

# The Exceptional Children's Co-op Special Education Forms and Procedures

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## Special Education Categories & Codes

Special education eligibility codes:

Code	Eligibility	Code on Rosters
01	Multiple Disabilities	MD
02	Orthopedic Impairment	OI
03	Blind or Low Vision	BLV
04	Deaf or Hard of Hearing	DHH
05	Emotional Disability Full Time	ED FT
06	Emotional Disability Other	ED AO
07	Specific Learning Disability	SLD
08	Developmental Delay (Early Childhood Only)	DD
09	Language or Speech Impairment	LSI
10	Mild Cognitive Disability	MICD
11	Moderate Cognitive Disability	MOCD
12	Severe Cognitive Disability	SCD
13	Homebound/Hospital	HB
14	Dual Sensory Impairment (Deaf-Blind)	DSI
15	Autism Spectrum Disorder	AUT
16	Traumatic Brain Injury	TBI
17	Other Health Impaired	OHI

Least restrictive environment (LRE) category for ages 6-21:

Code	LRE
50	Regular class 80% or more (In a regular class room for 80% or more of the day)
51	Resource room (In a regular class room for 40% to 79% of the day)
52	Separate class (In a regular class room for less than 40% of the day)
53	Separate day school facility
54	Residential facility
55	Correctional facility
56	Parentally placed in private school
57	Homebound / hospital

Least restrictive environment (LRE) category for ages 3-5:

Code	LRE
26	Attends at least 10 hours per week: Receives the majority of hours in sp. ed. and related services in Regular Early Childhood Program
27	Attends at least 10 hours per week: Receives the majority of hours in sp. ed. and related services in some other location
28	Attends less than 10 hours per week: Receives the majority of hours in sp. ed. and related services in Regular Early Childhood Program
29	Attends less than 10 hours per week: Receives the majority of hours in sp. ed. and related services in some other location
33	Separate Class
34	Separate School
35	Residential Facility
36	Service Provider Location
37	Home

Related services codes:

Code	Related Services	Code	Related Services
18	Interpreter (Hearing Impaired)	32	Intervener (Dual Sensory Impairment)
19	Adaptive Physical Education	33	Other Diagnostic Staff
20	Audiology	34	Medical Services for Evaluation
21	Occupational Therapy	35	Special Transportation
22	Physical Therapy	36	Parent Counseling and Training
23	Psychological Services	37	Other Related/Supportive Services
24	Recreational Therapy - Sp Ed	38	Director
25	School Social Work - Sp Ed	39	Job Coach
26	Vocational Education - Sp Ed	40	Behavioral Therapist
27	Assistive Technology Devises and/or Services	41	Supervisor
28	Counselor - Sp Ed	42	Other Non-instructional Staff
29	Rehabilitation Counseling	43	Orientation and Mobility
30	Special School Health Services	44	Early Intervention
31	Work Study (Instruction and Coordination)		

## Confidentiality

Special education educators come in contact with a variety of information pertaining to students. Information could include test scores, behavior reports, information about family problems, attendance, etc. By School Board Policy and law, school personnel are required to keep this information confidential.

The school shall protect records containing confidential information at collection, storage, disclosure and destruction stages, even those students who are not enrolled, but on whom information is collected.

### Educational records

Records that are:

1. Directly related to a student; and
2. Maintained by an educational agency or institution or by a party acting for the agency or institution.

All notes and data gathered to make educational decisions about a student are considered part of the educational record. It would be appropriate for a parent to ask to examine the data collection forms when discussing student progress.

Educational records are not:

1. Records that are kept in the sole possession of the maker, are used only as a personal aid, and are not accessible or revealed to any other person except a temporary substitute for the maker of the record.
2. Records of the law enforcement unit of an educational agency or institution, subject to provisions of Family Education Rights and Privacy Act (FERPA) that apply to law enforcement units.
3. Records relating to an individual who is employed by an educational agency or institution that,
  - a. Are made and maintained in the normal course of business.
  - b. Related exclusively to the individual in that individual's capacity as an employee.
  - c. Are not available for use for any other purpose.

Federal Law: P.L. 90-247: Family Education Rights and Privacy Act (FERPA)

The federal law addresses the issues of parent rights, and controls access to records and the confidentiality of those records. Its intent is to protect the privacy of parents and students. For the most part, all information regarding a student is considered confidential except for directory information. Confidential information is accessed with permission from the parent of a student. A non-custodial parent may inspect and review a student's record unless the school has received a court order indicating the court has terminated

or restricted the non-custodial parent's right to have access to the educational record.

When a student reaches the age of eighteen (18) years old, the rights regarding access to and disclosure of confidential student information transfers to the student unless the student has been adjudicated incompetent by a court. Parents continue to have the right to access those records.

Under this law:

1. Parents have the right to inspect and review school records.
2. Parents have an opportunity to challenge records.
3. Access to personally identifiable information is strictly controlled. Personally identifiable information is defined as, but not limited to information which includes:
  - a. The student's name;
  - b. The name of the student's parent or other family member;
  - c. The address of the student or student's family;
  - d. A personal identifier, such as the student's social security number or student number;
  - e. A list of personal characteristics that would make the student's identity easily traceable;
  - f. Other information that would make the student's identity easily traceable.
4. Written consent is required for release of information.
5. Transfer to third parties is limited after release.
6. Rights are transferred to students over the age of eighteen (18).

Information about a student is confidential and should be only shared with teachers, paraprofessionals, co-op staff members and other school staff and substitutes who directly work with or supervise the student. Only relevant information should be shared.

Examples include:

- The present level of educational performance;
- Relevant goals and objectives;
- Progress tracking sheets;
- The behavior intervention plan (BIP).

Paraprofessionals should be given information that will assist them in working with each student. Teachers should inform paraprofessionals of their responsibility regarding maintaining confidentiality.

The release of education records, including any personal information or personally identifiable information of students, other than directory information, without the written consent of their parents, to any individual, agency, or organization, is prohibited, other than to the following:

- Other school officials and professional personnel who have legitimate educational interests, including persons or companies with whom have contracted to perform a specific task (e.g. an attorney, auditor, medical

consultant, or therapist).

In situations when a teacher or staff member wishes to share information with an outside agency, such as a doctor or counselor, an authorization for the release and exchange of information must be signed. Once signed, these forms should be placed in the student's confidential file.

## **Confidential Files**

For currently enrolled students, confidential records are maintained at the school the student attends. Some confidential records, including IEP's, are maintained in the Exceptional Children's Cooperative office. All confidential records, including IEP's are maintained until at least three years after the date the student exits the special education program. A permanent list of name, address, telephone number, date of birth, and year the student exited from the program will be maintained. Grades, attendance, discipline, and other such information are maintained at the local school site.

## **Confidentiality of Electronic Communications (Email) and Electronic Files**

Confidential, personally identifiable information includes any information in the IEP and other information protected under FERPA. This information should not be emailed, sent as an attachment, or uploaded to any online server unless encrypted with a password.

Email is inherently not secure, so confidential, personally identifiable information in the email itself or unencrypted attachments should not be sent.

Guidelines for email:

- Confidential information should not be emailed unless the information is not associated with the student's name and the student's identity cannot be reasonably deduced by the content.
- Emailed attachments with confidential, personally identifiable information should be encrypted with the password provided only to the intended recipients by separate means. Do not include the password in the same email as the encrypted document.
- In addition, Indiana's Department of Education requires that the student's test number (STN) never be associated with the student's name in email or other unprotected documents.

Guidelines for uploading files other than in emails:

- Confidential information should not be uploaded to any third party, internet based systems. These services are commonly referred to as "cloud" services, for example: Dropbox, Google Drive, and others. Even though this information may be encrypted, they do not meet security auditing standards and should not be used for otherwise unencrypted files. However, documents that are individually encrypted with a password may be uploaded.
- Documents that are uploaded to IIEP should not be encrypted so that all verified IIEP users have access. The security of these documents is ensured

by the system as long as they are being uploaded within the IIEP system directly by the logged in user. If you must email the file to be uploaded by someone else, it should be encrypted for emailing purposes. That document then needs to be saved in an unencrypted version when uploaded into IIEP.

Removable memory such as flash drives or USB drives should be protected against loss. Such removable devices must either remain securely in the possession of the user or the files (or device) should be encrypted so the contents are not accessible without a password.

Faxing confidential information is acceptable as long as you are reasonably sure the sending and receiving fax machines and the faxed documents are not accessible by the public.



## Destruction of Records

The Exceptional Children's Co-op shall destroy all paper student records not subject to the Medicaid Records Retention Requirement three (3) years after the student graduates or otherwise exits his special education program. (Some electronic records may be maintained after this period.)

Student records may be destroyed if all the following criteria have been met:

1. Three (3) years have elapsed since the student has received any type of special education services.
2. Legal notice of records destruction indicating destruction date has been published in appropriate publication.
3. A permanent record of the student's name, date of birth, address, telephone number, exceptionality area, and program exit date or graduation date have been maintained.

### **Medicaid Records Retention Requirement** ~ *MEDICAID BILLING TOOL KIT*

Records retention requirements differ for Special Education and Medicaid records. In addition to requirements for retaining Special Education records, Medicaid-participating school corporations must maintain, **for a period of seven (7) years from the date Medicaid services are provided**, such medical and other records, including but not limited to progress notes, practitioner service documentation, clinician/therapist attendance records, licensure/certification and student attendance, as are necessary to fully disclose and document the extent of the services provided to Medicaid-enrolled students. A copy of a claim form is insufficient documentation to comply with this requirement.

Occupational therapy, physical therapy, and speech services are Medicaid eligible services. We, as a Medicaid-participating special education co-op, must maintain the following OT, PT, and Speech records for a period of seven (7) years from the date Medicaid services were provided:

1. Initial Report
2. Initial IEP
3. All Subsequent IEPs
4. OT/Speech Referral Form and/or PT Doctor Form
5. Therapy Notes

Records subject to the Medicaid Records Retention Requirement can be destroyed seven (7) years from the date Medicaid services are provided.

# PRESCHOOL EVALUATION FLOWCHART

- A request for an evaluation may be made verbally or in writing by either a parent or accredited preschool personnel.
- Referrals from Headstart must come through parent to school principal.

Parent makes a verbal/written request for an eval to the home school or PS site principal.  
The 10-day timeline begins.  
An STN number is assigned.

During the **First Steps** Transition meeting, the PS Coordinator completes the PS Intake and obtains written Parent Consent. *Skip to Team Planning.*

## PS Intake Is Completed

1. Principal or designee completes intake sheet, which is immediately shared with PS Coordinator via email or fax.
2. PS Coordinator decides if more information is needed from parent.
3. Multidisciplinary Team decide whether the evaluation should be completed or not.
4. Within 10 days of the parent request for eval, PS Coordinator will mail parent one of the following written notices:

### PS Coordinator denies request for evaluation.

1. Verbal notice is given to parents.
2. The Notice of Evaluation Refusal from ISTART 7 and Procedural Safeguards are mailed to parents.
3. PS Coordinator informs the parents they have a right to request meeting, mediation or hearing.

PS Coordinator gives copy of Early Childhood Program Intake form to secretary at the Co-op.

End

### School will complete an evaluation.

1. PS Coordinator decides who will conduct testing. The ISTAR 7 team planning is completed and distributed.
2. The PS log is updated.
3. The Notice of Evaluation Consent from ISTART 7 is completed and mailed home, along Procedural Safeguards.
4. A case conference will convene within 50 days of receiving written parent consent or prior to the child's 3<sup>rd</sup> birthday (First Steps children).

PS Coordinator gives copy of Early Childhood Program Intake form to secretary at the Co-op.

## SLP / PS Teacher / OT / PT Evaluate the Student

1. Except for SI-only evals, PS Teacher completes referral packet forms & evaluation
2. For speech-only (articulation) evals, SLP completes referral packet forms & evaluation.
3. If fine or gross motor concerns are known at this point, OT / PT completes an evaluation.
4. After staff members complete evaluation and report, they upload their reports to ISTART 7, immediately e-mail report to PS Coordinator, and place a hard copy in purple referral packet.
5. Reports, protocols, and purple packet are returned to PS Coordinator who reviews information to complete PS File Review.

## PS File Review:

1. PS Coordinator reviews PS File Review sheet and decides if student qualifies for DD label based on data and if student needs further evaluation. If further evaluation is suspected, PS Coordinator will consult with the school psychologist. The case conference is held and a re-evaluation is planned, if needed.
2. PS Coordinator completes the Initiate tab / Proposal sub tab on ISTART 7 with a.) a description of overall findings, b.) a description of eligibility that may be proposed, and c.) an explanation of why the school is proposing this.

Principal schedules a conference. The cc coordinator mails the ISTART 7 written notice for the case conference participants. The parent obtains a copy of the evaluation report at least 5 school days before the case conference.

The CCC meets, discusses the findings and determines if the student meets eligibility for special education. The CCC makes one of the following two recommendations and obtains parent permission, if necessary.

1) There is no disability.

2) There is a disability. An IEP and services are determined.  
 Services will begin after parent consent is received .

# PRESCHOOL EVALUATION FLOWCHART

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### PS Coordinator denies request for evaluation.

1. Verbal notice is given to parents.
2. The Notice of Evaluation Refusal from ISTART 7 and Procedural Safeguards are mailed to parents.
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PS Coordinator gives copy of Early Childhood Program Intake form to secretary at the Co-op.

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1. PS Coordinator decides who will conduct testing. The ISTAR 7 team planning is completed and distributed.
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PS Coordinator gives copy of Early Childhood Program Intake form to secretary at the Co-op.

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2. PS Coordinator completes the Initiate tab / Proposal sub tab on ISTART 7 with a.) a description of overall findings, b.) description of eligibility that may be proposed, and c.) explanation of why the school is proposing this.
3. PS Coordinator assigns a case conference coordinator.

Principal schedules a conference. The cc coordinator mails the ISTART 7 written notice for the case conference participants. The parent obtains a copy of the evaluation report at least 5 school days before the case conference.

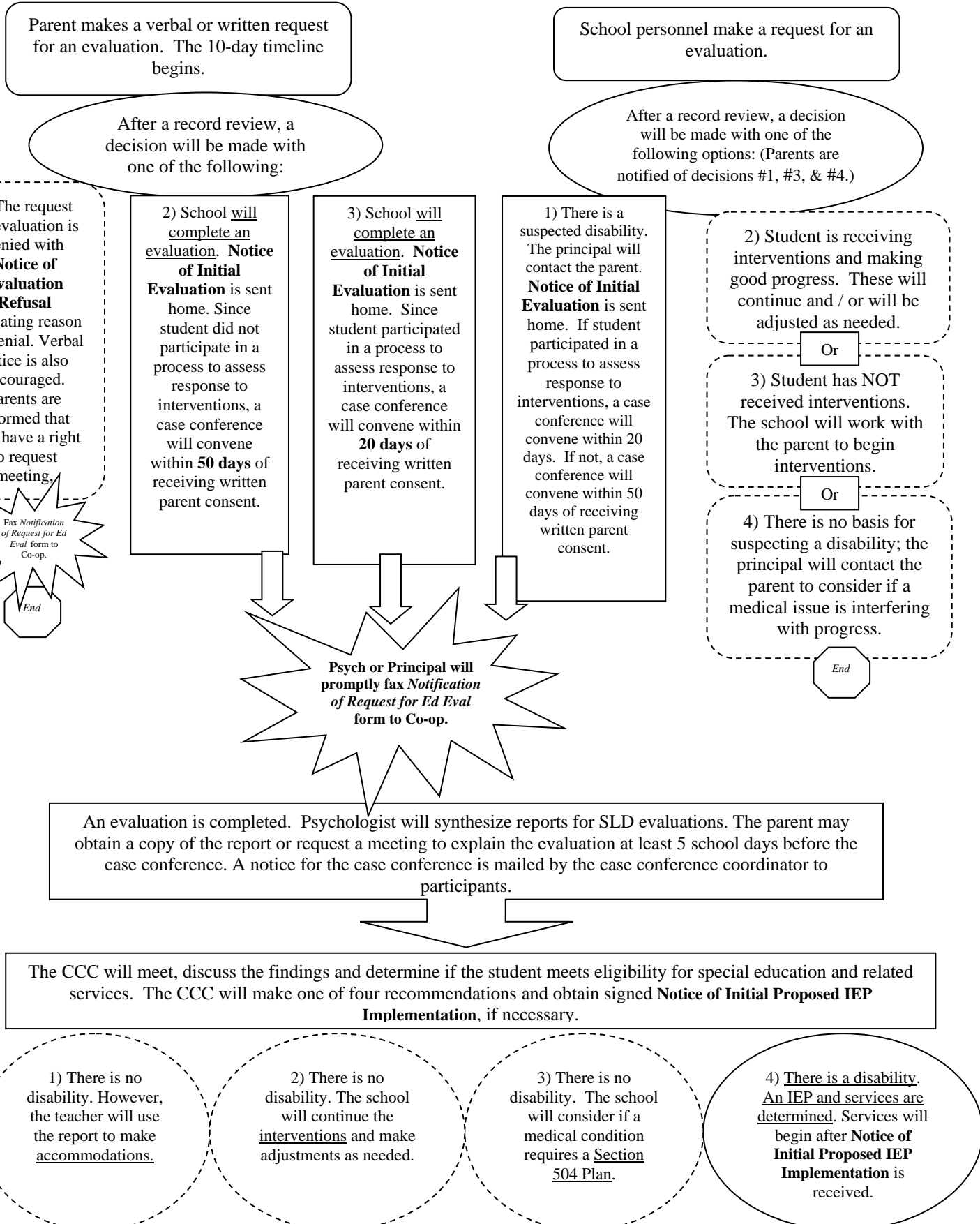
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1) There is no disability.

2) There is a disability. An IEP and services are determined.  
 Services will begin after parent consent is received .

# EDUCATION EVALUATION FLOWCHART

- A request for an evaluation may be made verbally or in writing by either a parent or school personnel.
- An evaluation is NOT a screening, a review of records, progress-monitoring or tests required of all students.



## **Educational Evaluation for Students Ages 3-22**

As defined by Article VII, the following are not considered evaluation procedures:

- a. A test or other evaluation that is administered to all students, unless, before administration of the test or evaluation, consent is required from parents of all students.
- b. A screening of students by a teacher or specialist to determine appropriate instructional strategies for curriculum implementation.
- c. A review of existing data regarding a student.
- d. The collection of progress monitoring data when a student participates in a process that assesses the student's response to scientific, research-based interventions.

The Exceptional Children's Cooperative evaluation and assessment assurances:

1. The Exceptional Children's Cooperative takes the responsibility of locating, identifying and evaluating all students three (3) years of age to twenty-two (22) years of age, who are in need of special education and related services including children who:
  2.
    - a. Have legal settlement within Dubois, Spencer, Perry, or Pike County Schools.
    - b. Attend a nonpublic school, are served by an agency, or live in an institution located within the jurisdiction of the Exceptional Children's Cooperative.
    - c. Are homeless students.
    - d. Are wards of the State.
    - e. Are highly mobile students, including migrant students.
    - f. Are suspected of being students with disabilities in need of special education even though they are advancing from grade to grade.
2. The Exceptional Children's Cooperative provides assurances that the assessments and other evaluation materials:
  - a. Are provided and administered in the child's native language or other mode of communication; and
  - b. Are measures which are most likely to yield accurate information on what the student knows and can do academically, developmentally, and functionally, unless it is clearly not feasible to do so.
  - c. Are selected and administered so as not to be discriminatory on a racial or cultural basis.
  - d. Are used for the purpose for which the assessment or measures are valid and reliable.
  - e. Are administered by trained and knowledgeable personnel in accordance with any instructions provided by the producer of the assessments.
  - f. Are technically sound instruments that may assess the relative contributions of cognitive and behavioral factors, in addition to physical or developmental factors.
  - g. Include those tailored to assess specific areas of educational need and not merely those designed to provide a single general intelligence quotient.
  - h. Assessments are selected and administered so as best to ensure that if an assessment is administered to a student with impaired sensory, manual, or speaking skills, the assessment results accurately reflect the student's aptitude or achievement level, or whatever factors the test purports to measure, rather than reflecting the student's impaired sensory, manual or speaking skills, unless those skills are the factors that the test purports to measure.

