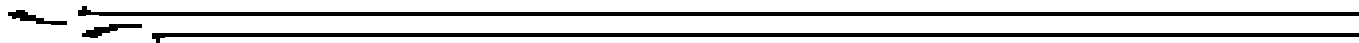

“Creating a Quality IEP”

INDIVIDUALIZED **E**DUCATION **P**ROGRAM
MANUAL



March 2001



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TABLE OF CONTENTS

Introduction	1
Requirements and Roles for IEP Teams	1
New Considerations and Requirements for IEPs	5
Page 1 Recommendation Page	9
Page 2 Conference Information	22
Overview of Performance Pages	24
Page 3 Academic Performance and Learning Characteristics	30
Page 4 Social/Emotional Performance	32
Page 5 Health and Physical Development	34
Overview of Annual Goals and Short Term Objectives	36
Page 6 Annual Goals and Short-Term Objectives	40
Overview of School Environment and Service Recommendations	42
Page 7 School Environment and Service Recommendations	47
Page 8 Other Programs Considered and Reasons for Rejection	53
Overview of Participation in School Activities, Related Service Recommendations, Participation in Assessments and Promotion Criteria	54
Page 9 Participation in School Activities, Related Service Recommendations, Participation in Assessments and Promotion Criteria	64
Overview of Transition Page	67
Page 10 Transition	69
Appendix A - The IEP Form	70
Appendix B – Quality Indicator Checklists	81
Appendix C - The Do’s and Don’ts	85
Appendix D - Definition of Classifications	90
Appendix E – Learning Disability Justification Form	93
Appendix F – Emotional Disability Justification Form	94
Appendix G – Behavior Intervention Plan	95
Appendix H – Student Accommodation Plan	97
Appendix I – Sample Transition Goals	98

NEW YORK CITY BOARD OF EDUCATION*

INDIVIDUALIZED EDUCATION PROGRAM MANUAL

Introduction

An Individualized Education Program (IEP) is a written document that is developed for each eligible preschool and school-age student with a disability in accordance with the requirements of the Individuals with Disabilities Education Act (IDEA).

The purpose of the IEP is twofold:

it documents a student's eligibility for special education services; and
it memorializes the school system's plan for providing a free appropriate public education that will meet the student's unique needs, in the least restrictive environment.

This manual discusses the membership of the committee that develops the student's IEP and the requirements of the IEP, as mandated by IDEA. It explains the IEP (Appendix A) developed by the New York City Public Schools in 1998 and updated in September 2000. It also contains quality indicator checklists to assist IEP Teams in assessing whether IEPs developed meet established criteria (Appendix B).

Specific information pertaining to the *Continuum* of Special Education Services offered to students by the New York City Public Schools can be found in the New York City Board of Education publication entitled *Special Education Services as Part of a Unified Service Delivery System (The Continuum of Services for Students with Disabilities)*. For information on eligibility for special education services for preschool students, refer to the New York City Board of Education publication entitled *Committee on Preschool Special Education Standard Operating Procedures Manual, March 2000*.

Requirements and Roles for IEP Teams

The IEP is a collaboratively developed plan based on information provided by parents, assessment professionals, instructional personnel, related service providers and, where appropriate, the student. Under federal law, the group responsible for developing the IEP is known as the IEP Team. New York State refers to this group, as the Committee on Special Education (CSE) or Subcommittee of the Committee on Special Education (Sub-CSE) for school-age students and the Committee on Preschool Special Education (CPSE) for preschool students. IDEA expanded the membership of the IEP Team to include the general education teacher and enhances the role played by some other members.

Under IDEA:

parents participate in making decisions concerning evaluation, eligibility and placement and are equal partners with school personnel in developing the IEP;

at least one general education teacher must be a member of the IEP Team if the student is or may be participating in the general education environment;

*There are several documents from these sources that may be helpful to the IEP Team.

the district representative must be qualified to provide or supervise the provision of special education and also knowledgeable about the general education curriculum and the availability of district resources; and

one of the team members must be able to interpret the instructional implications of the evaluation results in terms of designing appropriate instruction.

In New York State **parents** have long participated in making eligibility and placement decisions about students with disabilities. Under IDEA parents must be informed of and provide written consent to initial and periodic re-evaluations of their child; have their concerns about the education of their child considered during the evaluation; be part of the group that reviews existing evaluation data during any evaluation or re-evaluation of their child and understand the results of evaluations. Additionally, where the IEP Team determines that no additional data are needed to determine continuing eligibility, parents must receive notice of that determination with a statement of the reasons for that decision. Parents have the right to request additional assessments if they disagree with the IEP Team decision. Parents have the right to be provided with the student's IEP and all due process notices in their preferred language or mode of communication.

The **general education teacher** is expected to present information about the student's performance in the general education class and to help the IEP Team make decisions about participation in the general education curriculum and other school activities. As a member of the IEP Team, the general education teacher helps the IEP Team determine appropriate behavioral interventions, strategies, supplementary aids and services and program modifications and supports for school personnel that are necessary for the student to participate to the fullest extent possible in the general education curriculum.

According to federal legislation, the general education teacher must participate in the IEP meeting to the extent appropriate. This means that the general education teacher participates whenever the student's needs and service recommendations are discussed. The goal is to provide the general education teacher with an opportunity for meaningful participation while minimizing the impact on the teacher's other instructional responsibilities.

Mindful that the participating general education teacher must be the student's teacher if the student is currently attending one or more general education classes, general education teacher selection should proceed as follows:

For students participating in general education classes with supplementary aids and services (i.e., Related Services, Special Education Teacher Support Services, Collaborative Team Teaching) full-time or part-time or who are mainstreamed, the general education teacher or the preschool teacher who attends the IEP meeting must be the student's general education or preschool teacher.

For students not participating in general education classes with supplementary aids and services or who are not mainstreamed, the general education teacher or the preschool teacher must be one who is likely to provide general education or preschool instruction for the disabled student being considered for participation in general education classes or participation in age appropriate activities or one who is knowledgeable regarding the curricula adaptations and the range of available general and special education, supports and services appropriate to the age and grade level of the student. For preschool students, the general education teacher is an individual qualified by the State Education Department to teach a student of the same age.

For students who have more than one general education teacher, only one of the student's teachers must attend the meeting. Input from all the student's teachers who will not be attending should be obtained and presented at the meeting.

For students attending non-public school programs and who are participating in general education classes with supplementary aids and services or who are mainstreamed, the student's general education teacher must be invited to participate at the IEP meeting. If the student's general education teacher is unable to participate, the CSE must identify a general education teacher to participate at the IEP meeting. The general education teacher identified must have knowledge of curricular adaptations and the range of available general and special education supports and services appropriate to the age and grade level of the student.

The **district representative** may be a member of the IEP Team who is also fulfilling another role as long as he/she meets all three of the qualifications for district representatives as described at the top of Page 2 of this manual. This role can be filled by a CSE Chairperson, special education supervisor, principal, special education teacher, related service provider or school based support team member. For preschool cases the district representative is the Board of Education Preschool Administrator or the designee of the CSE Chairperson.

