inquire whether the consequences reinforce, or encourage the behavior to occur again.

Consider which (may be more than one) problem behavior(s) the function serves. Ask, "Do the behaviors allow the student to...

gain access to something

important? escape or avoid

something?

continue over and over with the inappropriate behavior because it is being reinforced by the wrong consequences?" are the behaviors serving a sensory need?

Focus on teaching the student appropriate ways to interact without the disruptive behavior. Consider the student's strengths, what the student likes to do, what appropriate pro-social skills the student demonstrates, what positive relationships the student has, and how the challenging behaviors relate to the skill deficits that have been identified. Think about motivators for the student.

Those who have been trained may use the Ziggurat system of functional behavioral assessment. If you have not been trained and need to use the Ziggurat system, call the ROD office to learn who in your district has been trained.

Who is qualified to conduct the FBA?

Consider that there is strength in numbers and assign more than one individual to collect data, observe the student, and analyze the findings.

Teachers, guidance counselors, administrators, behavior specialists, ROD consultants and psychologists are appropriate personnel to conduct FBAs.

Following completion of the FBA, a Behavioral Intervention Plan (BIP) is agreed upon by the case conference committee and incorporated into a student's IEP. It describes the pattern of behavior that impedes the student's learning or the learning of others; the purpose/function of the behavior as identified in a functional behavioral assessment; the positive interventions and support, and other strategies to address the behavior and maximize consistency of implementation across people and settings which the student is involved; and the skills that will be taught and monitored in an effort to change a specific pattern of behavior of the student. The BIP may be drafted prior to the conference, but must be agreed on by the case conference committee. Minor changes to a student's BIP may be made through "Revising an IEP without a meeting" with written permission from the parent. Major revisions to a student's BIP are made at a case conference.

Use the **IEP** form, at **Behavioral Concerns**, after data collection unless an emergency exists.

Begin with the Functional Behavioral Assessment. Use the ROD: FBA:BIP form Prioritize and identify each of the behaviors you are concerned about. You may not always address all of the behaviors of concern, instead working with 1-2 priority behaviors. At Section II, identify 1-3 target behaviors that are most seriously interfering with the student's performance at school. Define these behaviors in observable terms.

At Section III, document the observations of the student's behavior, focusing on the target behaviors as much as possible.

At Section IV, document when you are most and least likely to see the target behavior. At Sections V and VI, record information from the teacher and parent.

At Section VII, complete one setting events checklist for each target behavior.

Complete the student interview at Section VIII.

Use this information to complete the BIP. Identify each Target Behavior and the function you found that it serves. Next, summarize the teacher, parent, and student reports. Determine preventative support strategies and document the individuals who will implement them. List the behavior goals. These are the expectations for the student, rather than those "target behaviors" identified earlier.

Now, state how the positive behaviors will be taught. Remember that teaching these behaviors will take some time. Identify next the positive consequences that will be used when the student exhibits behavior that is desired. Identify the consequences for inappropriate behavior.

Checklist:

- is the BIP developed from the results of the FBA;
- does the BIP identify the manner in which undesired behavior will be extinguished; does the BIP list positive behavioral interventions;
- does the BIP provide for teaching replacement behaviors;
- are services such as social skills training required to implement the BIP; is there a severe clause for extremely disruptive behavior; and should there be a statement that the FBA and BIP will be amended as needed, without further assessment or meetings, to address behavior.

Students with disabilities are not immune from school disciplinary rules if they are administered in a nondiscriminatory manner and are consistent with the student's IEP.

Keep in mind that the BIP provides options when the:

- student is not capable of following the student code of conduct;
- student's behavior interferes with his/her ability to learn;
- student's behavior interferes with other students' opportunities to learn;
- and student's behavior results in repeated removals from the class.