3. The student is assessed or information is collected in all areas related to the suspected disability, including, if appropriate, the following:
  - a. Development
  - b. Cognition
  - c. Academic achievement
  - d. Functional performance or adaptive behavior
  - e. Communication skills
  - f. Motor and sensory abilities, including vision or hearing
  - g. Available educationally relevant medical or mental health information
  - h. Social and developmental history
4. Assessments of students with disabilities who transfer from one (1) public agency to another public agency in the same school year are coordinated with those students prior and subsequent schools, as necessary and as expeditiously as possible, to ensure prompt completion of the evaluation.
5. Assessment tools and strategies provide relevant information that directly assists the committee in determining the special education and related service needs of the students.
6. Educational evaluations are sufficiently comprehensive to identify all of the student's special education and related service needs whether or not commonly linked to the disability category in which the student has been classified.
7. In conducting the educational evaluation, the multidisciplinary team must use a variety of assessment tools and strategies, to gather relevant functional, developmental, and academic information about the student, including information provided by the parent, to assist in determining the following:
  - a. Whether the student is eligible for special education and related services.
  - b. The content of the student's individual educational program, including information related to enabling the student to be involved and progress in the general education curriculum (or for an early childhood student, to participate in appropriate activities).

## Educational Evaluation Procedures

1. Preschool evaluations can be initiated by the parent making a verbal or written request for evaluation to the home school personnel or during the first steps transition meeting.
  - a. School staff completes the intake information form for parent initiated evaluations via phone or in person.
  - b. The preschool coordinator completes the intake information form at the transition meeting.
  
2. Parent contacts licensed school personnel to request an evaluation either verbally or in writing (for school age student).
  - a. The Exceptional Children's Cooperative personnel will contact parent via phone call or questionnaire to obtain more information regarding request for evaluation concerns.
  - b. Principal, general education teacher and/or other relevant school personnel will review student data/record.
  - c. Within 10 days of receiving the request, the public agency will respond in writing to the parent its decision of one of four options:
    - i. An intervention plan and/or gather data to address student's needs as identified by parents and/or school. Parent permission is obtained.
    - ii. Notice of initial evaluation – for students who have not participated in all response to intervention (RTI) procedures, or have participated in interventions and have responded according to the plan. The evaluation will be completed and case conference held within fifty (50) school days.
    - iii. Notice of initial evaluation following interventions – for students who have participated in all RTI procedures and have not responded to those interventions. The evaluation will be completed and case conferences held within twenty (20) school days.
    - iv. Evaluation refusal– for students whose educational records do not indicate the presence of a disability. Parents are informed that they have a right to request meeting, mediation, or hearing.
  
3. When school personnel have concerns with student progress they contact the test coordinator and set up a meeting to discuss concerns (teacher assistance team meetings).
  - a. After a record review, a decision will be made with one of the following options: (Parents are notified of decisions #1, #3, & #4.)
    - i. There is a suspected disability. The principal or test coordinator will contact the parent. Notice of evaluation is sent home along with request for consent for evaluation. If student has not participated in a process to assess RTI then the evaluation will be completed and case conference held within fifty (50) school days. If the student has participated in a process to assess response to interventions the evaluation will

- be completed and case conference held within (20) school days.
- II. Student is receiving interventions and making good progress. These will continue and/or will be adjusted as needed.
  - III. Student has NOT received interventions. The school will work with the parent to begin interventions.
    - IV. There is no basis for suspecting a disability; the principal will contact the parent to consider possible medical issues.
4. The school psychologist or other relevant school personnel will begin the written notice on the electronic IEP.
  5. The school psychologist or other relevant Exceptional Children's Cooperative personnel will complete the Pre-Conference Planning information in the electronic IEP.
  6. The school psychologist or other relevant Exceptional Children's Cooperative personnel make contact with parent (meeting, phone call, or letter) to explain the evaluation procedures. The Exceptional Children's Cooperative personnel will print the notice for parent signature. Parent will also be given a copy of Notice of Procedural Safeguards. The Notices will be provided to parent within 10 instructional days of the school receiving the parent request either in person, via student, or by mail if referral is requested by parent.
  7. The Exceptional Children's Cooperative personnel or a school staff member will meet with the parent if needed to assist in completing social developmental history or other data collection forms.
  8. When the parent consent for testing (notice) is returned:
    - a. The test coordinator logs into electronic IEP and date stamps referral.
      1. For preschool evaluations the data is entered into the preschool initial evaluation spreadsheet.
      2. For school age evaluations the test coordinator submits the Notice of Request for Educational Evaluation to the Exceptional Children's Cooperative secretary for entry into the data tracking system.
    - b. The test coordinator or the Exceptional Children's Cooperative secretary faxes information for the electronic IEP.
    - c. The test coordinator will complete the multidisciplinary evaluation plan and email it to all team members. The plan will include the projected date of case conference and the date for completion of individual evaluation reports. Reports will be no later than day forty (40) for a fifty (50) instructional day evaluation or no later than day fifteen (15) for a twenty (20) instructional day evaluation.
    - d. The school psychologist or preschool staff schedules testing date for student and sends any needed rating forms.



9. Multidisciplinary evaluation team members will complete their reports and enter their information into the assessment data section of the IEP.
10. The test coordinator will compile the education evaluation report. The evaluation report must be at the school for the parent to review at least five (5) school days prior to the case conference.
11. The test coordinator contacts the building principal with available dates for conferences. The building principal or designee will contact parent and schedule case conference.
12. If parent requests a Pre-Conference meeting, the school psychologist or test coordinator will contact the parent to determine a mutually agreed upon date and time.

## **Releasing Educational Evaluation Reports to Parents/Guardians**

Article VII specifies that:

If a parent requests a copy of the educational evaluation report prior to the case conference committee (CCC) meeting, the public agency must ensure a copy of the educational evaluation report is made available at no cost to the parent not less than five (5) instructional days prior to the scheduled CCC meeting.

- The parent may go to the school during the five (5) instructional days prior to the case conference meeting to obtain a copy of the report. The parent will sign the verification of receipt of copy of educational evaluation report, which will be sent to the Exceptional Children's Cooperative office to be filed.
- If the parent requests a meeting to have the results of the educational evaluation report explained prior to the scheduled CCC meeting, the school must arrange a meeting with the parent and an individual who can explain the evaluation results within five (5) instructional days prior to the scheduled CCC meeting. The meeting shall be scheduled at a mutually agreed upon date, time, and place. A copy of the educational evaluation report must be provided at no cost to and reviewed with the parent at this meeting.

If the parent does not request a copy of the educational evaluation report, or a meeting to explain the evaluation, prior to the initial CCC meeting, the public agency must provide a copy of the educational evaluation report at no cost to the parent at the CCC meeting.

Any questions may be directed to the Exceptional Children's Cooperative.

## Multidisciplinary Team Process

An educational evaluation of a student shall determine whether the student is eligible for special education and related services. If eligible, the evaluation will also identify the special education and related services necessary to meet the educational needs of the student.

The multidisciplinary team (M-team) is composed of at least one teacher licensed in, or other specialist with knowledge in, the area of suspected disability. On conducting the educational evaluation, the M-team must use a variety of assessment tools and strategies to gather relevant functional, developmental, and academic information about the student.

A part of the educational evaluation, the M-team must, with or without a meeting, do the following:

1. Review existing evaluation data on the student, including the following:
  - a. Evaluations and information provided by the parent of the student
  - b. Current classroom, local, and state assessments
  - c. Classroom based observations and observations by teachers and related services providers
2. On the basis of that review, and input from the student's parents, identify the following:
  - a. The suspected disability or disabilities
  - b. Any additional data that is required for the student's case conference committee (CCC) to determine
    - i. Eligibility for special education, and
    - ii. The special education and related service needs of the student
3. Obtain information for the CCC to use in making determinations of eligibility

### Procedures:

The specific requirements for composition of the M-team are contained in this section and specific to each suspected disability.

1. Parent contacts school to request educational evaluation
2. School personnel conduct a record review. This is intended for the school to determine whether or not an evaluation will be conducted.
3. Within ten days of request, the school will notify parents in writing either: a.) The request for evaluation is denied. b.) The school will complete an evaluation within 50 school days upon receiving written notification. c.) The school will complete an evaluation within 20 school days since the student participated in an intervention process.

4. The parent signs and returns the consent for evaluation. The 50-day or 20-day timelines start upon receipt of consent.
5. The psychologist sends the Notification of Request for Educational Evaluation form to the co-op office.
6. An evaluation is completed.
7. Five days prior to the scheduled case conference, evaluation reports are sent to the school office.
8. A case conference is held. Eligibility is determined. Services and placement are determined.

## Re-Evaluation

Student's data will be reviewed yearly at the Annual Case Review for consideration of re-evaluation. (The purpose of the case conference will be annual case review and reevaluation.) A reevaluation can be deemed necessary and planned outside of a case conference with parent notification/permission.

The following procedures are NOT a considered a re-evaluation:

- A test or other evaluation that is administered to all students
- A screening of students by a teacher of specialist to determine appropriate instructional strategies for curriculum implementation
- A review of existing data
- A collection of progress monitoring data

### Procedures for Re-evaluation

1. The Teacher of Record (TOR) gathers information for review such as DIBELS, AimsWeb, Acuity, curriculum based measures, progress monitoring, behavioral data, or other available assessments if a need for re-evaluation is suspected, the TOR contacts the assigned School Psychologist (or Preschool Coordinator if applicable) to discuss the need for a reevaluation.
2. If the Case Conference Committee (CCC) determines no need for re-evaluation, then the TOR will make sure:
  - a. Collected data is summarized into existing in IEP process
  - b. Case Conference Coordinator will check "no need for Re-evaluation" in the box.
  - c. The Referral Decision box should NOT be completed.
3. For those students in need of a re-evaluation, the TOR, School Psychologist, and Case Conference Committee will review data. The School Psychologist will generate a Re-evaluation Referral in the electronic IEP along with anticipated testing procedures and timelines for said evaluation. Evaluations planned at an Annual Review must be completed by the next annual case conference committee meeting.
  - a. The School Psychologist or test coordinator will print permission for Re-evaluation if the CCC confirms the need for evaluation.
  - b. School Psychologist/test coordinator, Case Conference Coordinator, or TOR will secure the parent's signature.
  - c. Signed permission for re-evaluation will be immediately returned to the test coordinator who will then report permission obtained to the administrative secretaries at The Exceptional Children's Cooperative.
  - d. The School Psychologist/test coordinator will send out a team planning.

- e. If the parent did not attend the AR in person, the School Psychologist/Test Coordinator, Case Conference Coordinator, or TOR will record attempts to secure signature for re-evaluation in the electronic IEP. If permission is not obtained after reasonable attempts to gain consent the evaluation can continue.
4. The Exceptional Children's Cooperative's Secretary will log, date stamp, and fax permission for re-evaluation to the electronic IEP.

# Independent Educational Evaluation

## General Guidelines

1. The parents of a child with disabilities have the right under this part to obtain an independent educational evaluation of the child, subject to paragraphs (2) through (5) of this section.

- a. Exceptional Children's Cooperative shall provide to parents, on request, information about where an independent educational evaluation may be obtained.
- b. For the purpose of this part:

"Independent education evaluation" means an evaluation conducted by a qualified examiner who is not employed by the public agency responsible for the education of the child in question; and

"Public expense" means that the public agency either pays for the full cost of the evaluation or insures that the evaluation is otherwise provided at no cost to the parent.

2. A parent has the right to an independent educational evaluation at public expense if the parent disagrees with an evaluation obtained by the Exceptional Children's Cooperative. However, the district may initiate a hearing to show that the evaluation is appropriate. The parent still has the right to an independent educational evaluation, but not at public expense.
3. If the parent obtains an independent educational evaluation at private expense, the results of the evaluation:
  - a. Must be considered by the IEP committee in any decision made with respect to the provision of a free appropriate public education to the child; and
  - b. May be presented as evidence at a special education hearing.
4. If a hearing officer requests an independent educational evaluation, the cost of the evaluation will be at the expense of the Exceptional Children's Cooperative.
5. Whenever an independent evaluation is at public expense, the criteria under which the evaluation is obtained, including the location of the evaluation and the qualifications of the examiner, are the same as the criteria the district uses when it initiates an evaluation, 34 CFR §300.503(e).

6. A parent is entitled to only one IEE for each evaluation performed by the district, if the parent disagrees with the evaluation. This would include the three year reevaluation or reevaluations conducted more frequently. A parent is not entitled to multiple IEE's at public expense without an intervening reevaluation. OSEP Policy Letter, EHLR 213,259 (1989) Hudson v. Wilson, 8u28 F. 2d 1059, 1065 (4<sup>th</sup> Cir. 1989)
7. The district will not pay for an IEE if the examiner, the evaluation, or the written report does not meet the district's criteria.
8. The district will not pay unreasonable charges for IEE's or unreasonably excessive fees. An unreasonably excessive fee is one which is 25% above the prevailing fees in the area (as established in the Medicaid/Medicare Service Provider Manual) for the specific test being considered. The district will pay a fee for an IEE which allows a parent to choose from among the qualified professionals in the area. Upon receipt of a request for payment of an unreasonably excessive fee, the district may request a hearing to challenge the right of parents to be reimbursed. When service providers have a sliding scale fee based on parent income, the school district will pay the amount charged to the parent.
2. In the event that a parent pursues an IEE independently, an original billing form must be submitted to the district prior to payment. Before reimbursement or direct payment is authorized, district criteria must be met and the written report received with complete test protocols.

### **Steps for Parents Making Request for IEE**

1. It is preferred that the parent or guardian contact the Director of Special Education to make the request in writing. A request in writing is not required as a pre-condition of payment for an IEE but is preferred in order to minimize any confusion or misinterpretation regarding the nature of the request.
2. When school is in session, the parent should make the request to the IEP Committee for action.
3. Within ten (10) business days of the date or receipt of the parent request for an IEE, the Director of Special Education must either:
  - a. Initiate a due process hearing to show its educational evaluation is appropriate or,
  - b. Notify the parent in writing that the IEE will be at public expense.



3. While a parent is not required to do so, as a precondition for payment for an IEE, it would be helpful to the IEP Committee if the parent would specify the areas of disagreement with the district's evaluation and list assessment questions to be addressed by IEE.
4. If known, the parent should provide the name of the preferred evaluator to the district.
5. Reimbursement/payment will be made directly to the evaluator upon receipt of the IEE which meets all of the district criteria. **PARENTS OBTAINING AN IEE WITHOUT FOLLOWING THESE PROCEDURES WILL RISK NON-PAYMENT.**

If a parent feels that an IEE that falls outside the district's cost criteria is justified by the child's unique circumstances underlying the request, the district will consider such a request. The district may offer to resolve the parent's disagreement by providing an additional evaluation; however, the parents are not required to accept the district's offer.

### **Guidelines for Independent Evaluators**

1. The examiner must be located within 50 miles of the district. This will permit the examiner to be accessible to the district if needed for further consultation.
2. The qualifications of the examiner must be the same as the criteria that the district uses when it initiates an evaluation and in accordance with State and federal law. 34 CFR §300.502.
3. Each IEE examiner must attach copies of his or her license(s) or certificate(s) to the evaluation report.
4. The examiner must complete a conflict of interest form provided by the district. Payment will not be made until the district has received the conflict of interest form indicating whether the examiner has a personal monetary interest in any service or program recommended by the examiner.
5. The evaluation must be conducted using the same criteria that the district uses when it initiates an evaluation and in accordance with State and Federal regulations.
6. Tests and other evaluation materials must be designed to assess specific areas of educational need.
7. The examiner must consider data obtained from the student's teacher through consultation with the teacher or teacher reports.

8. There shall be a written assessment report that shall address the presence or absence of those symptoms or conditions included in the specific eligibility criteria for the handicapping conditions for which the student is being assessed.
9. The written report must be in accordance with State and Federal regulations governing assessment of students with disabilities.
10. An IEE, including a written report (with test protocols) shall be provided to the district within 30 school days from the date a request for an IEE is received by the qualified examiner and five days prior to the IEP meeting which will consider the report.
11. The report shall include the type and severity of the impairment and the functional implications for the education process. The report must provide the IEP committee with sufficient information to determine whether or not the student is disabled and in need of special education services. The report must also document the child's present levels of performance in the areas assessed.
12. In preparing a report, the examiner shall follow the format for assessment and determination of eligibility used by the district. Forms will be available upon request.
13. The report must be signed by all persons participating in the examination of the student.
14. All test protocols must be submitted to the district along with the written report.

### **Selection of Examiners**

Parents are free to select whomever they choose to perform the IEE so long as the examiner meets the district's criteria.

If parents select an examiner that is not on the district's list of qualified examiners, they should submit the name and vitae of the examiner in advance of conducting the IEE in order that the district may notify the parents whether the examiner is qualified to perform the IEE. If the parents fail to submit the name and vitae of the examiner prior to conducting the IEE, they risk non-payment if the examiner does not meet the district's criteria.

## Parent Initiated IEE's

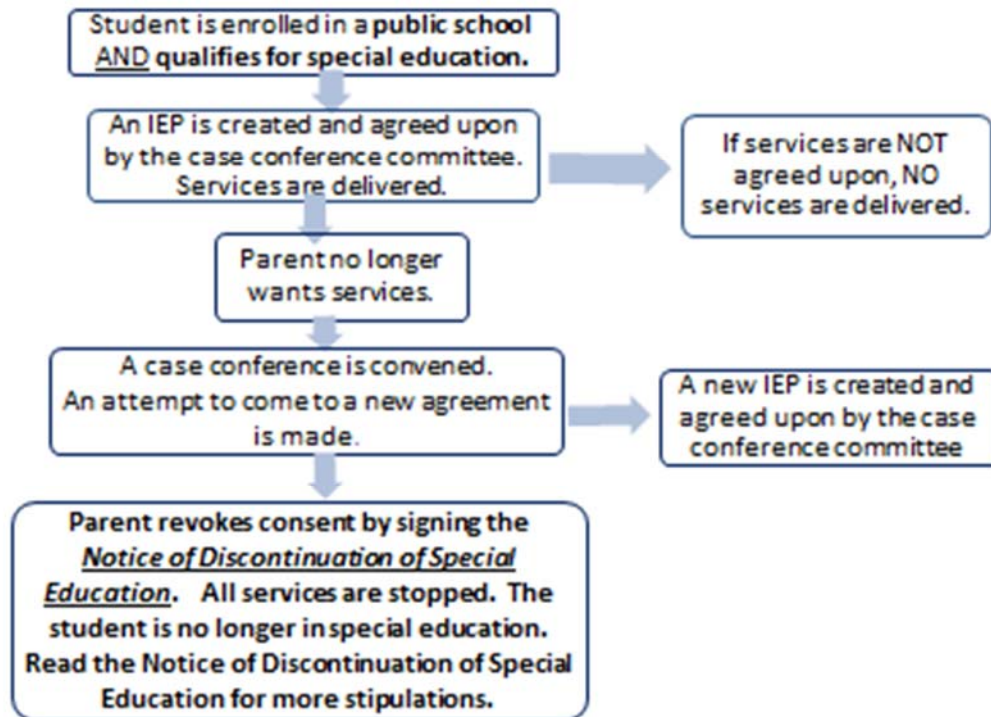
1. The district will not consider a parent request for payment for a unilaterally parent initiated IEE unless the request is made within a reasonable time after receipt of the results of the evaluation. A reasonable time is defined as 90 calendar days.
2. The request will be presented to the IEP Committee for action.
3. The district can request a due process hearing to prove its own evaluation is appropriate. This can occur before an IEE is conducted; or, after the parent has obtained one and is asking for reimbursement.
4. The district will deny payment of an IEE conducted by someone who does not meet minimum qualifications.
5. The district will deny payment of an IEE which does not meet minimum Indiana Department of Education criteria for the specific condition identified.
6. The results of a parent-initiated IEE obtained at private expense will be considered by the district in any decision made with respect to the provision of a free appropriate public education to the student. Such consideration does not make the district liable for payment of the evaluation. In addition, the District's payment of an IEE does not require the IEP Committee to accept any recommendations made in the IEE.
7. When school personnel receive a parent request for reimbursement or payment for a parent-initiated IEE, the request should be forwarded immediately to the district special education director.