The **individual who interprets the instructional implications** of the evaluation results may be a member of the IEP Team who is also fulfilling another role. The individual who interprets the instructional implications must be able to talk about how the evaluation results will impact on the instruction provided to the student and assist the

team in determining what instructional modifications, strategies or interventions may be required. This role can be filled by the special or general education teacher, the district representative, the education evaluator or the school psychologist. For preschool cases the individual who interprets the instructional implications may be a representative of the SED approved evaluation site if invited to attend the IEP meeting by the Board of Education Preschool Administrator.

IDEA requires that at least one **special education teacher** of the student participate in the IEP Team meeting. When the student's only special education service is a related service the **related service provider** participates as the student's special education service provider. The **student** with a disability participates where appropriate. In New York State, the **school psychologist** and **parent member** must participate in CSE meetings. Part 200 of the New York State Regulations of the Commissioner of Education require that the CSE/CPSE inform the parent(s) of his/her right to have a parent member participate at the CSE/CPSE Review. Parents must also be informed of their right to decline the participation of the parent member. If the parent opts to decline his/her right for the participation of a parent member this must be documented in writing in the student's CSE file. The school psychologist must participate in CSE subcommittee meetings whenever a new psychological evaluation is reviewed or a change to a service option with a more intensive staff/student ratio is considered. A **school physician** is also a required participant if the parent makes a request for a physician to attend at least seventy-two (72) hours prior to the IEP meeting. For initial referrals to a CPSE, an Early Intervention Program representative must participate if the student is transitioning from a program serving children with disabilities, ages 0-2 years.

The following chart summarizes the required participants at IEP Meetings:

	SUBCOMMITTEE ON SPECIAL EDUCATION				
	School Level Annual Review	Educational Planning Conference Conducted by School Based Support Team		CSE Review	
		Initials	Reviews/Triennials	Initials	Reviews/Triennials
Special Education Teacher/Related Service Provider	✓	✓ (4)	✓	✓ (4)	✓
General Education Teacher (1)	✓	✓	✓	✓	✓
Parent (2)	✓	✓	✓	✓	✓
Student (3)	✓	✓	✓	✓	✓
District Representative	✓ (5)	✓ (5)	✓ (5)	✓ (5)	✓ (5)
Education Evaluator	N/A	✓	✓	✓	✓
School Psychologist	N/A	✓	(6)	✓	✓
School Social Worker	N/A	✓	(7)	✓ (8)	✓ (8)
Parent Member	N/A	N/A	N/A	✓	✓

Notes:

- (1) A general education teacher is a required participant if the student is, or may be, participating in the general education environment.
- (2) The parent must be invited to participate; however, the meeting may proceed without the parent provided that documented appropriate outreach was conducted

and attempts were made to arrange a mutually agreed upon date and time for the meeting.

- (3) The student, where appropriate, should participate.
- (4) The education evaluator serves as the designated special education teacher for initial cases.
- (5) For initial cases, re-evaluations and triennials, the school social worker, school psychologist or education evaluator may serve as the district representative as well as others such as a supervisor, CSE Chairperson, special education teacher who meet the criteria for district representative.
- (6) A school psychologist is required to participate in a requested review/triennial meeting whenever a new psychological evaluation is reviewed or a change to a more intensive staffing ratio is considered.
- (7) The school social worker may participate in a Subcommittee meeting for a requested review or triennial if involved in any aspect of the evaluation process.
- (8) School social workers are to attend all types of CSE Reviews (initial, requested reviews and triennials) except in extraordinary circumstances.

In addition, a translator is required to attend IEP Team meetings if the parent's preferred language or mode of communication is other than English. For required participants at IEP meetings for preschool students refer to the preschool SOPM.

In addition to the required participants noted above, the following individuals should also be invited to participate in IEP meetings:

- any school personnel with contributions to make to the decision making process;
- at the discretion of the parent or the district, any individual with special expertise or knowledge of the student;
- non-Board of Education assessment professionals or service providers involved in conducting the assessment or providing service to the student.

If a purpose of the IEP meeting is to consider the need for transition services, the student and a representative of the agencies likely to be responsible for providing or paying for transition services must be invited:

if the student does not attend, the team must ensure that the student's preferences and interests are considered; and
if an agency invited to send a representative to a meeting does not do so, steps to involve the other agency in the planning of any transition services shall be taken.

Considerations and Requirements for IEPs

No document has greater importance to a student with a disability and his or her parents than the IEP. The IEP Team must ensure that they consider:

the student's ability to participate with typically developing peers, to the greatest extent appropriate;

the student's strengths (in English and in the other than English language for English Language Learners (ELLs);

parents' concerns for enhancing the student's education; and

the results of the most recent assessment.

Additionally, the IEP Team must consider "special factors." These "special factors" include:

the student's language needs, if the student is an English Language Learner;

instruction in Braille and the use of Braille (unless not appropriate), if a student is blind or visually impaired;

the communication needs of the student, with a list of specific factors to be considered, if a student is deaf or hard of hearing; and

positive behavior strategies and supports, if the student's behavior impedes his or her learning or that of others.

The IEP must also:

indicate the present levels of performance, annual goals and short-term objectives/benchmarks that address how the student's disability affects the student's involvement and progress in the general education curriculum or, for preschool students, the student's participation in age appropriate activities;

describe all supplementary aids and services including assistive technology and services that will be provided to the student or on behalf of the student, and program modifications or supports for school personnel that will be provided for the student in order to advance toward his/her annual goals and, whenever appropriate, to be educated in the general education environment with non-disabled peers and participate in extracurricular and non-academic activities;

include an explanation of the extent to which the student will **not** participate with non-disabled students in general education classes and in extracurricular and non-academic activities;

specify whether Special Education Teacher Support Services and/or Related Services will be provided in the general education classroom or in a separate location or a combination of the two;

include, beginning at age 14, a statement of transition needs which focuses on a student's course of study;

include, beginning at age 15, required transition services;

indicate how the parents of the student will be regularly informed of both the student's progress toward meeting annual goals and whether the student is expected to meet his or her annual goals;

provide information regarding the student's participation in state and districtwide assessments of student achievement, including any individual accommodations that are needed for the student to participate;

indicate the promotion standard for the student if the student participates in state and districtwide assessments and if a modified promotion criteria is recommended, provide a description of the modified standard for the student; and

if the student will not participate in the general education curriculum and will participate in Alternate Assessment, include the reason why the student participates in Alternate Assessment and in addition to the State Alternate Assessment how the student will be assessed.

Putting it all Together

The IEP meeting serves as a communication vehicle between parents and school personnel. It enables them to make informed decisions regarding the student's needs including: the extent to which the student will be involved in the general education curriculum and participate in the general education environment; the student's participation in state and district-wide assessments and the student's promotion criteria; the services needed to support the student's participation in assessments and to achieve agreed-upon goals. Parents are equal partners with school personnel in making these decisions. As such, parents are to receive copies of all evaluation reports that will be discussed at the IEP meeting prior to the meeting. In the event that a parent has not previously received copies of the evaluation reports prior to the IEP meeting, the parent must receive copies of the report at the IEP meeting. The IEP Team must consider parents' concerns and information about the student provided by the parents.

The IEP is developed and written collaboratively by all members of the IEP Team at the IEP meeting. Each team member brings important information to the IEP Team meeting (e.g. draft goals, draft levels of performance, draft IEPs). Each team member shares his/her information which adds to the team's overall understanding of the student's needs. Decision-making at the IEP meeting is a consensus-driven process, but the

Board of Education has ultimate responsibility to ensure that the IEP includes the services that the student needs in order to receive a free appropriate public education (FAPE). If it is not possible to reach consensus at an IEP meeting, a CSE review is requested. Following a CSE review, the Board of Education must provide the parents with written notice of the school system's recommendation regarding the student's educational program and placement. Parents have the right to seek resolution of any disagreements through mediation, or by initiating an impartial due process hearing. For preschool students, the IEP is always developed at a CPSE review.

The New York City IEP consists of nine (9) basic pages and additional pages for transition, and interim services. The basic pages must be completed for each student with a disability who is eligible for special education services. The additional pages are used to address specific needs of individual students. The utmost care must be utilized when completing an IEP to ensure that decisions are transcribed accurately onto the document. If additional space is needed to complete a page of the IEP, the information should be recorded on a blank sheet of paper and marked with the same page number followed by a letter designation (e.g., 3A, 3B). It is also necessary to indicate the student's name and New York City identification number and the date of the conference on the top of the page. For additional Annual Goals and Short-term Objectives (Page 6), you must utilize additional copies of Page 6 not blank sheets. You must mark the additional copies of Pages 6 with a letter designation (e.g., 6A, 6B). When the IEP is completed, on the bottom of each page next to the page number on the blank line provided you must indicate the total number of pages included in the IEP, this includes a count of all pages marked with a letter designation (e.g., Page 2 of 15). Corrections should be made following procedures described in Appendix C. A copy of the student's IEP must be provided to the parents. All instructional and related services providers who are serving the student must have access to a copy of the student's IEP.

It should be noted that when completing the IEP, the order in which it is discussed at the conference should not be sequential. The first page completed should be Page 2, indicating who was present at the IEP meeting, but leaving the Recommendation section blank until the conference is concluded. Pages 3, 4 and 5 should be considered next. After discussing the student's present levels of performance, Page 6 concerning goals and objectives should be addressed and then Page 10 on transition services for all students age 14. This is followed by consideration of the areas on Page 9 including participation in school activities, related service recommendations and participation in assessments. The IEP Team then determines the appropriate school environment and service recommendations for Page 7. Then Page 8 should be completed. Finally, after all other areas have been addressed Page 1 should be completed which summarizes the recommendations made.

CREATING A QUALITY IEP

PAGE 1

RECOMMENDATION PAGE

This page contains information about the student and his/her parent(s) or guardian(s) and summaries of conference information, special alerts and service recommendations made at the IEP meeting. While it is the first page of the IEP, it is completed last as it summarizes the decisions made. It is anticipated that this page will remain unchanged for the period of time the student receives the recommended service or until an annual review or requested review is conducted.

STUDENT INFORMATION

- Indicate the student's **name, address, phone number, date of birth, age, grade** and **gender** in the appropriate spaces.
- **NYC ID #** - This is the nine digit New York City Public Schools identification number. It can be found in the school office, on the front of the student's cumulative record folder or in the student's CSE file for students initially entering the New York City Public Schools.
- **English LAB Score** - Indicate the most recent results and date of test for all eligible students. Indicate "NA" (not applicable) if the student is not required to take the LAB.
- **Spanish LAB Score** - Indicate the most recent results and date of test. Indicate "NA" (not applicable) if the student is not required to take the LAB.
- **Language(s) Spoken/Mode of Communication** - List all languages which the student speaks/understands. If the student is nonverbal or has limited verbal skills, indicate the mode of communication, (e.g., preferred sign language or an alternative communication system) used by the student.
- **Agencies with whom student is involved, name and phone number of contact person** - List the primary agency involved with the student (e.g., Administration for Children's Services; Office of Mental Health; Office of Mental Retardation and Developmental Disabilities; Vocational and Educational Services for Individuals with Disabilities) and the name and phone number of the contact person. Provide the agency case number if available.

PARENT/GUARDIAN INFORMATION

- Provide the **name(s)**, **address**, and **home and work phone numbers** of the student's parent(s) or guardian(s) in the appropriate spaces. If the parent(s) address and home phone number is the same as the student's, indicate "same as above". If the student has a surrogate parent, their name should be indicated.
- **Preferred Language/Mode of Communication** - Indicate the language/mode of communication in which the parents or guardian prefers to receive written notices and to communicate at conferences. This may be determined during the social history interview. If a parent is nonverbal, indicate the mode of communication (e.g. preferred sign language or an alternative communication system) used by the parent. Check appropriate box indicating whether or not the parent requires an interpreter for languages other than English or ASL.

CONFERENCE INFORMATION

- **Case #** - Enter the CSE case number assigned by the records room manager of the CSE and indicated on the student's CSE file.
- **Home District** - Indicate the student's district of residence.
- **Service District** - Indicate the district where the student receives services. Indicate "NA" (not applicable) for preschool students.
- **Date of Conference** - Indicate the date of the conference when the service recommendations are made.
- **Type of Conference** - Indicate one of the following: EPC (Educational Planning Conference), CSE Review, Annual Review or CPSE Review.

SPECIAL MEDICAL/PHYSICAL ALERTS

The health and safety of students with medical conditions and/or physical limitations requires that all school personnel who are or may be responsible for such students receive appropriate and accurate information. The information in this section must be consistent with the information provided on Page 5 of the IEP. In order to accomplish this objective, the following must occur:

All personnel responsible for students with special medical or physical alerts should familiarize themselves with the information on Page 5, the health and physical development page.

Supporting documentation, i.e., the health information form with authorization to administer medication and/or authorization to provide

treatments or health care procedures, should be on file in the school and in the office of the Board of Education School Nurse assigned to the building (if one is assigned) before the first day of the student's attendance.

Prior to the student's first day of attendance, the Board of Education is responsible for ordering any supplies and equipment that school nursing personnel may need to serve the student's health care needs during the school day.

The Board of Education School Nurse, Occupational Therapist, Physical Therapist or Health Coordinator, if assigned to the building, will provide information and professional development to assist other school personnel in working with a student with special health care needs or physical limitations, upon request. If the appropriate provider is not assigned to the building the Division of Student Support Services may be contacted for assistance.

- **Medical/Physical Alerts** - Indicate whether the student has any special medical condition(s) and/or physical limitations by checking the appropriate box. If the student has such needs, indicate all areas affected by such conditions or limitations by checking the appropriate box(es).
- **Medication(s) and Health Care Treatment(s) or Procedure(s)** - Indicate whether the student requires medication and/or health care treatments or procedures during the school day by checking the appropriate boxes.
- **Other Alerts** - Indicate any special or unusual factors which may influence the student's learning or behavior. These factors may include specific programming needs. **This section cannot remain blank. If there are no alerts, the word none must be recorded in this space.**

Examples:

SPECIAL MEDICAL/PHYSICAL ALERTS

(Refer to Health & Physical Development Page for additional details.)

The student has: medical conditions
and/or physical limitations which effect his/her
 learning behavior and/or participation in school activities.
The student requires: medical and/or health care treatment(s) or procedures(s) during
the school day.
Other Alerts: Fed through gastrointestinal tube, no liquids by mouth.

SPECIAL MEDICAL/PHYSICAL ALERTS

(Refer to Health & Physical Development Page for additional details.)