## Termination of Special Education Services Due to Revocation of Consent

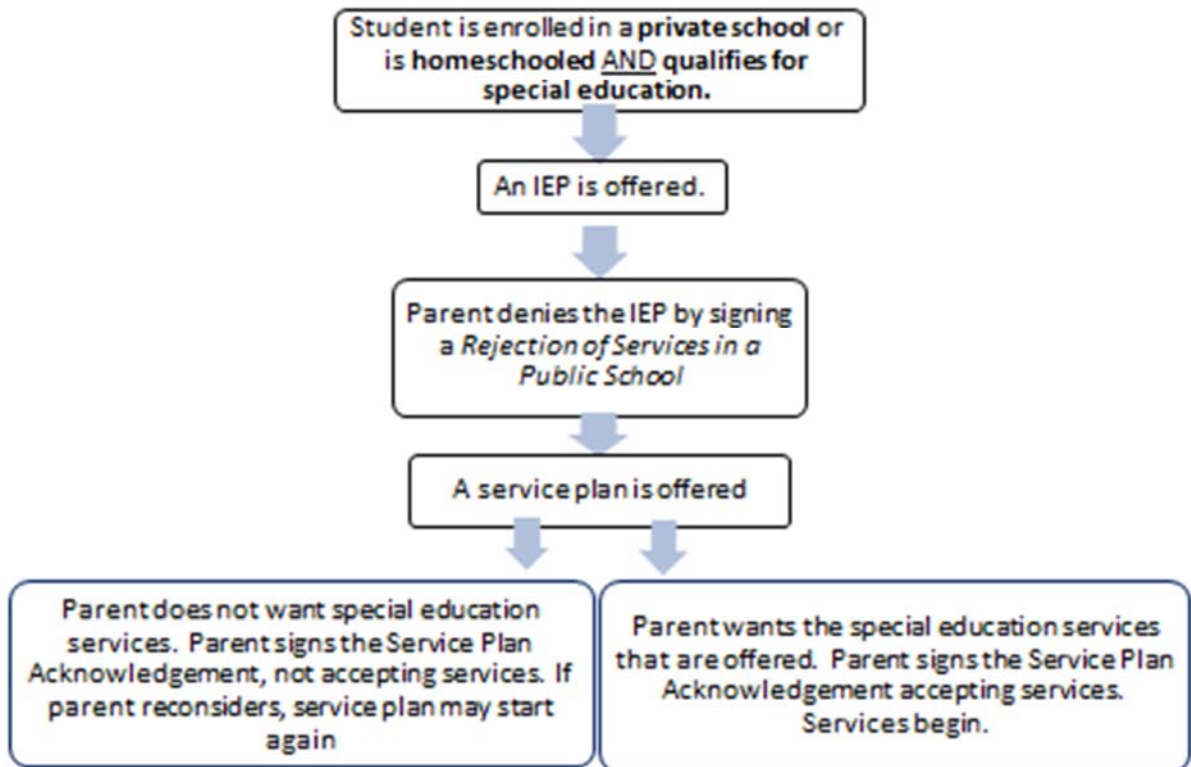
At any time after the parent gives consent for the initiation of special education and related services, the parent may revoke that consent by doing the following:

1. Putting the *Revocation of Consent* in writing.
  - a. Create the “*Notice of Discontinuation of Special Education*” form in the Indiana IEP
  - b. This document is located in the documents tab of the IIEP
2. Signing the revocation.
  - a. The parent must sign & date the “*Notice of Discontinuation of Special Education*” form.
3. Submitting the written revocation to any of the following licensed personnel; special education teacher of record, building administrator, or special education administrator.
  - a. The signed form **MUST** be faxed via Easy Fax to the IIEP by the teacher of record.
4. When the notice of revocation is received, the school does not need to reconvene the case conference or revise the individualized education plan (IEP). However, the teacher of record (TOR) should notify The Exceptional Children’s Cooperative Office.
5. Within ten (10) instructional days of the receipt of the parent’s written revocation, the school must provide the parent, either by registered mail or in person, with a copy of the signed “*Notice of Discontinuation of Special Education*” form.
6. A copy of the notice of discontinuation of special education services should be filed in the student’s confidential file and another copy sent to The Exceptional Children’s Cooperative for recording.
7. The school can ask the parent to explain why consent is being revoked, but may not require an explanation as a condition of ending special education services.
8. The parent’s revocation of consent covers all instruction, services, and supports included in the student’s IEP. A parent cannot revoke consent from fewer than all of the special education and related services included in the student’s IEP.
9. The school cannot terminate special education and related services until ten (10) instructional days after the parent receives the notice of discontinuation of special education services, unless the parent specifically indicates in their request to terminate services prior to receipt of the written notice.

# Rejecting Services While Enrolled at a **PUBLIC** School



# Rejecting Services While Enrolled in a ***PRIVATE*** School



## **Withdrawals**

If you are the teacher of record and have a child who moves from your school, please fill out the student withdrawal form (FORM #) and send it to the Exceptional Children's Cooperative office.

Keep your teacher file on the child unless the student has moved to another school within the co-op area. In this situation, please send the file to the child's new teacher.

If you are keeping records, the co-op requires you keep them for three years.

## Sample IEP Meeting Agenda

- Introductions of IEP Team participants
- Statement of purpose for the meeting (initial, annual, revise, move-in, manifest determination, etc.)
- Notice of Procedural Safeguards provided and explained
- Discussion of student's strengths, preferences & parent concerns
- Review of current assessment data collected
- Present Level of Academic Achievement & Functional Performance
- Eligibility for Special Education
  - If initial, discuss testing
  - Re-evaluation discussed for all other students
- Special Considerations & Behavioral Concerns
  - FBA/BIP reviewed and/or added (if needed or concern)
- Transition Information & Outcomes (at age 14 and beyond)
- Anticipated Graduation Date & Graduation Options
- Discussion of District or State Testing and Accommodations
- Develop/Review/Revise Measurable Annual Goals and Objectives
  - How and when will parent be informed of progress
- Discuss Provisions and LRE Placement
  - Special education services
  - Related services
  - Placement, other options considered why rejected
  - Extracurricular involvement
  - Extended school year
  - Any special factors
  - Harmful effects of placement
- Review/Summary of recommendations
  - Questions
  - Finalize recommendations by consensus
- Parent Permission for Placement and Services
- Set Time and Date for Next Meeting (if necessary)
- Parent Copies of the IEP documents (If not available at meeting, IEP documents be provided to parent no later than 10 business days after the date of the CCC meeting)



# Indiana IEP Walkthrough for Teachers of Record

## IIEP Main Page

### Create Caseload

1. From the Main Page, select Wizards from the gray menu bar at the top of the screen
2. Select Caseload Setup Wizard
3. To add student to the caseload click the button at the bottom of the screen labeled, "Add More Student to Caseload"
  - a. Enter search criteria
  - b. Click View Students button
  - c. Student meeting search criteria display on screen
  - d. Check either TOR/Case Manager or Team Member for the students
  - e. Click Add Students to Caseload button at the bottom
    - i. Or, Add Students to Caseload, then find more to complete another student search and add more students
4. Change the location of the check and update database to change TOR/Case Manager to Team Member and vice versa
5. Remove both checks for a student to remove them from the Caseload

### View Caseload

1. select Students from the gray menu bar at the top of the screen
2. Click View My Caseload
3. TOR/Case Manager or Team Member Caseload displays
  - a. To add or remove students from this list see 1) Create Caseload
  - b. Click on the header of any column to sort by that information
    - i. By default, the list is sorted by student name with the TOR's student listed first
    - ii. Any students assigned to the user at Teacher of Service are listed next
  - c. Click the header of the first column (CP) for a detailed explanation of the compliance symbols

### Access the IEP

1. From the Caseload list, click a student's name
2. Select a reason for access
  - a. Click continue
3. From the Blue Student Menu, select IEP Process

## **IEP Process**

### **Meeting Purpose**

1. Select the Meeting Purpose that best represents the reason for calling a Case Conference
  - a. Some purposes may be preselected, such as Transition, according to the student's age or grade level
  - b. Multiple purposes may be selected
  - c. IIEP will not allow some combinations of purposes
    - i. Annual and Initial may not be selected, for example
2. IIEP may prompt for additional information on this page based on the purpose
3. As with all pages in IIEP, Conference Notes are available
4. "Save" saves the information on the screen
5. "Save & Continue" saves the information on the screen and checks it against IIEP's Rules of Completion
  - a. If any part is incomplete or missing, error messages will appear at the top of the page
  - b. If all parts are complete, IIEP advances to the next page

### **Create CCC Team**

1. Current Teacher of Record/Case Manager should display the current TOR
2. Click the "Select Team" button to choose the Case Conference Committee Team
3. Update Team Page
  - a. Current TOR/Case Manage
  - b. Parent(s) who will receive IEP information
  - c. Users within IIEP that may access IEP data at this school
    - i. Check users that will be a part of the CCC team
    - ii. Check the view only box to limit team member access to read only
  - d. Once all information is accurately recorded, click "Save" or "Save & Continue"
    - i. If all parts are complete, IIEP returns to Create CCC Team
4. To add or edit the CCC team click the "Select Team" button
5. As with all pages in IIEP, Conference Notes are available
6. "Save" saves the information on the screen
7. "Save & Continue" saves the information on the screen and checks it against IIEP's Rules of Completion
  - a. If any part is incomplete or missing, error messages will appear at the top of the page
  - b. If all parts are complete, IIEP advances to the next page

## Schedule CCC Meeting

1. Enter proposed Date, Time, and Place for the CCC Meeting
2. Record Date Document sent to Parent
3. Record Proposed IEP Begin and End Dates
4. Assign Roles to CCC Team Members
  - a. Student
  - b. Public Agency Representative (PAR)
    - i. Select CCC Team Member that best fits the requirement for this role
    - ii. This individual may be excused from the CC with prior written consent of the parent
    - iii. If this team member must be excused, select the appropriate option from the Requesting Excusal Dropdown
      1. definitions of the excusal options appear below the invited individuals grid
    - iv. Consent for excusal prompts are included in the Notice of Case Conference if selected here
    - v. Record Parent response to excusal request in the Consent to Excuse column
  - c. Parent
    - i. Any individual designated as a guardian in the Parent info section may be selected here
  - d. Current TOR/Case Manager
    - i. This information should be hard coded from the selection made on the Select CCC Team page
    - ii. This individual may be excused from the CC with prior written consent of the parent
    - iii. If this team member must be excused – select the appropriate option from the Requesting Excusal Dropdown
    - iv. Consent for excusal prompts are included in the Notice of Case Conference if selected here
    - v. Record Parent response to excusal request in the Consent to Excuse column
  - e. General Education Teacher
    - i. This individual does not typically have an account in IIEP
      1. The General Education Teacher's name may be entered in the text area provided
    - ii. This individual may be excused from the CC with prior written consent of the parent
    - iii. If this team member must be excused – select the appropriate option from the Requesting Excusal Dropdown
    - iv. Consent for excusal prompts are included in the Notice of Case Conference if selected here
    - v. Record Parent response to excusal request in the Consent to Excuse column

- f. Instructional Strategist
    - i. According to Article 7, there must be an individual at any case conference that is able to interpret and explain evaluation data
      - 1. for this case one individual may serve in two roles
      - 2. The TOR may also be the Instructional Strategist if the TOR meets the criteria for this role
    - ii. This role only appears when one IEP purpose is Revise or Annual
  - g. Transition Service Agency Rep
    - i. According to Article 7, to the extent appropriate, and with consent of the parent, a representative of vocational rehabilitation should be invited a year before the student's projected final year of school.
    - ii. If it is not a year before the student's projected final year of school, you are to put N/A for the Transition Service Agency Rep.
  - h. Add additional team members
  - i. Add additional attendees
5. Create Draft Notice of Case Conference
  6. Create Final Notice of Case Conference
  7. Select Parent Communication
  8. As with all pages in IIEP, Conference Notes are available
  9. "Save" saves the information on the screen
  10. "Save & Continue" saves the information on the screen and checks it against IIEP's Rules of Completion
    - a. If any part is incomplete or missing, error messages will appear at the top of the page
    - b. If all parts are complete, IIEP advances to the next page

### **Existing Data**

1. Describe the strengths of the student
2. Describe the concerns of the parent for enhancing the education of the student
3. Record information regarding the instructional strategies and research-based interventions in which the student participated
4. Review Progress Monitoring Data and record the results
5. Provide a statement of the student's present levels of academic achievement and functional performance
  - a. The statement must address multiple domains, i.e., academic, communication, social, emotional, behavior, study/organization skills and functional performance
  - b. Information should explain how student is performing in each domain
  - c. Data to support information should be provided
  - d. There should be an explanation of skills and deficits in a narrative form, not just scores
  - e. The statement should include how the student's disability affects involvement and progress in general education curriculum
6. Based upon the data collected and reported here, determine whether there is a need for reevaluation

7. As with all pages in IIEP, Conference Notes are available
8. "Save" saves the information on the screen
9. "Save & Continue" saves the information on the screen and checks it against IIEP's Rules of Completion
  - a. If any part is incomplete or missing, error messages will appear at the top of the page
  - b. If all parts are complete, IIEP advances to the next page

### **Eligibility Information**

1. only record changes to this page during an actual case conference
  - a. eligibility determinations should only be made at a case conference by the committee after a review of data
2. based on the data recorded, the case conference committee determines the student's eligibility
  - a. if the student is eligible, record reasons for the eligibility decision
  - b. Record the primary disability and any additional secondary disabilities
  - c. If the student is not eligible for services,
    - i. Record the reasons for the eligibility decision
    - ii. Create a final notice of ineligibility
    - iii. There is no need to continue with the remainder of the IEP documentation once the Final Notice of Ineligibility is created
3. As with all pages in IIEP, Conference Notes are available
4. "Save" saves the information on the screen
5. "Save & Continue" saves the information on the screen and checks it against IIEP's Rules of Completion
  - a. If any part is incomplete or missing, error messages will appear at the top of the page
  - b. If all parts are complete, IIEP advances to the next page

### **Special Considerations and Behavior Concerns**

1. Complete Special Considerations for Limited English Proficiency
  - a. Choose "Yes" or "No" depending on the needs of the student
  - b. Limited English Proficiency needs must be addressed for each student
  - c. There may be additional questions here based upon the eligibility areas of the student
2. Complete Behavior Concerns
  - a. If Manifestation Determination is the purpose, those options will be displayed on this page
  - b. Choose whether or not behavior impedes student's learning or that of others
  - c. If "No", then proceed with the IEP
  - d. If "Yes", then complete the prompts as completely as possible

- e. Describe the patterns of concerning behaviors, factors affecting the behavior, and articulate the plan for behavioral support and/or intervention as comprehensively as possible
- f. Indicate whether or not to design a goal or goals for this student
- 3. As with all pages in IIEP, Conference Notes are available
- 4. "Save" saves the information on the screen
- 5. "Save & Continue" saves the information on the screen and checks it against IIEP's Rules of Completion
  - a. If any part is incomplete or missing, error messages will appear at the top of the page
  - b. If all parts are complete, IIEP advances to the next page

### **State Assessments and Other Participations**

- 1. Enter the anticipated date of the student's exit from high school or from extended secondary services
- 2. If "**Student will pursue High School Diploma**" is chosen,
- 3. School Assessments:
  - a. Choose the appropriate level of participation in ISTEP+ testing
  - b. If student is in grades 3-8, select his/her specific participation level in each curriculum area
  - c. If ISTEP+ with accommodations is selected for any area, choose appropriate accommodations
    - i. Click "Add Accommodations"
    - ii. Check the appropriate accommodation(s) for this student
    - iii. Click "Save and Continue" to return to the State Assessments and Other Participations page
    - iv. Selected accommodations appear next to the chosen curriculum area and grade level
    - v. To remove an accommodation, check the box in the "Delete" column and "Save" the page
  - d. If the student is in High School, select the student's participation level in each curriculum area
  - e. If End-of-Course with accommodations is selected for any area, choose appropriate accommodations
    - i. Click "Add Accommodations"
    - ii. Check the appropriate accommodation(s) for this student
    - iii. Click "Save and Continue" to return to the State Assessments and Other Participations page
    - iv. Selected accommodations appear next to the chosen curriculum area and grade level
    - v. To remove an accommodation, check in the box in the "Delete" column and "Save" the page

4. If **“Student will pursue Certificate of Completion”** is chosen,
  - a. Select “Meets the criteria to participate in alternative assessment” if the student meets the criteria to participate in the ISTAR alternative assessment
  - b. For High School students, “Student will not be in 10<sup>th</sup> grade. Therefore, State Assessment is not required, may be selected
5. Complete the Rationale section and describe the reasoning for state assessment selections
6. Other Participation:
  - a. Articulate a plan for the student’s participation in any other testing that may take place at school include accommodations and any other direction
7. As with all pages in IIEP, Conference Notes are available
8. “Save” saves the information on the screen
9. “Save & Continue” saves the information on the screen and checks it against IIEP’s Rules of Completion
  - a. If any part is incomplete or missing, error messages will appear at the top of the page
  - b. If all parts are complete, IIEP advances to the next page

**Transition** (Transition is required for students aged 14 years and older or grade 9 and up and will be optional area for all other students.)