The student has: medical conditions
and/or physical limitations which effect his/her
 learning behavior and/or participation in school activities.
The student requires: medical and/or health care treatment(s) or procedures(s) during
the school day.
Other Alerts: Allergic to milk and all milk products.

THIS "IEP INCLUDES"

The following components may be required for an individual student:

- **Transition** (Page 10) - Beginning at age 14 or younger, if appropriate, the IEP must include a long-term adult outcome statement that focuses on the student's course of study. No later than age 15, the IEP must reflect the full array of transition service needs. A "Transition Page" with information appropriate to the student's age and individual needs must be completed for each student age 14 or older. This box is checked when the student's IEP addresses Transition.
- **Interim Service Plan** - An Interim Service Plan is completed by delineating temporary or interim services to be provided to the student until the recommended program becomes available or until the completion of evaluations when a disabled student moves to New York City from out of city/state. For further information on developing an interim service plan refer to the Board of Education document entitled *School Level and SBST/CSE Procedures for Recommending and Providing Pendency and Interim Placements (April 1993)*. This box is checked when the student has an Interim Service Plan.

SUMMARY OF RECOMMENDATIONS

Eligibility - In making the determination that a student is eligible for special education services, the IEP Team must find that the student has an educational disability and by reason of the disability needs special education services. The parent participates in making the eligibility determination. A student may not be determined to be a student with a disability if the determining factor for the decision is limited English proficiency or the lack of instruction in reading or math. Accordingly, when evaluating students who are referred because of demonstrated weaknesses in the areas of reading or math, the IEP Team should review and consider the instructional interventions provided in general education.

A school-age student is **eligible** for special education services if:

the student meets the criteria for one or more of the New York State disability classifications indicated in Appendix D; and

the student needs special education services to benefit from instruction; and

the determining factor in making the eligibility determination is not limited English proficiency or lack of instruction in reading or math.

If the student meets the above criteria, check the **yes** box indicating that the student is eligible for special education services.

A school-age student is **not eligible** for special education services if:

the student does not meet the criteria for one or more of the disability classifications; or

the student meets the criteria but does not need special education services to benefit from instruction; or

the IEP Team has concluded that limited English proficiency or the lack of instruction in reading or math is the determining factor in making the eligibility determination.

If the student is ineligible for special education services, check the no box indicating that the student is not eligible for special education services. In instances where a student is found ineligible for special education services the IEP Team is only required to complete Pages 1 through 5 of the IEP. This information must be shared with the school Principal. The school Principal will then collaborate with the Pupil Personnel Team to identify other interventions and supports available to assist the student in general education.

Please note: For information on eligibility for special education services for preschool students, refer to the New York City Board of Education publication entitled *Committee on Preschool Special Education Standard Operating Procedures Manual, March 2000*.

Classification - Indicate one of the following:

- autism
- deaf-blindness
- deafness
- hearing impairment
- emotional disturbance
- learning disability
- mental retardation
- multiple disabilities
- orthopedic impairment
- other health impairment
- speech or language impairment
- traumatic brain injury
- visual impairment including blindness

When a student is initially classified as learning disabled IDEA requires a written report to be completed by the IEP Team in which each IEP Team member certifies that they are in agreement with the decision. The Board of Education's Specific Learning Disability Justification Form (Appendix E) serves as that written report. A separate statement must be included, if an IEP Team member has a dissenting opinion. In addition, when classifying a student as Emotional Disturbed for the first time, the Board of Education's Emotional Disability Justification Form (Appendix F) must be completed.

For preschool students determined to have an educational disability, the classification is Preschool Student with a Disability (PD).

Recommended Services

The New York City Public Schools' recently adopted *Special Education Services as Part of a Unified Delivery Service System (Continuum of Service for Students with Disabilities)* hereafter referred to as the *Continuum of Services*. The *Continuum* describes in detail the array of special education services summarized below:

Special Education Services

- General education class with supplementary aids and services;
 - Related Services
 - Special Education Teacher Support Services
 - Collaborative Team Teaching

In addition, paraprofessional support may be necessary in the general education classroom as a supplementary aid and service to provide assistance to the student in specific instructional areas. Paraprofessional support as a supplementary aid and services is provided by a paraprofessional assigned to the classroom.

- Special class services part-time and full-time in the community school districts/high schools and full-time in specialized public schools (District 75);
- State supported/operated and SED approved non-public schools; and
- Home and hospital instruction.

When completing Page 1 of the IEP, the IEP Team must indicate the recommended special education services necessary for the student to derive reasonable benefit from his/her program and that:

Continue to provide the student with access to the general education curriculum;
meet the student's other educational needs that result from the student's disability including the need for alternative curricular expectations, as appropriate; and
offer maximum appropriate opportunities for the student to be educated with non-disabled peers.

When completing Page 1 of the IEP note the following:

For students recommended to receive General Education with Special Education Teacher Support Services, the IEP Team must indicate:

Special Education Teacher Support Services next to Recommended Services on Page 1 of the IEP;
the number of periods per week the student will receive the service;
the distribution of time between direct and indirect services; and

the location of services (i.e., the general education classroom or a separate location).

When Special Education Teacher Support Services is provided in the general education classroom, for students at the intermediate/junior high school and high school level the IEP must indicate on Page 7 the subject area(s) during which the student will receive these services. The specific subject area(s) need not be indicated on Page 1.

The staffing ratio on Page 1 must also be completed indicating the maximum group size for the provision of Special Education Teacher Support Services. Regardless of the location of services, in the general education classroom or a separate location, group size may not exceed a maximum of eight students (i.e. staffing ratio of 8:1).

For example: General Education with Special Education Teacher Support Services four periods per week of direct services in the classroom and one period per week indirect services.

SUMMARY OF RECOMMENDATIONS		Eligibility <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Recommended Services		Classification of Disability: <u>Learning Disabled</u>
General Education with Special Education Teacher Support Services four periods a week (direct services) in the classroom one period (indirect services).		
Staffing Ratio: 8:1		
Twelve Month School Year <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Recommended Services for the Twelve Month School Year
Staffing Ratio:		
Other Recommendations (check all that apply)		
<small>*Details are provided in relevant sections of IEP.</small>		
<input type="checkbox"/> Program Accessibility*	<input type="checkbox"/> Adaptive Phys. Ed.*	<input type="checkbox"/> Bilingual Instruction _____
<input type="checkbox"/> Related Services*	<input type="checkbox"/> Assistive Technology*	<input type="checkbox"/> Monolingual Services with ESL
<input type="checkbox"/> Special Education Transportation – Comment _____		
<i>Students who are blind or visually impaired:</i>		<i>Students who are deaf or hard of hearing:</i>
Braille instruction needed <input type="checkbox"/> Yes <input type="checkbox"/> No		Language of Instruction _____
		Mode of Communication _____

For example: General Education with Special Education Teacher Support five periods per week of direct services, two periods in the classroom and three periods in a separate location.