1. Name and discuss findings of any age-appropriate transition assessments
2. Decide if the student has sufficient skills to live independently
  - a. If “Yes”, enter the evidence to support this position and continue with the remaining post-secondary goals
  - b. If “No”, enter information for all three post-secondary goals
3. As with all pages in IIEP, Conference Notes are available
4. “Save” saves the information on the screen
5. “Save & Continue” saves the information on the screen and checks it against IIEP’s Rules of Completion
  - c. If any part is incomplete or missing, error messages will appear at the top of the page
  - d. If all parts are complete, IIEP advances to the next page

## **Goals**

1. **Goals**
  - a. All current goals are listed on this page
  - b. To delete a goal
    - i. Check the box preceding the goal in the “Del” column
    - ii. Click the “Save” button
  - c. To reorder the list of goals
    - i. Enter the new order in the box provided in the “Position” column
    - ii. Click the “Save” button
  - d. To update or change a goal
    - i. Click “Details” button associated with that goal

2. **Add Goal (New)**
  - a. Click Add Goal on the Goals page to enter a new annual goal for a student
  - b. Enter a Goal Title
  - c. Capture Present Levels of Academic Achievement and Functional Performance data that is relevant to the Annual Goal
  - d. Describe the student's Educational Need based upon the present level data reported and collected in the IEP
  - e. Compose a measurable Annual Goal that addresses one or more of the student's educational needs
  - f. Click "Save & Continue" to save the content and continue developing the annual goal
3. **Goal Details**
  - a. This page contains the information from the Add Goal page or saved work entered previously
  - b. All information may be updated or changed to reflect a student's current needs
  - c. **Present Level**
    - i. Capture Present Levels of Academic Achievement and Functional Performance data that is relevant to the annual goal
  - d. **Needs**
    - i. Describe the student's Educational Needs based upon the data reported and collected in the IEP
  - e. **Annual Goal**
    - i. Compose a measurable Annual Goal that addresses one or more of the student's educational needs
  - f. **Method/Instrument for Measuring Progress**
    - i. Record the Method or Instrument used to measure student progress
      1. this method or instrument should be the same tool used to establish the student's present level of performance data
  - g. **Standards**
    - i. Click "Add Standard"
    - ii. Click the "+" symbol next to either Common Core, Functional Achievement Standards, or Indiana Standards to see a complete list of state standards in each domain
      1. Common Core contains only the standards implemented currently in Indiana
        - a. The initial listing contains only Kindergarten standards
    - iii. Selected Standards appear at the bottom of the Add Standard(s) screen
      1. To remove a standard
        - a. Place a check in the "Delete" box beside the standard
        - b. Click "Save" to remove the standard
    - iv. Once all relevant standards are selected, click "Save & Continue" to save the data and return to the Goal Details page
  - h. **Progress Monitoring**
    - i. Select the progress monitoring method that best fits the method or instrument used to monitor student progress on this annual goal



ii. **Descriptive Documentation:**

*Note – The quality of a descriptive goal depends on the author’s ability to articulate measurement with words alone. It is advisable that a graph be considered as a test of measurability.*

1. Click “Edit Progress Monitoring”
2. Under Progress Monitoring Assessment record the tool or instrument to be used
3. Under Subject Area record the subject area addressed by the annual goal
4. Click “Add Assessment” to save this information
5. Click “Save & Continue” to save the data and return to the Goal Details page

iii. **Single Point:**

1. Click “Edit Progress Monitoring”
2. Under Progress Monitoring Assessment record the tool or instrument to be used
3. Under Subject Area record the subject area addressed by the annual goal
4. Under Metric enter the task, behavior, or score being recorded
5. Click “Add Assessment” to save this information
6. Enter Parameters to build the graph
  - a. Initial Value and Date
    - i. Enter the score representing the student’s initial skill level and the date it was recorded
  - b. Target Value and Date
    - i. Enter the target score and the date by which the student should achieve this
  - c. Frequency of Collection
    - i. Record the frequency of data collection
7. Click “Save & Continue” to save the data and return to the Goal Details page

iv. **Single Rubric:**

1. Click “Edit Progress Monitoring”
2. Under Progress Monitoring Assessment record the tool or instrument to be used
3. Under Subject Area record the subject area addressed by the annual goal
4. Click “Add Assessment” to save this information
5. Create a rubric by entering the rubric criteria in the provided form or “Add Rubric(s) from Bank”

- a. Add Rubrics from the User's Bank for "Student Name" page contains:
  - i. A dropdown list of user created rubric categories
  - ii. A list of uncategorized rubrics (if any)
  - iii. "Manage Rubrics in Bank" button
  - iv. "Back" to return to Goals without saving
  - v. "Save" to save data
  - vi. "Save & Continue" to save data and return to Goals
- b. To add rubrics already stored in the rubric bank
  - i. Choose the category, if any
  - ii. Click the appropriate box in the "Add" column
  - iii. Click Save & Continue to add the rubric and return to the Progress Monitoring screen
  - iv. The rubric should be listed along with the rest of the parameters
- c. Click "Manage Rubrics in Bank" to add a new rubric
- d. Enter the Rubric Title
- e. Complete at least 3 rubric criteria entries
  - i. Click "Back to Student Name" to return to the Goal Details page without saving information
  - ii. Click "Save" at the bottom of the screen to save the rubric
  - iii. Click "Save & Continue" to save the rubric and return to the student's Goal Details page
- f. Click "Edit Categories for My Rubric Bank" to create organizational categories to sort rubrics
  - i. Enter a title for a rubric category
    1. Click "Back" to return to the Manage Rubric Bank screen
    2. Click "Save" to save the information
    3. Click "Save & Continue" to save the information and return to the Manage Rubric Bank screen
  - ii. Rubric Categories may also be reordered or deleted from this screen
    1. Enter the number of the new position in "New Pos" column and click "Save" to make the change
    2. To delete a rubric category click the box in the "Del" column and click "Save" to make the change

- g. Click “Import Rubrics to my Rubric Bank from my Caseload” to add previously created rubrics to the rubric bank
      - i. Choose to import Rubrics from the current student only or from an entire caseload
      - ii. Click “Save & Continue” to import rubrics and return to the Manage Users Rubric Bank screen
      - iii. Imported rubrics should appear in a list at the top of the screen
- 6. Enter Parameter to build the graph
  - a. Initial Value and Date
    - i. Enter the score representing the student’s initial skill level and the date it was recorded
  - b. Target Value and Date
    - i. Enter the target score and the date by which the student should achieve this
  - c. Frequency of Collection
    - i. Record the frequency of data collection
- 7. Click “Save & Continue” to save the data and return to the Goal Details page
- v. **Collection of Indicators:**
  - 1. Click “Edit Progress Monitoring”
  - 2. Under Progress Monitoring Assessment record the tool or instrument to be used
  - 3. Under Subject Area record the subject area addressed by the annual goal
  - 4. Under Metric enter the task, behavior, or score being recorded
  - 5. Click “Add Assessment” to save this information
  - 6. Create a rubric by entering the rubric criteria in the provided form or “Add Rubric(s) from Bank”
    - a. Add Rubrics from User’s Bank for “Student Name” page contains
      - i. A dropdown list of user created rubric categories
      - ii. A list of uncategorized rubrics (if any)
      - iii. “Manage Rubrics in Bank” button
      - iv. “Back” to return to Goals without saving
      - v. “Save” to save data
      - vi. “Save & Continue” to save data and return to Goals
    - b. To add rubrics already stored in the rubric bank
      - i. Choose the category, if any
      - ii. Click the appropriate box in the “Add” column
      - iii. Click Save & Continue to add the rubric and return to the Progress Monitoring screen
      - iv. The rubric should be listed along with the rest of the parameters

- c. Click “Manage Rubrics in Bank” button
  - d. Enter the Rubric Title
  - e. Complete at least 3 rubric criteria entries
    - i. Click “Back to Student Name” to return to the Goal Details page without saving information
    - ii. Click “Save” at the bottom of the screen to save the rubric
    - iii. Click “Save & Continue” to save the rubric and return to the student’s Goal Details page
  - f. Click “Edit Categories for My Rubric Bank” to create organizational categories to sort rubrics
    - i. Enter a title for a rubric category
      - 1. Click “Back” to return to the Manage Rubric Bank screen
      - 2. Click “Save” to save the information
      - 3. Click “Save & Continue” to save the information and return to the Manage Rubric Bank screen
    - ii. Rubric Categories may also be reordered or deleted from this screen
      - 1. Enter the number of the new position in “New Pos” column and click “Save” to make the change
      - 2. To delete a rubric category click the box in the “Del” column and click “Save” to make the change
  - g. Click “Import Rubrics to my Rubric Bank from my Caseload” to add previously created rubrics to the rubric bank
    - i. Choose to import Rubrics from the current student only or from an entire caseload
    - ii. Click “Save & Continue” to import rubrics and return to the Manage Users Rubric Bank screen
    - iii. Imported rubrics should appear in a list at the top of the screen
7. Enter Parameters to build the graph
- a. Initial Value and Date
    - i. Enter the percentage representing the student’s initial skill level and the date it was recorded
  - b. Target Value and Date
    - i. Enter the target percentage and the date by which the student should achieve this
  - c. Frequency of Collection
  - d. Record the frequency of data collection
8. Click “Save & Continue” to save the data and return to the Goal Details page

## Provisions

1. **Transition Service** (if purpose = Transition):
  - a. Click “Add Transition Service” to add a transition service
  - b. Enter Description, Frequency, Postsecondary Goal to Support, by whom and anticipated Date of Completion
  - c. Save the entry and add as many services as are required
  - d. Record/Document any and all Adult Services Information shared with the student and his/her parents
2. **Special Education Service:**
  - a. Click “Add Special Education Service” to add a special education service
  - b. Select Indirect Support, Direct Services, or Speech and/or Language Services
  - c. Click “Save & Continue” to continue adding the service
  - d. Enter Initiation, Frequency, Length, Duration, To Support (if Transition), Location, and Narrative
  - e. Click “Save” and add as many services as are required
3. **Related Services:**
  - a. Click “Add Related Services” to add a related service
  - b. Select Related Service Description
  - c. Click “Save & Continue” to continue adding the service
  - d. Enter Initiation, Frequency, Length, Duration, To Support (if Transition), Location, and Narrative
  - e. Click “Save” and add as many services as are required
4. **Accommodations:**
  - a. ISTEP+ or End of Course Assessments accommodations are listed here
  - b. An additional box is provided for accommodations unrelated to testing
  - c. *\*\*\*Note – Any accommodations chosen for state testing should also be accommodations that the student uses in the classroom on a regular basis. The need for the accommodations should be established in the Present Level of Performance*
5. **Transportation:**
  - a. Answer “Yes” or “No” question
  - b. If the transit time or needs are different from non-disabled peers, record the transportation needs of the student and enter a related service if necessary
6. **Accessible Materials:**
  - a. Answer “Yes” or “No” question
  - b. If the student needs instructional materials provided in accessible format, describe the environment, tasks, tools, and services related to the provision of accessible instructional materials to this student
7. **Assistive Technology:**
  - a. Answer “Yes” or “No” question
  - b. If the student needs assistive technology, describe the assistive technology required

8. **Extended School Year (ESY):**
  - a. Select the appropriate choice for ESY
  - b. ESY is indicated if one of the first 3 choices is selected
  - c. If ESY is indicated, please enter a special education and/or related service to support this choice
  - d. Choose "None" if no ESY services are necessary
9. **Aids/Supports:**
  - a. Answer "Yes" or "No" question
  - b. If "Yes", record the plan to provide school personnel with the knowledge required to implement the student's IEP
  - c. Answer "Yes" or "No" to the second question
  - d. If "Yes", record modifications necessary for this student to participate in the described activities
10. **Progress Report Timeline:**
  - a. Enter the frequency progress will be reported for this student
  - b. \*\*\*Note- the frequency cannot be less than general education progress is reported to parents
11. **Rationale:**
  - a. Describe the rationale for providing these services and supports, as well as describing reasons for rejecting other options

### **Least Restrictive Environment Placement (LRE)**

1. **Course of Study** (if purpose = Transition):
  - a. Enter course of study information that focuses on improving the academic and functional achievement of the student in order to support the attainment of post-secondary goals
2. **LRE:**
  - a. Choose appropriate LRE code for this student
  - b. LRE codes displayed correspond to the student's age
  - c. ED students only – Choose Full-time or All other
  - d. List any additional descriptors of LRE
  - e. Describe potentially harmful effects that were discussed
  - f. Explain the reasoning behind the placement selection for this student
3. **General Considerations:**
  - a. Consider each statement carefully if "No" is selected, please state the exceptions and describe the reasoning for these exceptions
4. **Program Information:**
  - a. The student's School of Legal Settlement is displayed
    - i. This information is imported from the IDOE-RT report
  - b. Select the Student's School of Service from the available dropdown boxes
  - c. Record any additional program information in the provided text box
5. As with all pages in IIEP, Conference Notes are available
6. "Save" saves the information on the screen

7. "Save & Continue" saves the information on the screen and checks it against IIEP's Rules of Completion
  - e. If any part is incomplete or missing, error messages will appear at the top of the page
  - f. If all parts are complete, IIEP advances to the next page

### **Summary of Performance (SOP)**

A Summary of Performance must be complete for a special education student whose eligibility under special education terminates due to graduation with a regular diploma, leaves with a certificate of completion or exceeds the age of eligibility.

1. Enter Recommendations to Assist in Meeting Post-secondary Goals
  - a. Describe the accommodations, modifications, and/or assistive technology that have been most useful to the student
  - b. Describe what will help the student be successful after high school
2. Create Final Summary of Performance
  - a. SOP may be printed separately, but is intended to be a part of the IEP report
3. As with all pages in IIEP, Conference Notes are available
4. "Save" saves the information on the screen
5. "Save & Continue" saves the information on the screen and checks it against IIEP's Rules of Completion
  - g. If any part is incomplete or missing, error messages will appear at the top of the page
  - h. If all parts are complete, IIEP advances to the next page

### **Review Conference Notes**

1. Review conference notes for content and accuracy
2. "Save" saves the information on the screen
3. "Save & Continue" saves the information on the screen and checks it against the IEP's Rules of Completion
  - a. If any part is incomplete or missing, error messages will appear at the top of the page
  - b. If all parts are complete, IIEP advances to the next page

### **Create Final IEP**

1. If the Case Conference Committee (CCC) decided upon reevaluation, a reminder appears at the top of the page
2. CCC meeting date, IEP begin date, and end date are reported
  - a. To change the IEP begin or end dates return to the **Schedule CCC Meeting** page and make the appropriate adjustments

3. Mark whether the parent(s) reject the provision of FAPE
  - a. If FAPE is rejected, the process continues with the creation of the Individual Service Plan (ISP)
  - b. ISPs are created when services are provided in a nonpublic school setting
4. Check all that attended the case conference
  - a. If the boxes are not checked attendees will not be listed in the IEP
  - b. Click "Add Additional Attendees" to record any other persons in attendance at the case conference
5. If any errors exist in the IEP the button "Display Errors" appears
  - a. Click the button to view a list of errors
6. Click "Create Draft IEP" at any time to view a draft of the IEP containing all information entered in the IEP workspace when the draft is created
7. If there are no errors and the CCC has finished deliberating, click "Create Final IEP"
  - a. Confirm that a Final IEP is to be created
8. The Final IEP document appears below
  - a. Click the "IEP" link to view and/or print the IEP
  - b. Once the parent(s) have signed the IEP (if required) fax the signature page to the provided fax number
    - i. Once received a link will appear next to the IEP with a date the fax was received
      1. Click the link to view the faxed document
  - c. Click the Proposed Button to confirm acceptance of the IEP
    - i. Record whether the IEP was accepted or rejected
    - ii. Record who signed the document
    - iii. Record the date and any notes
9. "Save" saves the information on the screen
10. "Save & Continue" saves the information on the screen and checks it against the IEP's Rules of Completion
  - a. If any part is incomplete or missing, error messages will appear at the top of the page
  - b. If all parts are complete, IIEP advances to the next page

### **Additional IEP Documents**

1. Additional Documents are listed here
2. In some cases these documents are required and do not automatically print with the Final IEP
3. Please review the Final IEP and create any additional Final Documents necessary
4. "Save" saves the information on the screen
5. "Save & Continue" saves the information on the screen and checks it against IIEP's Rules of Completion
  - a. If any part is incomplete or missing, error messages will appear at the top of the page
  - b. If all parts are complete, IIEP advances to the next page



## Case Conference Checklist

<b>CASE CONFERENCE ETIQUETTE:</b>	Observed	Not Observed	Not Applicable	Comment
Introductions were made.				
An agenda was reviewed.				
Purpose of the meeting was shared.				
Parent rights were offered.				
Parent input was encouraged.				
Parent concerns were discussed and addressed.				
Written notes were taken and reflect conversation during case conference.				
Case conference was run efficiently.				
All appropriate members were present or excusals were completed.				
All appropriate forms/signatures were obtained.				
<b>PRESENT LEVEL, PROGRESS MONITORING, and ELIGIBILITY:</b>				
Present levels were correctly listed and discussed.				
<i>Reason for Eligibility</i> reflects Article VII criteria.				
Student assessment data is current and correct. Data does not include opinions.				
<b>GOALS:</b>				
Goals are aligned to present levels.				
Goals are meaningful, aligned to need, and realistic.				
Goals include a skill, condition, and criterion.				
Goals are neither scores nor related to passing a course.				
Goals are easily monitored. Mastery level is identified.				
<b>SPECIAL IEP PARTS:</b>				
Behavior plans include replacement skills.				
Transition plan is realistic and compliant.				
<b>DIRECT SERVICES and INDIRECT SUPPORTS:</b>				
Recommended services are appropriate, align to each goal, and written under each goal.				
Services include instruction of new skills.				
The services listed under each goal align with those listed in the <i>Provisions</i> section.				
Listed accommodations are practiced daily as well as during state testing.				
Services and supports are not aligned with people.				
Services and supports are not aligned to methodology.				
<b>IEP FOLLOW UP:</b>				
Follow up duties are clarified.				
IEP changes are communicated to appropriate building personnel.				

## Annual Case Review Schedule

August: NO CONFERENCES except move-ins/initials

September: September Birthdays

October: October Birthdays

November: November Birthdays

December: December Birthdays (+ ALL REMAINING SENIORS)

January: January and May Birthdays

February: February and June Birthdays

March: March and July Birthdays

April: April and August Birthdays (+ PRESCHOOL)

May: NO CONFERENCES (EXCEPT PRESCHOOL)

## **Present Level of Academic Achievement and Functional Performance (PLOP) Guidelines**

The section of the IEP entitled, "Present Level of Academic Achievement and Functional Performance (PLOP) is to be completed by the school psychologist on an initial placement and by the teacher of record (TOR) on subsequent individualized education plans (IEPs). The intended outcome is to create an individualized portrait of the student. A person receiving this student without any prior knowledge should be able to obtain a comprehensive yet concise understanding of the student based on the information provided in the PLOP. The PLOP must be updated on every new or revised IEP.

Current data that *may be included* in this section are:

### **CURRENT STATUS:**

- current grade level
- description of level and type of special education services
- the special classes the student participates in and if support is given
- recreation and leisure activities the student participates in
- community based instruction the student participates in
- special transportation or limited mobility issues the student has
- assistive technology the student requires

### **ASSESSMENT DATA AND EVALUATION:**

- scores/summary of psychological evaluation (if current testing is available)
- standard scores from the most current formal achievement test, if current. Do not enter IQ scores on PLOP.
- current mCLASS assessments, Acuity assessments, Indiana Statewide Testing for Educational Progress Plus (ISTEP+), Indiana Graduation Qualifying Exam (GQE), End-of-Course Assessments (ECAs), ISTAR scores
- other curriculum based assessments, informal running records, MAZE passages, fluency assessments.

State where the score came from and the date of the evaluation/assessment.

### **ACADEMIC PERFORMANCE:**

- information from the general education teacher (i.e.: his classroom teacher reports that "\_\_\_\_").
- a statement of how the student's disability affects his/her involvement and progress in the general education curriculum.
- a statement of student's progress on grade level performance on Indiana Core Academic Standards.
- for students who require intense interventions, give specific scores including a statement of progress in each area.

If student is not accessing the general education curriculum full-time, explain the extent to which he/she will not be involved and why.

For high school students include information on credits earned.

### **SOCIAL / EMOTIONAL BEHAVIOR**

- discipline data like suspensions, expulsions, office referrals, behavior recording. Tell “how many” and “how often”.
- description of student’s peer relationships
- description of student’s participation in extra-curricular activities
- student responses to behavior intervention plan

Behavior must be reported in objective data based terms.

### **COMMUNICATION**

- description of student’s ability in language (expressive, receptive, fluency, nonverbal)

### **HEALTH RECORDS**

- medications
- new medical diagnosis

### **ATTENDANCE**

- relevant attendance data

### **TIPS AND REMINDERS:**

- The IEP is a professional document so spelling and grammar are important.
- The language used in describing the student in the PLOP must be professional, factual, and devoid of personal opinions.
- Always state where and how the information for the PLOP was obtained.
- The PLOP forms the baseline for the goals and progress monitoring. It is the standard against which we measure growth for individual students.
- Be specific and use data. (Example: If attendance is an issue, write the # of absences the student has had and reason absences have occurred).
- Try to stay positive and focus on what the student can do.

Stay away from  
words like:

Use words like these instead:

<i>Weak</i>	Scores on assessments are at 3rd grade level.
<i>Has difficulty</i>	Uses a calculator to figure out problems.
<i>Unmotivated</i>	Has completed 20% of assigned work.
<i>Limited</i>	Does best when directions are given one at a time.
<i>Defiant</i>	Has been referred to the office for swearing at teachers five times.
<i>Irresponsible</i>	In two weeks, he/she has taken his/her homework home zero times.
<i>Uncooperative</i>	When given tasks like, "put away the backpack," he frequently argues.
<i>Aggressive</i>	Hits other students when he/she wants their attention
<i>Disruptive</i>	Makes frequent irrelevant and insulting comments to others.
<i>Hyperactive</i>	Leaves seat frequently, rocks in chair, and blurts out in the classroom.
<i>Lazy</i>	Has asked questions in math class an average of one time a week
<i>Doesn't try</i>	Has initiated doing his assignments on his own in 3 of 10 trials.

## Present Level of Academic Achievement and Functional Performance (PLOP) Guidelines

The present level of academic achievement and functional performance (PLOP) is to be completed by the school psychologist on an initial placement and by the teacher of record (TOR) on subsequent individualized education plans (IEPs). The goal is to create an individualized portrait of the student. A person receiving this student without any prior knowledge should be able to obtain a comprehensive yet concise understanding of the student based on the information provided in the PLOP. The PLOP must be updated on every new or revised IEP.

Start with the student's current status. Current status is a simple description of the student's current placement in school and the type of special education he/she receives.

State student's current grade level.

Describe level and type of special education services.

*Examples:*

*Johnny is a third grade student who receives resource services to support his participation in the general education curriculum.*

*Johnny receives support in the general education classroom through the special education program.*

*Intense interventions example:*

*Sarah is a first grade student who receives full time special education services in the life skills program. Sarah is included in the general education classroom for calendar, read aloud, and science with support from special education.*

State whether student participates in specials (music/physical education) and other school activities and if support is given.

State whether student participates in recreation and leisure activities (horseback riding, swimming, athletics, hobbies, etc.).

State whether student participates in community based instruction.

State whether the student requires special transportation or has limited mobility.

State whether the student uses any assistive technology.

Summary of assessment data and evaluation

Scores/summary of psychological evaluation (if current testing is available)  
Standard scores from the most current formal achievement test must be entered in box. Do not enter IQ scores on PLOP.

Enter current mCLASS assessments, Acuity assessments, Indiana Statewide Testing for Educational Progress Plus (ISTEP+), Indiana Graduation Qualifying Exam (GQE), End-of-Course Assessments (ECAs), scores for students who are eligible to take these tests.



Include information about each academic area.

Report on progress on current year grades (especially middle and high school). Include information of how a student accesses the general education curriculum and tell what the student needs from special education in order to be successful in the classroom.

*Examples:*

*Johnny participates fully in all general education classes with accommodations for testing situations.*

*Johnny participates fully in all general education classes except for math in which he requires some modification to the curriculum in order to meet his skill needs at an earlier standard.*

*When Johnny is given recorded books, or has content material read to him and tests administered orally, he is successful in accessing the academic standards.*

*Johnny requires the support of a positive behavior intervention plan, which is monitored by a paraprofessional to support his participation in general education.*

*When content material is read to the student, he/she is able to understand grade-level concepts and is successful in mastering the content area standards.*

*Johnny is successful in the general education curriculum when information is presented to him at a slower pace and directions are clarified for him. Therefore paraprofessional support and access to the resource room is important for Johnny.*

*Johnny accesses the general education curriculum when he is given enlarged print.*

*Once Johnny arrives in his classroom and has his materials set up for him, he can function with only minimal assistance from teachers and peers.*

*Intense interventions examples:*

*Johnny participates in general education classes for science and health.*

*Lessons are adapted and/or modified in order for him to be successful. All tests are given orally. Special education staff support is needed in the general education classroom for some activities in order for Johnny to be successful.*

*Johnny requires the support of a behavior intervention plan, which is monitored by "\_\_\_\_\_ "to support his participation in general education.*



If student is not accessing the general education curriculum full-time, explain the extent to which he/she will not be involved and why.

*Example:*

*Due to Johnny's inability to manage frustration, as evidenced by his frequent verbal outbursts in the general education classroom, he is required to spend about 50% of the school day in the emotional disabled (ED) classroom.*

*Because Johnny's reading skills are three years below grade level, he requires significant modifications to the general education curriculum and requires some pull-out intervention services. Therefore, Johnny misses part of the general education instruction each day.*

*Johnny's disability in math requires such significant modifications to the general education math program that it is necessary for him to receive some pull-out intervention for math skills.*

*Due to Johnny's severe attention problems and inability to complete tasks in a large group, it is necessary for him to spend part of Social Studies in the resource room.*

Discuss classes separately if needed (Language Arts, Social Studies, math, science, etc.)

For high school students include information on credits earned.

#### Social / emotional / discipline / behavior

Describe student's attitude, behavior, effort, etc. May include reports about behavior at home from parents or siblings (specify who the information came from and how).

Use data to report on suspensions, expulsions, office referrals, behavior recording, etc... Tell "how many" and "how often".

Behavior must be reported in objective data based terms.

Describe student's peer relationships.

Describe student's participation in extra-curricular activities (sports, music, and clubs).

Is there a difference in behavior or motivation when the student takes medication?

Does the student have a behavior plan? Has it been effective? Use data to describe how the positive behavior intervention plan (PBIP) has worked for the student.

#### Communication

Speech pathologist information should be entered here if applicable.

Describe student's ability in language (expressive, receptive, fluency, nonverbal).

How does the student communicate?

Does the student mispronounce words or have articulation errors?

Does the student have any hearing problems?

Does the student need any assistive devices to support communication?

How does the student's communication impact behavior and academic performance?

### Health records

List medications the student is taking, glasses, other health needs or issues. Do not make statements expressing your opinion of whether the student should or should not be taking medication but you may make an objective observation of how the student performs when taking medication and how the student performs when not taking medication.

### Attendance

Make a statement whether attendance is good or if there are excessive absences. Report the specific number and type of absences.  
State whether absences have had an impact on academic growth and performance.

### Tips and reminders:

The IEP is a professional document so spelling and grammar are important.  
The language used in describing the student in the PLOP must be professional, factual, and devoid of personal opinions.  
Always state where and how the information for the PLOP was obtained.  
The PLOP forms the baseline for the goals and progress monitoring. It is the standard against which we measure growth for individual students.  
Be specific and use data. (Example: If attendance is an issue, write the # of absences the student has had and reason absences have occurred).  
Try to stay positive and focus on what the student can do.

### Stay away from words like:

Weak

Has difficulty

Unmotivated

Limited

Defiant

Irresponsible

Uncooperative

Aggressive

Disruptive

Hyperactive

### Use words like these instead:

Scores on assessments are at 3rd grade level.

Uses a calculator to figure out problems.

Has completed 20% of assigned work.

Does best when directions are given one at a time.

Has been referred to the office for swearing at teachers five (5) times.

In two weeks, he/she has taken his/her homework home zero (0) times.

When given tasks such as to put away his backpack, he argues.

Hits other students when he/she wants their attention

Makes frequent irrelevant and insulting comments to others.

Leaves seat frequently, rocks in chair, and blurts out in the classroom.

Goals will be written directly from the PLOP so be specific.  
Include statements of strengths and weaknesses. Remember the positives.  
The goal of the PLOP is to paint a well written picture of the student but do it succinctly.

## Annual Goals

The key to writing manageable IEPs is to leverage the measurement that was used in present levels and educational need to project the progress that can be made on these same measures. For this reason, the articulation of the Present Level of Performance (PLOP) is critical to good goal writing.

Annual goals should focus on offsetting the challenges resulting from the disability that adversely affect educational performance. Although goals should be written with the student's strengths in mind, there does not need to be an annual goal in an area of performance where there is no need. For a student with a mild impairment, the goals may be limited in scope in order to address just the specific difficulty, as in the case of a speech impairment. For a student with more pervasive disabilities, the goals will be more comprehensive and will cover more of the student's educational program.

More often than not, teachers are inclined to err on the side of quantity. Having more goals does not necessarily make a better IEP. It is worthwhile to strive to write fewer, highly targeted goals that are most likely to be measured meaningfully throughout the year. Goals should be written keeping in mind these priorities:

- Identify goals that optimize access to grade level curriculum.
- Identify goals that involve the development of pivotal skills, instrumental in accomplishing the greatest number of other skills.
- Identify goals that will increase participation in future environments.
- Build generalization skills by working on skills that are already demonstrated in some contexts but not in others.
- Identify goals that are practical, relevant, and will be immediately useful.
- Identify goals that will contribute to measures of achievement and will lead to meeting expectations.
- Determine measurement of the progress toward the goal with a method that is research-based and can therefore speak to a broader scope of skill development with the use of a simple probe.
- Consider ways to consolidate a quantity of related, smaller goals into a broader statement of intended progress, particularly for IEPs that will be written with goals and objectives.
- Avoid including the full yearlong instructional curriculum in the statement of an annual goal. Instruction is a detail of the service program.

From, "*Effective Goal Processes-a training module for educators* by Dr. Dawn McGrath. A project provided through a grant from the Indiana Department of Education, September 2009. If you need further information about effective goal writing, visit the Indiana IEP Resource Center at [www.indianaieprc.org](http://www.indianaieprc.org)

Every goal should list any direct services and indirect supports the student will receive to meet that goal. These supports and services should be noted in the Goal Section of the IEP as well as the Provisions Section.

Special education provisions may be delivered in two methods:

1. Indirect Supports and Accommodations – to minimize the impact of the disability
2. Direct Services – to teach new skills

## Progress Monitoring

Failure to show a measureable educational progress reflects a significant programming problem that indicates a denial of a free appropriate public education (FAPE). Because of this requirement, it becomes critical that progress monitoring occurs at intervals that are regular enough to permit adjustment or correction of the intervention being applied.

The way that a student's goal was framed and supported is essential to this effort. The present level of academic achievement and functional performance serves as the baseline data point and the goal statement describes the intended target. The behavior measured in both of these components is the same behavior that is measured over time.

It is essential that the IEP articulate when and how the progress will be assessed. Article 7 requires that progress is monitored at least as frequently as progress reporting of general education students. Depending on the needs and goals for an individual student, a more frequent schedule may be indicated.

Under *Progress Monitoring*, it should be noted how the stakeholders will know when the goal is mastered. Although the reporting of the progress is only presented once each quarter, the stakeholders should easily be able to understand if the goal is reached:

- 1.) as an average of scores (including the number of scores that will be collected),
- 2.) as a one-time target, OR
- 3.) as a compilation of scores.

The key to successful progress monitoring is to clearly define that which is being measured, to collect consistent and reliable monitoring data, to correctly draw conclusions from the indications in the data, and to deliver effective instruction to address the findings.

From, "*Effective Goal Processes-a training module for educators by Dr. Dawn McGrath*. A project provided through a grant from the Indiana Department of Education, September 2009. If you need further information about effective goal writing, visit the Indiana IEP Resource Center at [www.indianaieprc.org](http://www.indianaieprc.org)

## Types of Progress Monitoring

There are four methods of Progress Monitoring in IIEP: 1) Descriptive Method, 2) Single Point, 3) Single Rubric, and 4) Collection of Indicators.

### Descriptive Method

The “descriptive” method allows the author to articulate the measurability without creating an actual graph in the IIEP. A descriptive design relies entirely on the power of words.

In order for a statement to be considered measurable, numbers of some sort of quantification is involved. In the absence of quality present level data, goals can become capricious and arbitrary. Many goal writers fall in the trap of using specific numbers, like “80% of the time”, just so that their goal statement *appears* measurable. This is the most difficult method to make scientific. Teachers are **encouraged** to **NOT** use this method of progress monitoring

### Single Point

This choice is most appropriate for a performance that would be counted or measured for the purpose of progress monitoring.

The following fields can be defined in Indiana IEP, then you make a graph:

- **Metric** – the performance being measured that becomes the vertical axis
- **Initial Score** – vertical starting point, comes from present level of performance
- **Target Score** – the level that is expected to accomplish the goal
- **Frequency of collection** – how often the data will be collected

Here are some examples of things that could be calibrated to serve as the “metric”.

Words per minute	Strategies applied
Numerals correct	Incidents per day
Correct answers per ten trials	Word matches
Sounds per minute	Syllables articulated
Distance traveled independently	Minutes on task
Pictures correctly identified	Correct initial sounds

### Single Rubric

This choice is most appropriate for a performance that is difficult to measure without use of specific criteria written to define approximations to the goal. There are many different words used to describe levels of performance achievement, but the IIEP reports performance as: introduced, emerging, developing, ongoing, demonstrated or applied.

Please note: The definitions given below are only guidelines for the author. Specific explanations of each level should be spelled out.

- **Introduced** – There is no evidence that the student has this skill
- **Emerging** – The student is in the beginning stage of developing this skill
- **Developing** – The student is showing some progress with this skill
- **Ongoing** – The student is in the advance stages of developing this skill

- **Demonstrated** – The student is able to show proficiency with this skill upon request
- **Applied** – The student is able to use this skill independently to solve complex problems

NOTE: In a rubric design, the author should replace the descriptions with more customized specifics of target benchmarks. In the end, the graph would capture progress along the levels that have been defined.

Here is a simple illustration of how the basic single rubric design could be conceptualized:

- **Applied** – Identifies and exchanges coins for items of equal value 4 out of 5 trials
- **Demonstrated** – Selects a coin for purchasing item of equal value 3 out of 5 trials
- **Ongoing** – Exchanges coin for item of equal value 3 out of 5 trials with verbal cues and coin models
- **Developing** – Given three choices, exchanges coin for item of equal value 3 out of 5 trials with verbal cues and coin models
- **Emerging** – Given two choices, exchanges coin for item of equal value 3 out of 5 trials with verbal cues and coin models
- **Introduced** – (present level) Given the value of a coin, exchanges coin for item of equal value 3 out of 5 trials with verbal cues and coin models

### Collection of Indicators

This choice is possibly appropriate for a performance that is described as the mastery of a group of indicators. For example, a particular collection of skills related to demonstrating achievement in a course of study may be measured using this design. There is also the option with this choice to define rubric criteria for each of the items in the collection.

Progress can be seen mathematically as the skills are given higher ratings. The target could be 100% demonstration or something less depending on the expectation of the team. In IIEP the mathematics and graphing are done automatically once the collection is built.

Teachers are **encouraged** to **NOT** use this method of progress monitoring

## Aligning Goals, Supports, Services, and Progress Monitoring Chart

Goal Title	
Present Level	
Educational Need	
Annual Goal (new skill)	
Supports / Accommodations (to lessen effect of disability)	
Services (to teach new skills)	
Method for Measuring Progress	



## Extended School Year (ESY) Services Guidelines

For purposes of extended school year (ESY) services, the terms have the following meaning:

1. **Break-through learning opportunities** are learning situations in which critical skill development will be lost or greatly reduced if not addressed in a timely fashion.
2. **ESY services** are special education and related services provided to a child with a disability
  - a. Beyond the normal school year of the public agency
  - b. In accordance with the child's individualized education plan (IEP); and
  - c. At no cost to parents of the child
3. **Critical skills** are academic, social, functional, and behavioral skills that are:
  - a. Linked to the IEP goals; and
  - b. Are critical to the student's school and community functioning. For example:
    - i. Skills designed to increase the student's independence from caretakers.
    - ii. Skills required across a variety of environments.
    - iii. Skills or behaviors that increase the student's independence in the school or community.
    - iv. Skills designed to allow the student to move to or remain in a less restrictive environment.
    - v. Skills that permit the student to decrease or eliminate behaviors that interfere with functioning at school or in the community.
    - vi. Skills essential for the student's maintenance of academics, behavior, communication, or self-sufficiency and independence.
4. **Recoupment** refers to the student's ability to regain or recover the level of critical skills attained prior to a break in school services with a reasonable amount of time following that school break.
5. **Regression** is a significant decline in the performance level of a critical skill that occurs during a break in instruction.
6. **Predictive data** is information and data used by the case conference committee (CCC) to analyze the child's potential regression-recoupment problems in the absence of formal regression-recoupment data. This information and data may include, but is not limited to, other service and professional judgment in consultation with the child's parent.

## **General procedures for determining the need for ESY services:**

1. The CCC must review and consider formal and informal data from a variety of sources, including information provided by the parent. The data may be historical or predictive in nature. Examples of supporting documentation and information the CCC may review include: the student's current and previous IEP's, progress reports, other reports (attendance, pre-and-post test data, observations and notes regarding the student's experience before and after interruptions in service; nature or severity of a student's disability, regression and recoupment analysis, medical/other agency reports, etc.). Teachers should use checkpoints throughout the year to monitor if ESY services are needed. For example, over a holiday break are there signs of extraordinary regression? ESY services are not used when a student fails a course or grade.
2. Under some circumstances the CCC may not be able to determine the student's need for ESY services at the time the CCC is convened. In this case the CCC report/IEP must indicate the date it will reconvene to make the ESY services determination and the plans for collecting data or other information to make the decision on ESY services. A decision on ESY services may not be postponed until after summer to gather data on critical skill regression and recoupment. The CCC meeting for ESY services should be conducted sufficiently in advance to permit the school and the parent to exhaust administrative remedies (if necessary) prior to the time when ESY services would be expected to be initiated. Summer school is not ESY, but ESY services can be accomplished in a summer school program if included in the IEP.
3. If ESY services are anticipated the Assistant Director of Special Education must be contacted.

## **Questions to consider:**

1. What critical skills is the student working on?
  - a. Does the student's IEP have annual goals with skills essential for the student's maintenance of academics (for preschool children-maintenance of appropriate activities), behavior, communication, or self-sufficiency and independence?
  - b. Is the student working on skills that are required across a variety of environments?
  - c. Is the student working on decreasing behaviors that interfere with the student's functioning at school or in the community?
  - d. Is the student working to develop behaviors to increase the student's independence or functioning at school or in the community?
  - e. Is the student working on skills designed to increase the student's independence, such that if the student cannot perform the skills, assistance from another person will be necessary (e.g., daily living skills, academic skills, behavioral skills)?

2. Were any IEP goals unmet?
3. Are there any barriers to the student meeting IEP goals? If so, what are they?
  - a. Has the student had frequent health related absences that have impeded the student's progress on his or her IEP goals?
  - b. Has the student experienced behaviors that have interfered with the student's ability to progress toward achievement of his or her IEP goals?
4. Are there other reasons for the student not meeting one or more of the IEP goals?
5. What is impacting rate of progress?
  - a. Is the student's rate of progress or lack thereof likely to prevent the student from receiving educational benefit during the school year? (Lack of progress on goals and objectives is not a prerequisite to ESY services).
6. Is there anything unique about the student's present level of performance or the nature or severity of the student's disability that would indicate the need of ESY services?
7. Is there historical or predictive data that the student has or will experience difficulty recouping lost skills?
  - a. Do the student's difficulties with regression and recoupment make it unlikely that the student will maintain the critical skills and behaviors relevant to the student's IEP?
8. Is there a likelihood of the student being placed in a more restrictive placement?
  - a. Is the student working on skills designed to allow the student to move to a less restrictive environment or to prevent placement in a more restrictive environment?
9. Are continuous or year-round services an integral part of the student's ability to acquire or retain a skill or behavior?
  - a. Is the student at the point of readiness for acquiring a critical skill such that an interruption of services will result in the loss or significant reduction of the student's ability to acquire the skill?
10. Are there special circumstances unique to this student's situation and not addressed by the other factors that will have an impact on student's need for ESY services or the provision of a free appropriate public education.
  - a. Is the student at a critical point of meeting an IEP goal related to self-sufficiency and independence?
11. If a student's behaviors have previously interfered with the student's ability to acquire a critical skill, is there a window of opportunity for assisting the student to acquire that skill because the previously interfering behavior is currently under control or otherwise diminished?

**The CCC should utilize the information resulting from answering the questions in things to consider, as well as any other relevant information, to determine:**

1. If the student will or is likely to experience a regression in the mastery of one or more critical skills, as well as difficulty in recouping that level of mastery within a reasonable period of time;
2. If the student is at a critical point or window of opportunity for acquiring a skill; or
3. If there are special circumstances that make ESY services necessary to the provision of a free appropriate public education to the student.