SUMMARY OF RECOMMENDATIONS		Eligibility <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Recommended Services		Classification of Disability: <u>Learning Disabled</u>
General Education with Special Education Teacher Support Services five periods a week (direct services), two periods in the classroom and three periods in a separate location.		
Staffing Ratio: 8:1		
Twelve Month School Year <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Recommended Services for the Twelve Month School Year
Staffing Ratio:		
Other Recommendations (check all that apply)		
<small>*Details are provided in relevant sections of IEP.</small>		
<input type="checkbox"/> Program Accessibility*	<input type="checkbox"/> Adaptive Phys. Ed.*	<input type="checkbox"/> Bilingual Instruction _____
<input type="checkbox"/> Related Services*	<input type="checkbox"/> Assistive Technology*	<input type="checkbox"/> Monolingual Services with ESL

Special Education Transportation – Comment _____

Students who are blind or visually impaired:

Braille instruction needed Yes No

Students who are deaf or hard of hearing:

Language of Instruction _____

Mode of Communication _____

For students recommended to receive Collaborative Team Teaching the IEP Team must:

indicate Collaborative Team Teaching next to Recommended Services on Page 1 of the IEP.

Always indicate the maximum staffing ratio on the IEP (i.e. elementary school 12:1, middle school 13:1 and high school 14:1)

NOTE: For principals and superintendency staff forming Collaborative Team Teaching classes, the actual number of students with IEPs in a Collaborative Team Teaching class may never exceed 40% of the contractual class size. By indicating the maximum ratios above, however, it avoids the necessity for changing the IEP every time the student moves to a lower contractual class size.

For grades with a reduced maximum class size of 20, the maximum class size of the Collaborative Team Teaching class increases to 25 with a maximum of 10 students with IEPs (40%) populating the class. The staffing ratio, however, remains 12:1 on the IEP which will facilitate the student's aging into the same program at the next grade level without having to immediately amend the IEP.

If Collaborative Team Teaching is less than full-time, the IEP must indicate Collaborative Team Teaching part-time and the number of periods per week the student will receive the service.

For example: A fourth grade student Recommended for Collaborative Team Teaching full-time with the Related Service of Speech and Language Therapy.

SUMMARY OF RECOMMENDATIONS		Eligibility <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Recommended Services		Classification of Disability: <u>Learning Disabled</u>
Collaborative Team Teaching with Related Services.		
Staffing Ratio: 12:1		
Twelve Month School Year <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Recommended Services for the Twelve Month School Year
Staffing Ratio:		
Other Recommendations (check all that apply)		
<small>*Details are provided in relevant sections of IEP.</small>		
<input type="checkbox"/> Program Accessibility*	<input type="checkbox"/> Adaptive Phys. Ed.*	<input type="checkbox"/> Bilingual Instruction _____
<input checked="" type="checkbox"/> Related Services*	<input type="checkbox"/> Assistive Technology*	<input type="checkbox"/> Monolingual Services with ESL _____
<input type="checkbox"/> Special Education Transportation – Comment _____		
<i>Students who are blind or visually impaired:</i>		<i>Students who are deaf or hard of hearing:</i>
Braille instruction needed <input type="checkbox"/> Yes <input type="checkbox"/> No		Language of Instruction _____
		Mode of Communication _____

For students recommended to receive General Education with the supplementary aid and services of paraprofessional support in the general education classroom the IEP Team must indicate paraprofessional support and

the number of periods per day/week on Page 1 of the IEP next to Recommended Services. The specific subject area need not be indicated on Page 1. This information will appear on Page 7 of the IEP. The specific subject area is only required for students at the intermediate/junior high school or high school level. Paraprofessional support as a supplementary aid and service is provided by a paraprofessional assigned to the classroom, therefore, group size is not necessary. Paraprofessional support as a supplementary aid and service may only be recommended for a student who is also recommended for instruction by a special education teacher for some part of the school day.

For Example: A student recommended for Special Education Teacher Support Services two periods of direct services a day in the general education classroom with paraprofessional support two periods per day and Counseling.

SUMMARY OF RECOMMENDATIONS		Eligibility <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Recommended Services		Classification of Disability: <u>Emotional Disturbance</u>
General Education with Special Education Teacher Support Services two periods a day (direct services) in the classroom, paraprofessional support two periods a day in the classroom and Related Services.		
Staffing Ratio: 8:1		
Twelve Month School Year <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Recommended Services for the Twelve Month School Year
Staffing Ratio:		
Other Recommendations (check all that apply)		
<small>*Details are provided in relevant sections of IEP.</small>		
<input type="checkbox"/> Program Accessibility*	<input type="checkbox"/> Adaptive Phys. Ed.*	<input type="checkbox"/> Bilingual Instruction _____
<input checked="" type="checkbox"/> Related Services*	<input type="checkbox"/> Assistive Technology*	<input type="checkbox"/> Monolingual Services with ESL _____
<input type="checkbox"/> Special Education Transportation – Comment _____		
<i>Students who are blind or visually impaired:</i>		<i>Students who are deaf or hard of hearing:</i>
Braille instruction needed <input type="checkbox"/> Yes <input type="checkbox"/> No		Language of Instruction _____
		Mode of Communication _____

For students recommended for Special Class Services the IEP Team must indicate Special Class next to Recommended Services on Page 1 of the IEP. The staffing ratio consistent with the *Continuum* of Services (i.e. 12:1 or 15:1 at the high school level, 12:1:1, 8:1:1, 6:1:1, 12:1:4) must be indicated. If the special class is less than full-time the IEP must indicate part-time special class and the number of periods per week the student will receive the services.

For example: A seventh grade student recommended for a special class full-time with a staffing ratio of 12:1.

SUMMARY OF RECOMMENDATIONS		Eligibility <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Recommended Services		Classification of Disability: <u>Emotional Disturbance</u>
Special Class		
Staffing Ratio: 12:1		
Twelve Month School Year <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Recommended Services for the Twelve Month School Year
Staffing Ratio:		
Other Recommendations (check all that apply)		
<small>*Details are provided in relevant sections of IEP.</small>		

<input type="checkbox"/> Program Accessibility*	<input type="checkbox"/> Adaptive Phys. Ed.*	<input type="checkbox"/> Bilingual Instruction _____
<input type="checkbox"/> Related Services*	<input type="checkbox"/> Assistive Technology*	<input type="checkbox"/> Monolingual Services with ESL _____
<input type="checkbox"/> Special Education Transportation – Comment _____		_____
<i>Students who are blind or visually impaired:</i>		<i>Students who are deaf or hard of hearing:</i>
Braille instruction needed	<input type="checkbox"/> Yes <input type="checkbox"/> No	Language of Instruction _____
		Mode of Communication _____

For students recommended for Special Class Services the IEP Team must also indicate on Page 1 next to Recommended Services the location of the special class. Specifically, the IEP must indicate whether the special class will be provided in a specialized District 75 program (i.e. Special Class in a Specialized School). If special class in a specialized school program is not indicated a special class in a Community School District or High School will be assumed.

For example: A student with autism recommended for a special class in a District 75 specialized school program with a staffing ratio of 6:1:1.

SUMMARY OF RECOMMENDATIONS	Eligibility <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Recommended Services	Classification of Disability: <u>Autism</u>	
Special class in a Specialized School		
Staffing Ratio: 6:1:1		
Twelve Month School Year <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Recommended Services for the Twelve Month School Year	
Same as above		
Staffing Ratio _____		
Other Recommendations (check all that apply)		
<small>*Details are provided in relevant sections of IEP.</small>		
<input type="checkbox"/> Program Accessibility*	<input type="checkbox"/> Adaptive Phys. Ed.*	<input type="checkbox"/> Bilingual Instruction _____
<input type="checkbox"/> Related Services*	<input type="checkbox"/> Assistive Technology*	<input type="checkbox"/> Monolingual Services with ESL _____
<input checked="" type="checkbox"/> Special Education Transportation – Comment _____		_____
<i>Students who are blind or visually impaired:</i>		<i>Students who are deaf or hard of hearing:</i>
Braille instruction needed	<input type="checkbox"/> Yes <input type="checkbox"/> No	Language of Instruction _____
		Mode of Communication _____

When the IEP Team determines that a student’s needs cannot be met in a Board of Education program and a non-public school facility is being considered the case is submitted to the Central Based Support Team (CBST) for assistance in locating an appropriate non-public school. Pending confirmation of a site, Page 1 of the IEP must indicate next to Recommended Services “deferred to CBST”. When the student has been accepted into a publicly funded non-public school, day or residential or day treatment program, a CSE review must be reconvened. The name of the non-public school identified is then indicated next to the Recommended Services.

When a student is recommended for home or hospital instruction or the school phobic program the IEP Team must indicate on Page 1 next to Recommended Services the service and the number of hours of instruction per week (e.g. Home Instruction five hours per week).

When a student is recommended for Related Services either as their only service or in combination with other services, the IEP Team must indicate on Page 1 next to Recommended Services, Related Services and must check the Related Services box in the “Other Recommendations” section. The individual Related Services need not be listed as they are specified on Page 9 of the IEP (e.g. Collaborative Team Teaching with Related Services, Special Class with Related Services).

When a student is recommended for decertification from special education with the provision of declassification support services for up to one year following the student’s decertification, the IEP Team must indicate on the exiting IEP next to Recommended Services, Decertified with Declassification Support Services and indicate the service (e.g. instructional support, speech/language services, counseling), the frequency and duration. Please note: If a student is declassified the CSE can recommend that the student continue to receive testing accommodations and for a declassified student in grades 8-12, the CSE can recommend that the student continue to receive the safety net. The continuation of testing accommodations or the safety net should be indicated on the student’s last IEP used to document declassification support services as well.

SUMMARY OF RECOMMENDATIONS		Eligibility <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Recommended Services		Classification of Disability: <u>Non-disabled</u>
Decertified with Declassification Support Services of academic remediation one period per week for thirty minutes.		
Staffing Ratio:		
Twelve Month School Year <input type="checkbox"/> Yes <input type="checkbox"/> No		Recommended Services for the Twelve Month School Year
Staffing Ratio:		
Other Recommendations (check all that apply)		
<small>*Details are provided in relevant sections of IEP.</small>		
<input type="checkbox"/> Program Accessibility*	<input type="checkbox"/> Adaptive Phys. Ed.*	<input type="checkbox"/> Bilingual Instruction _____
<input type="checkbox"/> Related Services*	<input type="checkbox"/> Assistive Technology*	<input type="checkbox"/> Monolingual Services with ESL _____
<input type="checkbox"/> Special Education Transportation – Comment _____		
<i>Students who are blind or visually impaired:</i>		<i>Students who are deaf or hard of hearing:</i>
Braille instruction needed	<input type="checkbox"/> Yes <input type="checkbox"/> No	Language of Instruction _____
		Mode of Communication _____

Twelve Month School Year - Indicate whether the student will receive twelve month educational services by checking the appropriate box (i.e. yes or no). Indicate the services the student will receive during the extended school year only if they differ from the services provided during the regular (i.e. 10 month) school year. If they are the same indicate “same as above”.

Some students need an “extended school year” or a “twelve month school year” in order to prevent substantial regression during the summer. Students at risk of substantial regression may not be able to maintain developmental levels due to a loss of skill or knowledge during the months of July and August. This loss may be so severe as to require an inordinate period of review at the beginning of the school year

to reestablish and maintain IEP goals and objectives mastered at the end of the previous school year.

Candidates For Consideration For Twelve Month School Year Service

Students with severe multiple disabilities whose programs consist primarily of habilitation and treatment;

Students who are recommended for home and hospital instruction, whose special education needs are determined to be highly intensive, and who require a high degree of individualized attention and intervention;

Students whose needs are so severe that they can be met only in a seven-day residential program;

Students whose management needs are deemed highly intensive, who require a high degree of individualized attention/intervention; or

Students receiving other special education services who, because of their disabilities, exhibit the need for a twelve-month special service and/or a program provided in a structured learning environment of up to 12 months duration in order to prevent substantial regression.

Other Recommendations: This section summarizes the IEP recommendations. All recommendations that apply must be checked. More detailed information is provided in the relevant sections of the IEP.

- **Program Accessibility** - Check the box if special consideration must be given for accessibility to programs and activities due to the student's medical/physical needs.
- **Adapted Physical Education** - Check the box if the student is recommended to receive this service. If Adapted Physical Education is recommended, present health status and physical development must be described on Page 5 and appropriate annual goals and short-term objectives must be written on Page 6.
- **Bilingual Instruction** - In the case of a student with limited English proficiency, the IEP Team must consider the language needs of the student as such needs relate to the student's IEP. The IEP Team determines whether the student requires bilingual services, monolingual services with ESL or monolingual services without ESL. If a student has received a bilingual assessment and is determined to require all or some content area instruction in his/her native language, check the box and specify the language of instruction. If it is determined that the student requires ESL only, check the box following "ESL only". If it is determined that the student requires monolingual services only, check the box following "monolingual services without ESL".

- **Related Services** - Check the box if the student requires Related Services. If Related Services are recommended the specific Related Services, frequency duration, location, group size and language must be described on Page 9 and annual goal(s) and short-term objective(s) must be written on Page 6.
- **Assistive Technology** - Check the box if the student requires assistive technology devices and/or services to benefit from his/her educational program. Specific devices and/or services must be indicated on Page 5, Health and Physical Development. While assistive technology is indicated on this page, the need for assistive technology is not limited to students with physical needs. For example, a dyslexic student may benefit from a scanner or book reader.
- **Special Education Transportation** - Check the box if the student requires special education transportation (i.e. door-to-door). If special transportation accommodations (e.g. shortened bus trip, air conditioned vehicle, etc.) are necessary they must be indicated in the space provided next to the box for special education transportation entitled *Comments*. The type of vehicle such as minibus, ambulette is not to be indicated in the IEP, only the accommodations necessary. For school aged students you may refer to the *CSE Guidelines for Recommending Transportation for Special Education Students Attending New York City Public or Funded Non-Public School Programs*. For preschool students transportation is provided by the Department of Transportation.

Consideration of Special Factors

- Students who are Blind or Visually Impaired - In the case of a student who is blind or visually impaired, the IEP Team must recommend provision of instruction in Braille and the use of Braille unless the IEP Team determines, after an evaluation of the student's reading and writing skills, that instruction in Braille or the use of Braille is not appropriate. The student's future needs for instruction in Braille or the use of Braille must also be considered. Indicate whether or not Braille instruction is needed by checking the appropriate box.
- Students who are Deaf or Hard of Hearing - In the case of a student who is deaf or hard of hearing, the IEP Team must consider the language and communication needs of the student and the student's opportunities for direct interaction with peers and educational personnel in the student's own language and communication mode. Indicate the language(s) of instruction (English, Spanish, etc.) and the mode(s) of communication (signed language, oral, etc.) in the appropriate spaces.