**Developing the IEP for ESY services:**

When an ESY program is identified for a student, the case conference must discuss why it is needed (justification) and indicate this on the IEP and CCC notes. The committee should determine the critical goals and benchmarks the student needs to work on during the ESY program. The IEP goals must be part of the current IEP. The committee should also discuss the amount of time needed to complete these goals and indicate this on the IEP. The following should be used as a guide in developing the IEP:

1. The IEP should identify the needs that should be continued into the extended year goals and benchmarks and a goal/goals developed
  - a. This should be entered in the provisions section/ add ESY special ed services of IIEP
2. Less time may be needed to just maintain the student's skills. The IEP needs to be specific with the number of days and hours per day for ESY.
3. Answer the following questions:
  - a. Could the student's needs be met in a regular education summer school or remedial summer program, or does the student require a specific special education program to meet their needs?
  - b. Could the student's needs be met by sending home work for parents to complete with the student?
  - c. What other options can be considered? Such as:
    - i. Community-based day camp
    - ii. Providing the parents with materials and instruction
    - iii. Community agencies or summer programs (YMCA, recreation programs, day camps, ARC etc.).
4. The Case Conference Coordinator should attach the extended school year decision-making guide to the IEP along with the supporting data collection sheet (see attached) and send to the co-op office within one (1) week of the conference.
5. Within one week of completion of the ESY services, progress data point will be entered into IIEP. The progress monitoring report(s) will be sent home to the parent as well as the co-op office.

	<b>Definition</b>	<b>Determined by</b>	<b>Notes</b>
Eligibility	Description of traits that adversely affect educational performance	Article VII criteria	Eligibility is NOT determined or measured by services or environment needed
Direct Service	Special ed service delivery using special ed curriculum	Specific curriculum that teaches a student a skill (annual goal)	Special ed teacher typically designs the curriculum
Indirect Support	Special ed service delivery using general ed curriculum	Curriculum that is embedded in Gen Ed curriculum	Gen Ed teacher typically designs the curriculum
LRE Placement	Description of time spent with Gen Ed peers	Amount of time with Gen Ed peers	Law says placement must be in the least restricted environment

## Related Services

A **related service** is a developmental, corrective, or other supportive service that is provided to help a student benefit from his/her special education program. The CCC decides what related services, if any, a student needs. For example, a student who is deaf or hard of hearing may need an educational interpreter in order to participate in the school setting. Or, if a student who is orthopedically impaired needs physical therapy to help him/her learn to get around the school more independently. The most common related service is transportation. For a list of common related services and what each service includes, see 511 IAC 7-43-1.

The IEP must state the type of related service to be provided, when the service will begin and end, how frequently the service will be provided (daily, weekly, monthly, etc.), the length of the service (15 minutes, 30 minutes, one hour, etc.), and where the service will be provided. The IEP should be specific and detailed enough so that both the parent(s) and school personnel can clearly determine how much of a service the student should be receiving at any one time during and throughout the school year.

If the CCC determines that the student only needs a related service, but no special education, the CCC must not determine that the student is eligible for services under Article VII.

## **Evacuation/Safety Procedures for Students with Physical Disabilities**

### **Start of each school year:**

1. A building administrator will assign a primary & at least one (1) back up staff member to assist students with physical challenges during evacuations.
2. A building administrator should complete the evacuation/safety list of students with physical disabilities form and the evacuation/safety emergency plan for a student with physical disabilities form with input from special education staff and update it as schedules change.
3. The forms should be kept in the required evacuation binder located in each building; copies will be distributed to all involved staff.
4. Make sure a copy of the designated pages is kept in the office in the event the fire department needs to evacuate the students.

### **General Information:**

- Do not assign non-school employees or students for safety/evacuation procedures.
- If necessary, the orthopedic impaired (OI) consultant can assist in problem solving for situations that are particularly challenging.
- CCC must be sure to document each individual student's evacuation procedures within the electronic IEP in the notes section

### **Contacts:**

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Melissa James, PT  
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812-719-1205

## Homebound Services

A student may receive special education and related services from a licensed teacher in the student's home or alternative setting, if the CCC determines it to be the least restrictive environment appropriate to enable the student to benefit from special education and related services. If the CCC determines the student's placement to be the student's home or an alternate setting, the public agency's written notice must include the following:

1. The reason the student is not attending school.
2. Other options tried or considered.
3. The reasons the other options were rejected.

The CCC must convene at least every sixty (60) instructional days to review the IEP. The:

1. type;
2. length;
3. frequency;
4. initiation; and
5. duration;

of the special education and related services must be determined by the CCC.

### **Instruction for students with injuries and temporary or chronic illnesses**

All 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. Before instruction for a student unable to attend school can begin, the parent must provide the school corporation with a written statement from a physician (which includes a doctor of osteopathy) with a valid, unlimited license to practice medicine, or a Christian Science practitioner, that states one of the following:

1. The student has a temporary illness or injury that will require the student's absence from school for a minimum of twenty (20) consecutive instructional days. If the:
  - a. illness or injury occurs less than twenty (20) instructional days prior to the end of the school year; and
  - b. student needs instruction to meet promotion or graduation requirements; the physician's statement must indicate that the student will be unable to attend school through the end of the current school year.



2. 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) instructional days over the period of the school year.

For a student who is:

1. eligible for special education and related services; and
2. unable to attend school as described above;
3. special education and related services, including access to the general education curriculum, must be provided in accordance with the IEP as determined by the CCC.

Instruction provided under this rule may continue through the summer to enable a student to complete a semester to meet promotion requirements. For a student who is eligible for special education and related services, instruction and related services must be provided by appropriately licensed personnel. For all other students, instruction must be provided by teachers licensed to teach the grade level of the student.

## Nonpublic Services

If a student has been determined eligible as a student with a disability through the evaluation and case conference committee (CCC) process, the student is entitled to some level of special education services from the school corporation where the nonpublic school is located.

A nonpublic school student with a disability receives special education and related services from the public school in accordance with a **service plan**. A service plan is similar to an IEP, but does not contain all of the components of an IEP.

Students generally receive a different level of service under a **service plan** than a student receives under an individualized education program (IEP). The full array of services available that are part of a free appropriate public education (FAPE) under an IEP are not required to be made available as part of a service plan. For example, the length and frequency of the services may be less than the student would receive through an IEP or the service plan may provide consultative services in the nonpublic school where, were the student enrolled in a public school program the services may be more direct. If the public school decides to provide the services at a location other than the nonpublic school, it must provide transportation for the student to and from the location.

## Testing Accommodations: State and Local Assessments

Students with disabilities may require instructional or testing accommodations. An **accommodation** “levels the playing field” without changing what is being taught or tested. An accommodation is “intended to reduce or eliminate the effects of a student’s disability,” but does not reduce what the student is expected to learn. A student with a disability might have an accommodation during testing that allows the student to take the same test as everyone else, but is given extra time to complete the test.

Accommodations must be used routinely in classroom situations in order for the CCC to apply the accommodation(s) to assessments. The student needs the opportunity to practice and become familiar with the accommodation. Routine practice in comfortable situations allows the student to become accustomed to the accommodation. It is not permissible to use an accommodation during high stakes testing situations if it is not used routinely in classroom assessment because the student needs to be familiar with the process.

On some standardized tests, such as ISTEP, some accommodations are not allowed because they have been determined to affect the validity of the test scores. However, there is no limitation on accommodations that can be provided to the student in other situations to support classroom learning on functional assessments.

Some examples of accommodations:

- *The student is given extra time to complete assignments and tests.*
- *The student is allowed to complete assignments and tests using a computer instead of writing by hand.*
- *The student is provided with special lighting or work space.*

Appropriate accommodations for state and local assessment programs are:

1. set forth in the program manual issued each year by the department of education;  
and
2. accommodations that do not invalidate scores.

The student’s CCC must determine, in advance, whether the student will utilize any of the appropriate accommodations during state and local assessments throughout the student’s education program. If the student will utilize accommodations, the CCC must:

1. select accommodations the student needs in order for the assessment to reflect the student’s academic achievement;
2. not select testing accommodations that will invalidate a student’s score; and
3. document the testing accommodations in the student’s IEP.

## **Transition Individualized Education Plan (IEP)**

The transition individualized education plan (IEP) is required by Article 7, in compliance with the Individuals with Disabilities Education Improvement Act (IDEIA), for students beginning at age 14 or earlier when deemed necessary. The purpose is to ensure that students with disabilities have the opportunity to participate in the planning of their IEP in regards to their strengths, needs and interest in order to prepare them for further education, employment and independent living.

Prior to beginning the transition IEP, the Teacher of Record (TOR) must complete age-appropriate transition assessments with the student.

### Reminders:

- Article 7 references are imbedded in the Indiana IEP.
- A new and different transition assessment must be completed prior to each annual case conference to assist the student, family and teacher of record (TOR) in developing a transition IEP that supports the student in reaching his/her future goals/plans.
- A quality assessment should be conducted by multiple assessors (e.g. teacher, family, student, transition personnel); in multiple settings (e.g. classroom, work, community-based settings); and at different times (e.g. throughout and across years).
- There is no need to “reinvent the wheel. Career interest inventories, graduation/career planning, and other activities that all students participate in are valid assessments for the transition IEP purposes.
- In middle school, information will be more general and broad. As the student nears graduation or exiting high school, the information will be more focused with details.
- The closer the student gets to exiting the school program and entering adult activities such as work, post-secondary education, vocational training, etc., the more guidance may be needed to help keep post-secondary goals realistic.
- A transition service agency must be invited to the junior and senior transition IEP conference.
- Signed parent permission must be obtained before inviting transition service agencies, if the student is not 18.

## Transition IEP Flowchart

The Transition IEP must be in place prior to the student turning 14 years of age. The Transition IEP flowchart (15.3) describes the required Transition IEP components and how they are interconnected.

The starting point is the present level of academic and functional performance including age-appropriate transition assessment. Think of the student's strengths, interests, preferences and needs as the guideposts in developing the Transition IEP. Every year, information is gathered and used to build upon "the picture" of who the student is and his/her desired future goals. The summary of data including the present levels and transition assessments is included in the Transition IEP to help guide the process and identify transition services and activities and annual goals for the upcoming year. The course of study is aligned to help the student meet her/his postsecondary goals.

For more in-depth information about the Transition IEP process, please see *Transition IEP: A Self-guided Tutorial on What You Need to Know to Write Quality Compliant Transition IEPs* at: <http://breeze.iu.edu/transitionieps>

In addition to the online tutorial the *Transition Assessment Resource Guide* is available at <http://www.iidc.indiana.edu/?pagelid=3468>

A number of extra resources to assist in the development of the Transition IEP can be found at Indiana Secondary Transition Resource Center <http://www.iidc.indiana.edu/index.php?pagelid=3283>

## Transition IEP Step-by-Step Instructions

- **Create CCC Team**

- A transition agency representative must be invited during the student's junior and senior years. Until the student's junior and senior years put N/A for the transition agency representative. If a student will continue their education past their junior and senior year, then you will not need to invite the transition agency representative until the year prior to their final year of school. If the student is continuing past the junior and senior year, note that in the "conference notes in the Indiana IEP.
- Teachers must have **prior written parent consent** when inviting a transition agency representative if the student is under 18.
  - The "Consent to Disclose Personally Identifiable Information" form is located in the documents section of the Indiana IEP.
  - The signed document should be faxed to the IIEP.
- Examples of transition agency representatives (this list is not all inclusive).
  - Vocational Rehabilitation
  - Social Security Administration
  - Department of Work Force Development
  - Bureau of Developmental Disabilities Services
  - Medicaid Waiver Provider Agency
  - Community Rehabilitation Program Representative
  - Mental Health Representative
  - Armed Forces Representative
  - Child in Need of Services (CHINS) Representative
  - Post-Secondary Educational Representative
  - Public Housing Representative
  - Adult Education Representative

- **Transition-- Age-appropriate Transition Assessment/Summary**

- Prior to completing this section teachers must have completed the age-appropriate transition assessment(s) with the student.
- Independent living skills – the teacher must have some type of assessment evidence to prove a student does or does not have independent living skills. Make sure the independent living skills information is included in the age-appropriate transition assessment summary.
- Examples of summaries:
  - Student A (student with a specific learning disability) – according to the *transition interview* that the teacher of record (TOR) had with Bart on 9/21/12, he would like to graduate from high school with a Core 40 diploma. Bart believes that he needs help passing his classes this semester by having his TOR check his grades weekly and helping him stay on track. He is planning on either joining the military or getting a full time job as a mechanic. Bart wants to have his own apartment. He can cook and wash clothes. Bart has his own bank account and debit card and feels he has the skills he needs to live independently.

- Student B (student with a mild cognitive disability) – The *student transition assessment/planning interview* was completed with Ann by Mrs. Smith on 9/23/12. Ann states that she is a ninth grader this year but would like to get a diploma but may get a Certificate of Completion. Ann is interested in working in the medical field or in a hospital. She thinks that it would be good to go to college but may be interested in a technical school for training. She would like to be a nurse or a doctor but would also like to know about a nurse’s assistant or other jobs she could do in a hospital or medical office. She is very interested in helping other people. Ann says that she has been paid to work in the yard at home but that she hasn’t had any other paying jobs. Ann can use the microwave, but would like to learn more about cooking. She knows how to count money, but would like to learn how to write a check. Ann feels she needs to know these things to be able to get her own house.
  
- Student C (student with a moderate to severe cognitive disability) – The *student transition assessment/ planning interview and the Life Skills Inventory* was completed with Susan by Ms. Jones, TOR, interviewing her on 10/12/12. Susan shared that she is in her final year of high school and will graduate with a Certificate of Completion. She would like to have a job as a grocery bagger at JayC’s. Susan expressed that she would only work part-time and did not want to jeopardize her SSI benefits. She felt that she would need extra supports to successfully secure employment and would like to have a job coach to assist her in getting a job, learning what to do on the job, coordinate transportation to/from work and to provide on-going supports to make sure she keeps her job. According to the transition assessment, Susan can shop for simple items in a store, but is not always aware of cost of items and getting appropriate change when making a purchase. She wants to continue to build her skills in navigating public transportation to increase her independence and ability to get to and from community activities and work. Susan would like to participate in activities in the community, such as Friends and Special Olympic basketball and bowling.
  
- Student D (student with an emotional disability) – Roberta completed the *student transition assessment planning interview and the Employability/Life Skills Assessment* on September 25, 2012, with assistance from her TOR. Roberta plans to graduate from high school with a Core 40 diploma. Her accommodations include extended time on tests and quizzes and she needs assistance with writing papers. She is a 21<sup>st</sup> Century Scholar and plans to attend a four (4) year college program. She wants to major in photography and hopefully manage her own business. Regarding questions or comments she would like to share at her IEP conference, she would like to focus on how to get the most scholarship money for college. Roberta has a good relationship with her family, but sometimes has difficulties in getting along with her peers. She has demonstrated appropriate self-help skills in personal hygiene, managing finances, and general work habits. Roberta hopes to live in an apartment with a roommate.

- **Transition—Postsecondary Goals**

- Examples of measurable postsecondary goals:
  - Student A (student with specific learning disability)
    - Independent living-N/A-committee has determined student does not need an Independent Living goal
    - Employment – Regarding employment after high school, I will join the military
    - Education and training – Regarding education and training after high school, I will do basic training and other training needed for the military section that I join
  - Student B (student with a mild cognitive disability)
    - Independent living – Regarding independent living after high school, I will independently manage my finances.
    - Employment – Regarding employment after high school, I will be employed in a hospital
    - Education and training – Regarding education and training after high school, I will receive on the job training with supports from Vocational Rehabilitation.
  - Student C (student with a moderate to severe cognitive disability)
    - Independent living – Regarding independent living after high school, I will continue to live at home with my Mom and Will participate in community activities with support
    - Employment -- Regarding employment after high school, I will be employed as a grocery bagger at a supermarket.
    - Education and training – I will participate in training to improve my work skills on the job through an adult service agency.
  - Student D (student with emotional disability)
    - Independent living – No, independent living post-secondary goal, because there is evidence that this student has achieved sufficient skills for independent living (see student file for independent living checklist).
    - Employment – Regarding employment after high school, I will work as an independent photographer and manage my own business
    - Education and training – I will attend Ivy Tech in Terre Haute, Indiana.



- **Summary of Performance**

- For all seniors or exiting students the summary of performance (SOP) section in the Indiana IEP must be completed and a copy given to the student/parent(s).
- The SOP will contain:
  - The student's postsecondary goals
  - Anticipated date of graduation
  - Present levels of academic achievement and functional performance
    - It is important that the present level contain accommodations, modifications and/or assistive technology that have been most helpful to the student and what will help the student be successful after graduation.

- **Goals**

- All goals in the transition IEP are transitional goals.
- All goals must support the students post-secondary goals in regard to education & training, employment, and when appropriate, independent living skills.
- Teachers MUST indicate which area the goal supports: education/training, employment and/or independent living.

- **Provisions -- Transition Services and Activities**

- These are a coordinated set of activities incorporated into the IEP and facilitate movement from the school to post-school activities.
- They must be based on the individual student's needs, taking into account the student's strengths, preferences, and interests.
- Examples of transition services and activities:

Student A (student with a specific learning disability)

Description:	Frequency	By Whom:	Date of Completion	To Support
Bart will contact the local Marine recruiter to identify the steps he will need to take to start the enlistment process	1 per year-transition	TOR/student	5/1/2013	Employment  Education/Training

Student B (student with a mild cognitive disability)

Description:	Frequency	By Whom:	Date of Completion	To Support
Ann will explore different job possibilities within the medical field & identify the educational requirements of each job	4 per rep pd	TOR/guidance counselor/student	05/24/2013	Employment  Education/Training

Student C (student with a moderate to severe cognitive disability)

Description:	Frequency	By Whom:	Date of Completion	To Support
Susan will participate in vocational exploration activities and training on public transportation	2 per month	TOR/student	05/24/2013	Employment Education/Training Independent living
Susan will participate in training to develop self-advocacy skills	1 per week	TOR/student	05/24/2013	Employment Education/Training Independent living

Student D (student with emotional disability)

Description:	Frequency	By Whom:	Date of Completion	To Support
Roberta will take a tour of the photography program at Ivy Tech & Vincennes University	1 per rep per	TOR/Transition Coordinator/student	05/24/2013	Employment Education/Training

- Document that written information that was provided to the parent and student regarding available adult services that might be appropriate.

- **LRE – Course of Study**

Choose a diploma track or certificate of completion

## Transportation

**Special Transportation** is determined by the conference committee, depending on the severity of the student's mental or physical disability. A statement is added to the IEP under the related services section of provisions. Select transportation from the pull down menu and record all transportations that the child will need: AM, PM, midday. The statement regarding the specific student need to justify the need for special transportation is captured in the text box under provisions after the question: 'Are the student's transit time and transportation needs the same as that of non-disabled peers?' (marked no).

If the student requires special transportation, the member running the conference will indicate transportation as a related service on the IIEP, record the justification as described above, and fill out the necessary transportation information form (**Form #/name**) to be given to the transportation coordinator. It must also be indicated on the form as to what type of specialized equipment to be used on the school bus. Special equipment includes seatbelts, child car seats, safety vests, and lift and tie down systems for a wheel chair.

Initiation of transportation will be determined by the transportation coordinator upon receipt of the transportation form.

In order to ride in a wheelchair on the school bus, the parent must obtain an order from the student's physician stating that it is safer to stay in the wheelchair, because of the student's disability.

The parent will be asked to fill out a transportation data card (**Form #/name**) and return it to the bus driver. It will contain information about the student's disability and any other medical problems (allergies or seizure history) that he/she may have. It requires a list of medications and emergency contact information. The data card also lists the location of pick up and drop off and a list of adults approved to get the student off the bus. This card is carried in the bus. When possible this should be done after the case conference when the parent is in attendance. The card can be returned to the transportation coordinator with the transportation information form.