CREATING A QUALITY IEP

PAGE 2

CONFERENCE INFORMATION

Page 2 is the “**Conference Information Page**”. This page documents the purpose and result of the conference and contains a record of those in attendance. It also provides information regarding the initiation, duration and review of the IEP, contacts with parents/guardians and modifications made to the IEP.

REFERRAL TYPE

Indicate whether the conference is an Initial Review of a student referred for special education, Annual Review of a student who is receiving special education services, Triennial Review of a student receiving special education services or Requested Review of a student receiving special education services in the appropriate box.

CONFERENCE TYPE

Indicate whether the conference is a School-Level Educational Planning Conference (EPC); School Level Annual Review; CSE Review or CPSE Review in the appropriate box.

ATTENDANCE AT CONFERENCE

The signatures and/or designations on this page document participation in the conference. Ensure that all participants sign the IEP. Participants must sign their names and indicate their title next to the mandated role they are fulfilling on the IEP Team (refer to Pages 2 through 6 for an explanation of the mandated IEP Team members). For example: The education evaluator serves as the student’s special education teacher on the IEP Team for initial cases and therefore must sign their name and title on Page 2 of the IEP on the line next to the Special Education Teacher. If the school psychologist or school social worker is serving on the IEP Team as the District Representative, they must sign their name and title on Page 2 of the IEP on the line next to District Representative. If a participant is fulfilling two mandated roles (e.g. special education teacher and district representative) the participant signs his/her name next to both mandated roles. If a participant is not fulfilling a federal/state mandated role on the IEP Team, the participant signs their name next to their Board of Education job title (if listed on Page 2 of the IEP) or on the line next to other. Place an asterisk (*) following the signature of the participant serving as the individual who can interpret the

instructional implications of evaluation results. Place a “T” following the printed name of any individual who has participated via teleconference. Individuals who are bilingual should sign their name(s), specify they are bilingual, and indicate their other-than-English language(s). Agency representatives should indicate their job title and the name of their agency. For CSE/CPSE Reviews where the parent has declined the participation of a parent member, you must indicate “declined” on the line next to parent member. The appropriate written documentation must be available in the student’s CSE file.

CONFERENCE RESULT

Indicate the outcome of the conference in the appropriate box. Specify any modifications made to the IEP as a result of the conference when appropriate.

INITIATION, DURATION AND REVIEW OF THE IEP

Indicate the projected date on which special education services will begin, the projected date of the student’s next annual review (not to exceed one year), and the duration of special education services in the appropriate spaces.

CONTACTS WITH PARENT/LEGAL GUARDIAN

Indicate the date the Notice of Meeting was sent and the date and type of any subsequent contact. Specify whether the IEP and Notice of Recommendation were given or sent to the parent and indicate the date in the appropriate space.

CREATING A QUALITY IEP

PAGES 3, 4, AND 5

OVERVIEW OF PERFORMANCE PAGES

The IEP must describe in a narrative the student's present levels of educational performance, including the student's abilities and needs. Present levels of performance state how the student is currently performing in school and are based on relevant functional and developmental evaluation information, including information provided by the parent. Present levels of performance must include a statement that explains how the student's disability affects his/her involvement and progress in the general education curriculum. Academic performance should be described relative to the standards for the student's grade level. As the IEP Team gathers evaluation and assessment information in preparation for an initial or reevaluation meeting, it must consider those evaluations that will provide the necessary information to comprehensively identify a student's present levels of educational performance (including current functioning, strengths, abilities and needs) in academic/educational achievement and learning characteristics; social/emotional development; physical development and management needs. The key questions that evaluation information should address to ascertain a student's present levels of performance include:

What is it that the student can and cannot do? The student's strengths, weaknesses, and needs must be defined in operational terms.

What are the student's strengths and abilities in each area assessed? The identification of a student's strengths can be one of the most significant factors in developing an IEP that builds on a student's interests and abilities. It is the strengths of a student that lead to success.

What are the parent's concerns for the education of his/her child?

Does the student require a particular device or service (including an intervention, accommodation, or other program modification) to address special factors related to the student's behavior, communication needs, limited English proficiency, visual impairment and/or the student's need for assistive technology devices or services?

Specifically the IEP Team must:

in the case of a student whose behavior impedes his or her learning or that of others, consider strategies, including positive behavioral interventions and supports, to address that behavior;

in the case of an English Language Learner, consider the language needs of the student as such needs relate to the student's IEP;

in the case of a student who is blind or visually impaired, consider the provision of instruction in Braille and the use of Braille unless the IEP team determines, after an evaluation of the student's reading and writing skills, needs and appropriate reading and writing media (including an evaluation of the student's future needs for instruction in Braille or the use of Braille), that instruction in Braille or the use of Braille is not appropriate for the student;

consider the communication needs of the student, and in the case of a student who is deaf or hard of hearing, consider the student's language and communication needs, opportunities for direct communication with peers and professional personnel in the student's language and communication mode, academic level, and full range of needs, including opportunities for direct instruction in the student's language and communication mode; and

consider whether the student requires assistive technology devices and services to benefit from instruction.

What progress has the student made in the general curriculum and toward his or her IEP goals over the past year? This may provide information on expected rate of progress and should be considered when determining realistic annual goals.

What factors affect the student's participation and performance in the general education curriculum? The impact of the student's strengths and weaknesses on the student's involvement/progress in the general education curriculum must be addressed.

What intervention or strategies to remediate the student's weaknesses has worked in the past and what has not worked? What instructional arrangements and teacher strategies accelerated/impeded learning?

A wide range of assessment procedures can be used to obtain the above outlined information about a student's present levels of performance. Some examples are, interviews with parent(s); classroom observations; performance based assessments; teacher reports; information about the outcomes of prereferral academic intervention services; normative or criterion referenced assessments; functional behavioral assessments and medical evaluations. The present levels of performance should indicate the source of the information used such as teacher report, vocational assessments.

In cases where formal assessments were conducted it is not necessary to list the names of all of the formal assessments conducted nor the results. Rather, qualitative and descriptive information about the student's performance on the tasks covered by the test may take the place of the score.

It is important to remember that test scores must not be used to make decisions about students in isolation from other sources of information. Age and grade equivalents on formalized assessments are not reported on the IEP as they may be misinterpreted and lack relevance to functional performance. A percentile rank or stanine should be reported for formal assessment. For further information on the reporting of test scores for formal assessments, please refer to the New York City Board of Education Test Resource Guide, Volume I.

Performance levels of English Language Learners must discuss the impact of the student's language development in English and the other than English language, the student's relative strengths in each language and the student's language related needs.

The IEP Team uses the information gathered to determine a student's eligibility for special education services, the specific disability classification and what it is about the student's thinking, learning style, temperament, social skills, etc. that contributes to or causes the student's lack of success. Understanding why a student is not progressing and the skills the student must learn is the key to developing an individualized instructional plan (i.e. goals and objectives) and service recommendations (i.e. type and intensity of special education services) that will allow the student to progress.

The discussion of the present levels of performance should be consistent with and support the need for the type and intensity of special education services described in the IEP. Present levels of performance must identify the skills that the student must learn. There must be a direct relationship between the present levels of performance and the other components of the IEP. For example, if a deficiency in reading skills is described, this learning difficulty should be addressed by identifying the measurable annual goals and short-term instructional objectives/benchmarks related to this area. The IEP should identify the type (e.g., special education teacher support services) and intensity (e.g., one period daily of direct services) of special education and related services, program modifications or supports for school personnel necessary to carry out these objectives.