Drop off and pick up locations need to be consistent and are not subject to day to day changes.

The Exceptional Children's Cooperative follows all state and Federal regulations regarding transportation of students with disabilities.

## Continuum of Service

	LESS RESTRICTIVE					MORE RESTRICTIVE
<b>INDIRECT SUPPORTS to minimize effects of disability or DIRECT SERVICE to teach new skill</b>	Indirect Support	Indirect Support	Indirect Support	Indirect Support and Direct Service	Direct Service with or without Indirect Support	Direct Service with or without Indirect Support
<b>Description of SUPPORTS and SERVICES</b>	CONSULTATION with the teacher of service No Accommodations	ACCOMMODATIONS and CONSULTATION with the teacher of service	CO-TEACHING PUSH-IN INCLUSION	DOUBLE DOSE additional time on subject	RESOURCE no additional time on subject; replace gen ed instruction	SELF-CONTAINED
<b>CURRICULUM</b>	Gen Ed curriculum with individual goals in different subject areas	Gen Ed curriculum with individual goals in same or different area	Gen Ed curriculum with different subject area and / or some individualized instruction	Gen Ed curriculum and individualized instruction in same subject	Individualized curriculum but exposed to gen ed curriculum	Individualized curriculum
<b>LOCATION</b>	Gen Ed	Gen Ed	Gen Ed	Gen Ed & Gen Ed OR Gen Ed & Resource Room	Gen Ed & Resource Room	Resource Room

# Functional Behavioral Assessment (FBA) and Behavior Intervention Plan (BIP) Guidelines

## Functional behavioral assessment (FBA)

- Systematic collection and analysis of behavioral data
- Identifies patterns of behavior and the underlying function or purpose
- Used to develop a behavior intervention plan (BIP) based on acquired information

## Behavior intervention plan (BIP)

- Plan based on an FBA that is designed to modify a student's behavior
- Identifies how the environment will be modified.
- Identifies positive behavior intervention strategies
- Specifies skills to be taught enabling the student to change a negative pattern of behavior

## Persons Responsible for Completion of FBA / BIP

- FBA and BIP are a group consultation process involving teachers, the student, the parents, and other support persons.
- On an initial evaluation of a student being considered for emotional disability (ED), Autism, a pattern of behaviors, or reevaluations the Behavior Consultant will assist the TOR who is responsible for coordinating the FBA process and the development of the BIP.

BIP's may be revised whenever needed, and at a minimum reviewed with the annual review individualized education plan (IEP) conference. After the annual case conference committee (CCC) meeting, changes to the BIP may be made by the CCC at a CCC meeting or without a CCC meeting if the parent and public agency agree not to convene a CCC meeting and collaboratively develop a written document to amend or modify the current BIP.

## FBA / BIP are required when:

- A student has behaviors that directly impact school performance and learning, such as severe inattention, failure to complete tasks, etc.
- A student is at risk for developing patterns of serious behaviors, but the behavior is not yet chronic or a danger to self or others, for example, isolated fights with no injuries involved, insubordination, disruptive behavior, etc.
- A student has serious problem behaviors such as verbal or physical aggression and is at risk for suspension, expulsion, or alternative education placement.
- A student has accumulated 5 days of suspension.
- The student has been placed in an interim alternative setting.

## FBA / BIP required components:

- Record review (discipline, academic, mental health, allied health providers, previous school related assessments and behavior support plans)
- Problem behavior questionnaire (filled out by staff that engages with student)
- Reinforcement survey
- Teacher interview
- Student interview
- Parent interview
- Observation – minimum of three data points
- FBA Summary
- BIP (proposal to be discussed at case conference)

## **Steps to Conducting a Functional Behavioral Assessment (FBA) and Behavior Intervention Plan (BIP)**

### **Step 1:** Identify the behavior(s)

- Identify targeted behaviors of concern
- Define the behavior
- Describe the history of the behavior

### **Step 2:** Collect assessment data to determine function of behavior

- Indirect assessment
  - All school information Medical records
  - Parent/teacher/student interviews
- Direct assessment of targeted behaviors (FBA) across settings at different times
  - Frequency-how often the behavior occurs
  - Describe escalation continuum-series of behaviors that can signal more serious behaviors
  - Antecedent-what happens before the behavior occurs
  - Duration-how long the behavior lasts
  - Latency-the time elapsed between "A" and "B"
  - Magnitude-force or power of the behavior
  - Locus-where the behavior occurs
- Determine the function of the behavior
  - Escape/Avoidance
  - Gain
- Determine the student's behavioral skill level (strengths/weaknesses)
  - Distinguish between skill deficit and performance deficit

### **Step 3:** Analyze the data and form a hypothesis about why the behavior occurs

### **Step 4:** Determine potential reinforcers

### **Step 5:** Develop a behavior intervention plan (BIP) directly from FBA results which includes:

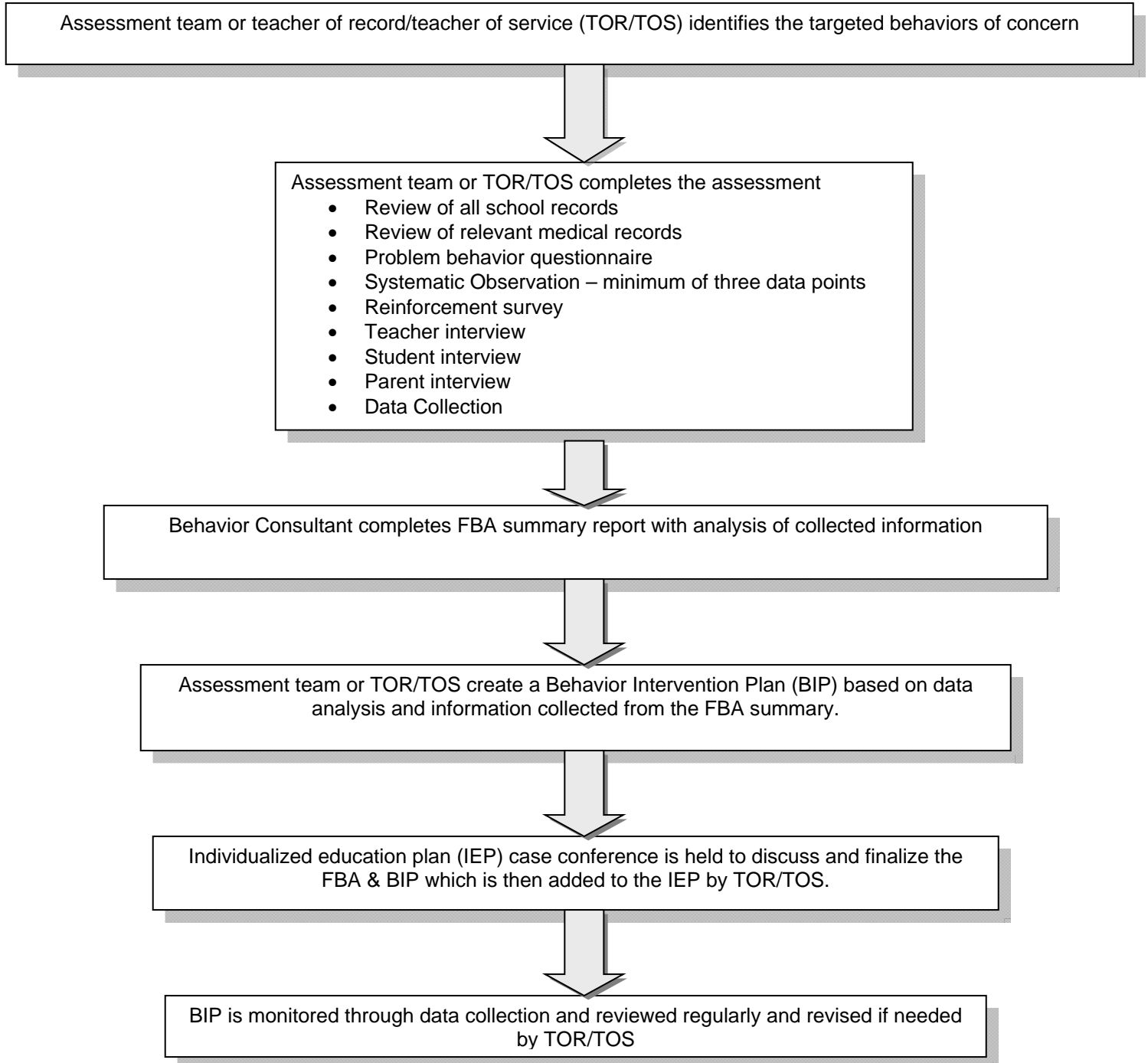
- target or replacement behavior
- what skills need to be taught
- list of interventions
- data collection plans (under progress monitoring on behavior goal page)
- rewards and consequences
- timelines for review
- crisis plan

### **Step 6:** Implement the BIP

### **Step 7:** Reevaluate the BIP

### **Step 8:** Modify the BIP if necessary (based off of current goal progress and behavioral data)

## Functional Behavioral Assessment (FBA) and Behavior Intervention Plan (BIP) Flowchart



## **Seclusion/Restraint Guidelines**

Each school corporation within the Exceptional Children's Cooperative will follow its own policies and procedures in regard to seclusion and restraint.

The Exceptional Children's Cooperative provides training to appropriate school personnel regarding de-escalation and physical restraint techniques. The provided training follows the Crisis Prevention Intervention Model.



## Student Suspension/Removal Guidelines

Per Article 7, schools are not required to provide services for special education students for the first ten (10) days of suspension/removal from school for any part of a school day.

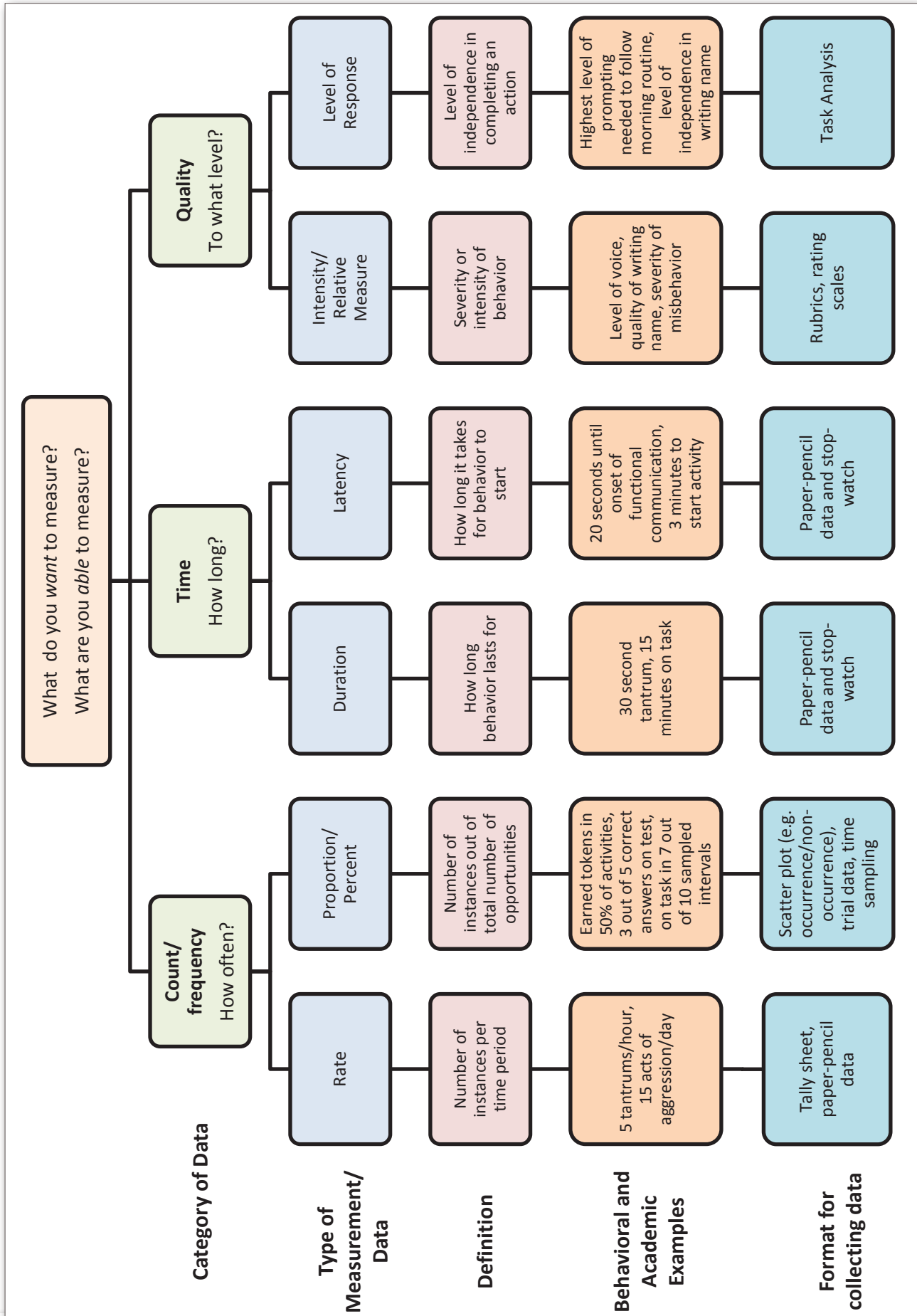
1. Removal of a student for any part of a day is considered a suspension for a full day and documented according to school policies.
2. What is not a removal?
  - a. Time-out
  - b. In-school suspension, if during the in-school suspension, the student has the opportunity to:
    - i. Progress appropriately in the general education curriculum;
    - ii. Receive special education services specified in the student's individualized education plan (IEP); and
    - iii. Participate with nondisabled students to the extent the student would have in the student's current placement.
  - c. Short-term removal pursuant to an IEP
3. At five (5) cumulative days of suspension, removals, or a combination of removals and suspension, teacher of record (TOR) may:
  - a. Consider a functional behavioral assessment (FBA)
  - b. Convene a case conference.
    - i. Develop a behavior intervention plan (BIP) or review and revise an existing BIP.
    - ii. Review individualized education plan (IEP) services.
    - iii. The Case Conference Committee determines the extent to which services are needed to enable the student to do the following:
      1. Continue to participate in the general education curriculum, although in another setting.
      2. Progress toward meeting the goals set out in the student's IEP.
    - iv. Services that are to be provided on eleventh (11th) day of suspension or removal and each subsequent day for the duration of the year, if necessary.(Alternative Education Plan)
4. Once there have been ten (10) cumulative days of suspension, removals, or a combination of suspension and removals, the alternative education plan should be implemented and a manifestation determination conference held within ten (10) school days to discuss possible programming changes such as:
  - a. Complete a new FBA if the current one does not apply to the behavior.
  - b. Revise the BIP.
  - c. Revise services.
  - d. Change placement.

## Manifestation Determination Expulsion Procedures

Principal request for expulsion of a student with disabilities requires a manifestation determination conference to determine whether the behavior is related to the disability or not.

1. Before requesting expulsion it is advisable to:
  - a. Make sure individualized education plan (IEP) is current (within one (1) year from current date).
  - b. Determine if there is a behavior intervention plan (BIP).
  - c. Ascertain whether all parties are aware of the BIP plan and have implemented it.
  - d. Keep a log of contacts with the parent concerning the behavior problems.
  
2. A manifestation determination case conference is an evaluative process used to determine if the behavior is related to the disability. It must be held within ten (10) instructional days of the student's 10<sup>th</sup> day of removal. Participants may include:
  - a. Building administrator
  - b. Special education teacher
  - c. General education teacher
  - d. Parent(s)
  - e. Student
  - f. Director of Special Education
  
3. If the behavior is substantially and directly related to the student's disability the case conference committee must either:
  - a. Conduct a functional behavioral assessment (FBA), unless one has been conducted within three years, and implement a BIP; or
  - b. If a BIP has already been developed, review the BIP and modify, as necessary, to address the behavior; and
  - c. If no FBA exists, conduct FBA and implement BIP; or
  - d. Revise and modify BIP to address the behavior.
  - e. Student is returned to placement unless parent and school agree to change of placement as part of the revision of the BIP.
  
4. If the behavior is not related to the student's disability the CCC will offer an alternative to expulsion through development of a new IEP. Written findings will be given to the parent and the superintendent. If the parent does not agree, they may refer to the options in Procedural Safeguards.

# Data Collection Decision Tree



## **Distribution of Procedural Safeguards/Parent Rights**

A copy of the Notice of Procedural Safeguards shall be offered to the parent of a student with a disability one (1) time each school year at the annual review. Additionally, a copy must also be offered to the parent upon:

1. The initial referral or a parent's request for educational evaluation.
2. Filing of the first complaint during the school year.
3. Receipt of the first due process hearing during the school year.
4. The date the school decides to pursue the following disciplinary actions:
  - a. Disciplinary action involving a change of placement, including removal to an interim alternative educational setting for weapons, drugs, or serious bodily injury; and
  - b. Disciplinary action involving an expulsion or a change of placement for more than ten (10) instructional days.
5. Request by a parent.

If the parent is not present at the annual review a copy shall be sent to the parent, unless the parent declines.

## Procedures for Nonpublic and Homeschool Services

The Exceptional Children's Cooperative provides special education and related services for any student with an identified disability for all nonpublic or private, homeschool or parochial students within the Dubois, Perry, and Spencer County School boundaries. Services for students not attending a public school may be less than those students who attend the public school. These services may be provided at the nonpublic school, at home, or at a public school depending upon the individual situation.

An Exceptional Children's Cooperative representative will serve as public agency representatives for all nonpublic case conferences. When a case conference determines a student is eligible for, and in need of, special education services, the school personnel will provide information to the parent about the Free and Appropriate Public Education (FAPE). If the parent rejects the offering of FAPE, the school personnel will develop a service plan that outlines the services that will be provided to the student.

### Evaluation procedures

For students attending nonpublic schools located within Dubois, Spencer, Perry, and Pike County districts:

1. For students who have legal settlement within Dubois, Spencer, Perry, and Pike County Public School boundaries:
  - a. When either a complete initial evaluation or language and speech impaired evaluation are requested by parent or staff, the Exceptional Children's Cooperative will complete the evaluation and convene the case conference to determine eligibility.
    1. If the student is determined to be eligible to receive special education services, the case conference committee (CCC) will first discuss what FAPE is and explain the process of development of the individualized education plan (IEP). A discussion about what would be offered if the student were to attend a public school should be clearly documented in the case conference notes and proceed to the development of the service plan.
    2. If the parent would like to proceed with the development of the IEP, or if services provided in the public school would be significantly more than what will be provided in the private school,
      - Develop an IEP and identify the appropriate services which would be provided if that student attended a public school. This is the offering of the FAPE.
      - If, after reviewing the proposed IEP, the parent wants the student to continue at the nonpublic school, he/she should sign the rejection of services in a public school form. (This form is found in the document section of Indiana IEP)
      - The service plan should then be developed to reflect the special education/related services that the student will receive. The parent will sign the service plan acknowledgement form found in IIEP.
      - A parent/guardian only needs to be offered FAPE initially. Subsequent evaluations only require that the service plan be updated.
2. For students who have legal settlement outside of Dubois, Spencer, Perry, and Pike County School boundaries:
  - a. When either a complete initial educational or language and speech impaired evaluation is requested by parent or staff:
    1. Parents will be informed by a public school staff member that they have the right to have the evaluation completed by either their district of legal settlement, or the Exceptional Children's Cooperative.
    2. If the parent would like the evaluation completed by the Exceptional Children's Cooperative, parent consent will be obtained and the evaluation will proceed according to the procedures for initial evaluation.
    3. Staff will request the parent's permission to obtain and share records with the district of legal settlement. If the parent agrees, the district of legal settlement

will be invited to participate in the case conference and to offer FAPE if the student is found eligible for special education and related services and is interested in returning to their home school.

4. If the parent refuses to provide permission to release and share school records, once eligibility as a student with a disability is determined. The Exceptional Children's Cooperative will only develop the service plan and not the FAPE individualized education plan (IEP). Parents will be instructed by Special Education staff that they will need to contact the district of legal settlement to obtain the FAPE individualized education plan (IEP). The parent will sign the service plan acknowledgement form.
5. If the parent would like the evaluation completed by their district of legal settlement, the Exceptional Children's Cooperative director will contact the appropriate personnel to complete the evaluation.
6. The case conference will take place at the nonpublic school. If the student is found eligible for special education and/or related services, the district of legal settlement will complete the FAPE individualized education plan (IEP) and present to the parents. If the district of legal settlement does not use Indiana IEP, the parent will be asked to sign a rejection of services in a public school form which will be attached to the service plan. The Exceptional Children's Cooperative will create the service plan and ask the parent/guardian to sign the service plan acknowledgement form.

#### **Individualized education plan (IEP) procedures**

The services provided to a child with an identified disability who attends a nonpublic school or who are home schooled may be less than those that are provided for students who attend public schools.

#### **Initial case conference**

When the initial evaluation is completed, a case conference, with an Exceptional Children's Cooperative representative present, must first find the student eligible for special education. If the student is found eligible for special education, an IEP will be developed by the Exceptional Children's Cooperative private school consulting teacher. This IEP will be developed to meet the student's needs if they were to attend their home school. The complete IEP goals, benchmarks, and services will be developed to provide the student with FAPE. The proposed special education and related services will be listed on the service page of the IEP.

If the parent/guardian chooses to continue the student in the nonpublic or home school, the parent should sign the rejection of public school services form.

The CCC will develop the service plan to identify major goals and benchmarks for the student. The special education and related services provided to the student will be based on those listed below. The service plan, services and progress reports will be discussed with the parent at the conference. All special education and related services will be provided at the nonpublic school. All home school students will be provided services at an identified public school building.

The discussion of services needs to be clearly documented in the CCC notes to show the child's needs, the services offered in the IEP and then the service plan developed if continuing at the nonpublic school. The Exceptional Children's Cooperative will be notified when the IEP and ISP have been finalized. The private school consulting will send in the signed copies of the Rejection of Services in a Public School and the Notice of proposed ISP.

**Case conference committee (CCC)**

The services for students in nonpublic schools must be reviewed annually and a new service plan developed. A representative from the Exceptional Children's Cooperative will attend all case conferences. If the student is continuing in the nonpublic school, only the service plan needs to be completed.

**Reevaluation**

Students in nonpublic schools should be considered for reevaluation every three (3) years. The Exceptional Children's Cooperative procedures for re-evaluation should be followed. Parent/guardians should be offered the option of an evaluation even if the student with a disability is not receiving special education or related services.

## Evaluation of Nonpublic School and Homeschool Students Flowchart

Parent of a student attending a nonpublic school requests an evaluation:

1. School district where the nonpublic school is located (serving district) explains the concept of Free and Appropriate Public Education (FAPE).
2. That the parent/guardian has the right to obtain an evaluation and offer of FAPE from the district where they live (school district of legal settlement), or from the serving district, if they are different districts.

School district of legal settlement responsibilities:

Serving district responsibilities:

If the nonpublic school is outside of the school district of legal settlement, the parent/guardian must sign an authorization for release and exchange of information to send evaluation and records to the serving district. If the parent/guardian refuses to sign the release, the district of legal settlement may not forward any records to the serving district.

If the serving district finds a child with a disability, they cannot disclose information about that child to the district of legal settlement without a signed authorization for release and exchange of information from the parent/guardian.

The parent requests that the evaluation be completed by the school district of legal settlement and signs permission. The Exceptional Children's Cooperative procedures for initial evaluations are followed.

The parent/guardian signs the authorization for release and exchange of information and the serving district notifies the district of legal settlement within ten (10) days.

The parent decides to have the evaluation completed by the serving district where the nonpublic school is located. The serving district initiates initial evaluation procedures and completes evaluation within required timeline.



If the student is determined eligible for special education services by the case conference committee (CCC), the school district of legal settlement offers a FAPE individualized education plan (IEP) and written notice of proposed action.

If the parent/guardian signs the authorization for release and exchange of information, the district of legal settlement is invited to the conference. If the student is determined eligible for special education services by the CCC, the school district of legal settlement offers a FAPE individualized education plan (IEP) and written notice of proposed action.

If the parent/guardian refuses to sign the authorization for release and exchange of information, the serving district will handle the CCC. If the child is found eligible for special education services by the CCC, the serving district offers a FAPE individualized education plan (IEP) and written notice of proposed action.

If the parent/guardian accepts the IEP and enrolls in the district of legal settlement, services are ended at the nonpublic school.

When the parent/guardian rejects the FAPE individualized education plan (IEP), the rejection of services in a public school form is completed.

The serving school corporation will

develop a service  
plan. Parent will  
sign the  
service plan  
acknowledgement.

## **Timelines Initial Evaluations**

An evaluation must be conducted within fifty (50) instructional days of receiving parental consent.

A parent's request for an evaluation may be made verbally or in writing. After a parent makes a request, the public agency has ten (10) instructional days to provide the parent with written notice.

Written notice provided to the parent regarding an educational evaluation must include the following:

A statement that the public agency is proposing or refusing to conduct the educational evaluation that includes a description of each:

1. Evaluation procedure;
2. Assessment;
3. Record; or
4. Report

The parent may also at the same time the parent provides consent for the educational evaluation, request one (1) or both of the following:

1. A copy of the educational evaluation report, at no cost to the parents, not less than five (5) instructional days prior to the CCC meeting
2. A meeting with an individual who can explain the results of the educational evaluation results within five (5) instructional days prior to the scheduled CCC meeting.

The initial educational evaluation must be conducted and the CCC convened within fifty (50) instructional days of the date of the written parental consent is received by licensed personnel in accordance with section 4 (h) of this rule. This time frame does not apply in the following situations:

1. When a student has participated in a process that assesses the student's response to scientific, research based interventions described in section 2 of this rule, in which case the time frame is twenty (20) instructional days.
2. When a child is transitioning from early intervention (Part C) to early childhood special education (Part B), in which case the evaluation must be completed and the CCC convened to ensure that the child receives special education services by his or her third birthday.
3. When the parent of a student repeatedly fails or refuses to produce the student for the evaluation.
4. When a student enrolls in a school of another public agency after the relevant time frame in subsection (a) has begun, and prior to completion of the evaluation, if the:

- a. Subsequent public agency is making sufficient progress to ensure a prompt completion of the evaluation; and
- b. Parent and subsequent public agency agree to a specific time when the evaluation will be completed.

### **Independent educational evaluation**

Upon a parent's request for an independent educational evaluation at public expense, the public agency must take one (1) of the following actions within ten (10) business days of the date of the public agency's receipt of the parent's request:

1. Initiate a due process hearing to show its educational evaluation is appropriate.
2. Notify the parent in writing that the independent educational evaluation will be at public expense.

### **Reevaluation**

Once a student is eligible for special education and related services, any subsequent evaluation of the student is reevaluation, even if the student is being evaluated because of a different or additional eligibility category is suspected.

A public agency must consider reevaluation for each student receiving special education and related services:

1. at least once every three (3) years; however, reevaluation need not occur if the parent and the public agency agree that it is unnecessary;
2. if the public agency determines, at any time during the three (3) year cycle, that additional information is needed to address the special education or related services needs of the student; and
3. if the student's parent or teacher requests reevaluation.

If a CCC determines at an annual CCC meeting that reevaluation is necessary to reestablish eligibility for special education and related services, reevaluation must occur by the next annual CCC meeting. Reevaluation to reestablish eligibility may not occur more than once a year, unless the parent and the public agency agree otherwise.

If the CCC determines or the parent or teacher requests that a reevaluation be conducted to:

1. determine that the student is eligible for special education and related services under a different or additional eligibility category; or
2. inform the CCC of the student's needs, such as the student's need for assistive technology or a related service;

The reevaluation must occur and the CCC convened within fifty (50) instructional days of the date that written parental consent is received by licensed personnel, in accordance with subsection (i).

Written notice before initial case conference committee meetings

The public agency must provide to the parent written notice described in subsection (b) not later than five (5) instructional days prior to an initial CCC meeting.

The written notice must contain the following:

1. A description of the overall findings of each:
  - a. evaluation;
  - b. procedure;
  - c. assessment;
  - d. record; or
  - e. report

### **Case conference committee meetings**

A CCC must convene in the following circumstances:

1. after an initial evaluation is conducted;
2. after a student has been reevaluated;
3. periodically, but not less than annually, for a student previously determined eligible for special education;
4. if either the parent or public agency believes that a required component of the student's individualized education should be changed to ensure the provision of a free appropriate public education;
5. within ten (10) instructional days of the enrollment date of a student who has been receiving special education in another state or another district within the state;
6. within ten (10) instructional days of a disciplinary change of placement to determine whether the student's behavior is a manifestation of the student's disability
7. to determine interim alternative educational setting when public agency personnel remove a student to an interim alternative educational setting;
8. at least every sixty (60) instructional days when the setting in which the student is receiving educational services is the student's home or out-of-school location

### **Developing an individualized education program: Transition IEPs**

Transition IEPs are written documents developed that are in effect for students:

1. entering into grade 9; or
  2. becoming fourteen (14) years of age;
- whichever occurs first, or earlier if determined appropriate by the CCC.

Beginning not later than one (1) year before the student becomes eighteen (18) years of age, a statement that the student and the parent have been informed that the parent's rights under this article will transfer to the student at eighteen (18) years of age.

The public agency must give the parent a copy, at no cost, of the student's IEP. The copy may be:

1. provided to the parent at the conclusion of the CCC meeting; or
2. mailed to the parent at a later date.

If mailed, the copy must be received by the parent not later than ten (10) business days after the date of the CCC meeting.

Any member of the CCC may submit a written opinion regarding the IEP. The written opinion must:

1. be submitted to the public agency not later than ten (10) business days after the date of the CCC meeting; and
2. remain with the student's educational records.

### **Individualized education programs; implementation; termination due to revocation of consent**

The services identified in an IEP must be provided:

1. no later than ten (10) instructional days after parental consent to the student's initial IEP is received.
2. On the eleventh instructional day after a public agency provides written notice described in section 7 of this rule regarding a student's proposed IEP that is subsequent to the initial IEP, unless the parent consents in writing to an earlier implementation date. The public agency must continue to implement the current IEP if the parent challenges the proposed IEP prior to its implementation by:
  - a. Requesting and participating in a meeting with an official of the public agency who has the authority to facilitate the disagreement between the parent and the public agency;
  - b. Initiating mediation;
  - c. Requesting a due process hearing;
  - d. For students transitioning from early intervention services to early childhood special education, on the student's third birthday;
  - e. The initiation date stated in the student's IEP in all other circumstances.

If a newly enrolled student received special education services in another state, and enrolls within the same school year, the new public agency, in consultation with the student's parent, must immediately provide the student with a free appropriate public education, including services comparable to those described in the student's IEP from the previous public agency, until the new public agency:

1. Conducts an educational evaluation, if the new public agency determines that this is necessary; and

2. Develops, adopts, and implements a new IEP, if appropriate, that meets the applicable requirements in this rule.

IF a parent revokes consent for special education and related services in accordance with section 15 of this rule, the public agency must terminate the implementation of a student's IEP on the eleventh instructional day after the public agency provides the parent with the written notice of required by section 15(b) of this rule, unless the parent consents in writing that the services will be terminated prior to the eleventh day.

### **Review and revision of the individualized education program**

A student's CCC must meet periodically, but not less than annually, to do the following:

1. Review the student's IEP and determine whether the student's annual goals are being achieved.
2. Revise the IEP, as appropriate, to address:
  - a. any lack of expected progress, based on progress monitoring data, toward annual goals and in the general education curriculum, if appropriate;
  - b. the results of any reevaluation conducted, including any additional data about the student;
  - c. the student's anticipated needs; or
  - d. other matters.

### **Transition from early intervention services (Part C) to early childhood special education (Part B)**

The public agency's obligation to make a free appropriate public education available to a student with a disability begins on the student's third birthday.

With parental consent, at least six (6) months prior to a student's third birthday, the state-operated or state-supported program must transmit to the school corporation of legal settlement, the most recent:

1. IFSP;
2. family service plan report; and
3. evaluation reports from any source.

### **Discipline Procedures**

#### **Removals in general**

A public agency is not required to provide services to a student with a disability during any of the first ten (10) cumulative instructional days of removal in a school year, for violating code of student conduct, if services are not provided to a nondisabled student who has been similarly removed.

1. If a student is removed for more than ten (10) cumulative instructional days in a school year, the public agency must abide by the requirements in sections 4 and 5 of this rule.
2. If a student is removed for more than ten (10) cumulative instructional days in a school year, the public agency must determine if a change of placement has occurred in accordance with section 2 of this rule. If the public agency determines:
  - a. That a change of placement has occurred, the public agency must abide by the requirements in sections 4 and 5 of this rule; or
  - b. That a change of placement has not occurred, the public agency must abide by the requirements in section 3 of this rule.

### Disciplinary change of placement

A removal or series of removals from a student's current educational placement results in a change of placement under this rule in the following situations:

1. The removal is for more than ten (10) consecutive instructional days.
2. The student is subjected to a series of removals that constitute a pattern because:
  - a. The series of removals cumulate to more than ten (10) instructional days in a school year;
  - b. The student's behavior is substantially similar to the student's behavior in previous incidents that resulted in the series of removals; and
  - c. Of such additional factors as the:
    - (i) Length of each removal;
    - (ii) Cumulative amount of time the student has been removed; and
    - (iii) Proximity of the removals to one another.

### Manifestation determinations

Within ten (10) instructional days of any decision to change the placement of a student with a disability for violating a code of student conduct, the CCC must meet to determine whether the student's behavior is a manifestation of the student's disability.

### Interim alternative educational setting; weapons, drugs, and serious bodily injury

The principal or the principal's designee may remove a student to an interim alternative educational setting for not more than forty-five (45) instructional days without regard to whether the behavior is determined to be a manifestation of the student's disability, if the student:

1. carries a weapon to school or possesses a weapon;
2. knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance; or



3. has inflicted serious bodily injury upon another person; while at school, on school premises, or at a school function under the jurisdiction of the department of education or a public agency.

#### Substantial likelihood of injury to student or others

If a public agency believes that maintaining the student in the current educational placement (the student's placement prior to a removal) is substantially likely to result in injury to the student or others, the public agency may request an expedited due process hearing to determine an appropriate placement for the student. The student's placement during an expedited due process hearing is governed by section 8 of this rule.

The hearing officer must:

1. hear the matter; and
2. make a determination regarding the student's placement.

In making the determination, an independent hearing officer may order a change of placement to an appropriate interim alternative educational setting for not more than forty-five (45) instructional days if the hearing officer determines that maintaining the current placement of the student is substantially likely to result in injury to the student or to others.

#### Placement of the student during due process hearings or appeals of disciplinary action

If a parent requests a hearing or an appeal to challenge a removal or the manifestation determination, the student must remain in the interim alternative educational setting:

1. pending the decision of the independent hearing officer; or
2. until the time period for the disciplinary action expires; whichever occurs first, unless the parent and the public agency agree otherwise.

If a student is placed in an interim alternative educational setting under section 6 or 7 of this rule, and the student's parent opposes the public agency's proposed change in educational placement after expiration of the forty-five (45) instructional days, during the pendency of any proceeding to challenge the proposed change in placement, the student remains in the interim alternative education setting:

1. pending the decision of the hearing officer; or
2. until the expiration of the forty-five (45) instructional days; whichever occurs first, unless the parent and the school agree otherwise.

If the public agency and the parent are unable to resolve the dispute regarding the proposed change of placement after the expiration of the forty-five (45) instructional days, and the public agency maintains that the current placement (the placement prior

to removal to the interim alternative education setting) is substantially likely to result in injury to the student or others, the public agency may request the following:

1. An expedited due process hearing.
2. The independent hearing officer to extend the interim alternative education placement.

### **Protections for students not yet eligible for special education and related services**

A student who has:

1. Not been determined eligible for special education and related services under this article; and
2. Engaged in behavior that violated any rule or code of conduct of the public agency, including any behavior described in this rule;  
May assert any of the protections provided for in this article if the public agency had knowledge, as described in subsection (b), that the student was a student with a disability before the behavior that precipitated the disciplinary action occurred.

If a referral is made for an initial educational evaluation of a student during the time period in which the student is subjected to:

1. suspension;
2. expulsion; or
3. placement in an interim alternative educational setting;

The evaluation must be conducted in an expedited manner. Until the evaluation is completed, the student remains in the educational placement determined by school authorities, which may include suspension or expulsion without educational services.

As used in this rule, “expedited evaluation” means that the public agency conducts the evaluation and convenes the CCC within twenty (20) instructional days from the date of the parent’s written consent for the evaluation. A copy of the educational evaluation report shall be provided to the parent at the CCC convened to consider the student’s identification and eligibility for special education services.

### **Complaints, mediation, and due process procedures**

#### **Complaints**

Any individual, group of individuals, agency, or organization may file a complaint alleging violations of federal or state laws that apply to special education programs.

The complaint must:

1. be in writing
2. include a statement alleging that the public agency has violated a requirement of:

- a. this article;
- b. the Individuals with Disabilities Education Act; or
- c. the federal regulations implementing the Individuals with Disabilities Education Act

The complaint must allege a violation that occurred within one (1) year of the date that the complaint is received by the division of special education.

Within ten (10) calendar days of the date the complaint is received by the public agency, the public agency has the discretion to do any of the following:

1. Respond to the complaint with a written agreement signed by the public agency and the complainant.
2. Resolve the complaint with a written agreement signed by the public agency and the complainant.  
The agreement must:
  - a. Be forwarded to the division of special education; and
  - b. Specify whether any issues remain that require investigation.
3. Agree with a parent who has filed a complaint to engage in mediation.
4. Notify the division of special education that it should begin investigating the complaint because the public agency will not be exercising the options in subdivision (1), (2), or (3).

If the public agency and a parent who has filed a complaint agree to engage in mediation under section 2 of this rule, the mediation must be completed with twenty (20) calendar days from the date the parties agree in writing to engage in mediation. If a mediation agreement is executed by the parent and

## Special Education Terminology

Eligibility – description of the traits that align with Article VII special education criteria that adversely affects the student’s educational performance

Present Level – data that accurately describes the student’s current functioning; the present level is stated in measurable terms.

Educational Need – skills the student specifically needs to learn; a skill is measurable and can be observed; it is not a score, it is not a service.

Annual Goal – the skill level the student is realistically expected to reach by the next annual review; the goal is written in the exact language as the present level – only the expected level, rate, or frequency are different.

Indirect Support – service presented for a student while the student is learning the general education curriculum; the gen ed teacher typically is the person who designs the support along with the special education teacher’s assistance

Consultation – service presented to the teacher of service from another professional source.

Modification – change or alteration to the general education program for the sake of meeting a student’s needs; the content is changed.

Accommodation – change or alteration to mode of instruction delivery or the mode of student output due to a student’s special needs.

Direct Service – curriculum presented to a student that is different from the grade level general education rigor. The curriculum is designed to help the student progress in his written annual goal.

Double Dose – service delivery model in which the student receives gen ed instruction AND specialized instruction for the same content area. The curriculum is designed to help the student progress in his annual goal.

LRE Placement – the description of how much time a student spends near his general education population peers during the course of his day.

Location of Service – the description of who is around the student during the service delivery timeframe

Progress Monitoring – the means of collecting data to describe the student’s growth of a particular skill; this description includes the assessment tool, the frequency of the monitoring, and the determining level of mastery. It further describes how often and which conditions the student must demonstrate that skill (average of weekly scores, a one-time snapshot, or number of consecutive trials).