The following are sample statements to assist in writing present levels of performance adapted from the New York State Education Department's Training entitled "Practical Strategies for the IEP".

SAMPLE PRESENT LEVEL STATEMENTS
What is it that the student can and cannot do?

- Able to comprehend materials written at the third grade level.
- Able to comprehend main ideas and identify some supporting details.
- Has difficulty visualizing information that is presented only through text.
- Classroom performance is inconsistent.
- Intellectual functioning is within normal limits.
- Initiates communication only with familiar adults.
- Is easily distracted by other students.
- Refuses to attempt difficult work.

- Does not complete homework assignments.
- Fatigues easily – puts his head on the desk to sleep at least once per period.
- When listening to information, focuses on details rather than the main idea.
- Memory for verbally-presented information is limited in all curricula areas.
- Becomes easily confused with multi-step directions.

SAMPLE STRENGTH STATEMENTS

What strengths does the student have in these areas to build upon?

- Is a strong visual learner.
- Seeks out extra help from teachers.
- Responds to positive suggestions.
- Takes good notes in classes and maintains well-organized notebooks. Brings needed materials to classes.
- Usually focused and attentive in classes.
- Accepts constructive criticism.
- Memory is adequate if paired with visual information.
- Enjoys reading simple books with younger siblings.
- Shows compassion for others and makes friends easily.

SAMPLE PRIORITY EDUCATIONAL NEED STATEMENTS

What are the priority tasks/skills that this student must learn?

- To generalize skills learned in the classroom.
- To organize detailed information from the main concepts of a reading passage.
- To use positive attention getting behaviors.
- To apply already developed functional academic skills in employment settings.
- To convey desires and feelings more spontaneously.
- To more consistently initiate needs for personal care and increase independence in feeding and dressing.
- To interact with children and unfamiliar adults.
- To ask questions so as to understand information being presented.
- To use coping skills for dealing with teasing from peers.

MANAGEMENT NEEDS

What are the environmental/instructional modifications and human and/or material support needed to address priority needs in achievement, social and physical domains?

- Frequent breaks and rest periods.
- Low stimulation environment to learn new skills.
- Adaptations in the way instruction is delivered (e.g. using visual aids, hands on activities, focus on auditory learning).
- Individual behavior plan.
- Adaptations in writing tasks.
- Opportunities for generalizing skills.
- Highlighted work and assignments sheets.
- Simplify task directions.

As part of the student's present levels of performance related to social/emotional development the IEP must address positive behavioral supports for students whose behavior impedes learning. Part 200 of the Commissioner's Regulations require that a functional behavioral assessment be conducted as part of the initial evaluation prior to the IEP meeting for a student whose behavior impedes his or her learning or that of others. For students with disabilities in the review process, the behavior intervention plan requires review along with all other components of the IEP. Information related to the results of a functional behavioral assessment or the review of a Behavior Intervention Plan must be included in the student's present levels of social/emotional performance. The IEP must describe the positive behavioral supports to be provided to address the student's behavior which is impeding learning. The IEP must also indicate whether a Behavior Intervention Plan has been developed. Please note, the Behavior Intervention Plan is not part of the IEP.

FUNCTIONAL BEHAVIORAL ASSESSMENTS

As the name implies, functional behavioral assessment is the process of determining the function that a behavior serves for an individual. This is accomplished by careful assessment of the situations that give rise to a behavior, and the consequences that the behavior results in. A functional behavior assessment must be conducted prior to the IEP Team meeting. The overarching concept is that the situation poses a challenge for the individual and the specific behavior represents an adaptation to that situation. Functional behavioral assessments provide information as to:

- What factors in the environment are consistently associated with the behavior;
- What function the behavior is serving in order to adapt to those environmental factors (escape or avoidance, tangible rewards, attention, communication, etc.); and
- What could be some replacement behaviors that could fulfill the same needs more adaptively in problem situations?

A functional behavioral assessment includes these general steps:

- Identification of the specific target behavior.
- Definition of the behavior in concrete terms.
- Identification of the contextual factors that contribute to the behavior (including aspects of the child's overall development, including affective and cognitive factors). This is usually accomplished by a combination of interviews and direct observation.

- Formulation of a hypothesis regarding the general conditions under which a behavior usually occurs and probable consequences that serve to maintain it.

The end result of a functional behavioral assessment is generally the development of a behavior intervention plan.

BEHAVIOR INTERVENTION PLAN

A Behavior Intervention Plan should address the underlying issues identified in the hypothesis including academic difficulties and may include:

- Methods to alter the situations that the student finds provocative or difficult to handle.
- Methods to alter the consequences that the behavior has evoked so that the behavior is no longer reinforced by attention, tangible rewards, avoidance, etc.
- Methods to actively promote the development of alternative behaviors that can serve the same function as the problem behavior but more adaptively. If the preferred alternative behavior is not yet something the child can perform (calmly ignoring other children's provocations), then a more acceptable behavior within the child's repertoire can be promoted (a special signal to get an adult's attention) while the child is helped to develop skills to handle the situation more independently.

The basic rule of thumb is to replace the undesirable behaviors with a desirable behavior that can serve the same function for the student. For example, if the function of a behavior is to escape or avoid an academic task, we may teach and reward a replacement behavior that will temporarily serve this function (e.g., raise hand and ask to be excused or to obtain help as opposed to creating a disturbance in the classroom).

When a Behavior Intervention Plan is developed it is not part of the IEP. Generally Behavior Intervention Plans are more detailed than IEPs in identifying specific interventions to address a particular behavior. Behavior Intervention Plans need to be dynamic and responsive as the plan is implemented. They usually have to be reviewed and revised frequently as data is collected to determine the effectiveness of the intervention plan.

For conducting Functional Behavior Assessments and developing Behavior Intervention Plans, please refer to the publication entitled *"Staff Development Functional Behavior Assessments and Behavior Intervention Plans (September 2000-June 2001) Program Workbook"*.

CREATING A QUALITY IEP

PAGE 3

ACADEMIC PERFORMANCE AND LEARNING CHARACTERISTICS

Page 3 is the “*Academic Performance and Learning Characteristics Page*”. This page describes the student's present level of academic achievement, language development, cognitive development and learning style in English and, for ELL students, in the other than English language. Information on this page will provide school personnel with information about how to teach and assist the student in the way he or she is most capable of learning.

PRESENT PERFORMANCE

Integrating information from all sources, describe in a narrative the student's present levels of academic performance. For English Language Learners, consider and describe the student's performance in English and the other than English language. Discuss the student's strengths and talents, and the parent's concerns for enhancing the education of the student. Include information about the student's academic achievement, language development, cognitive development and learning style. Performance in subject areas should be described in terms of the student's ability in relation to the learning standards and performance indicators established for all students. State how the student's disability affects his/her involvement in the general education curriculum or, for preschool students with a disability, state how the student's disability affects participation in age appropriate activities. Performance levels for students who are blind or visually impaired must discuss the students' need for instruction in Braille.

The IEP Team must consider whether the student: (1) can access the unadapted general education curriculum in some or all areas of instruction, i.e., instruction identical to that provided to the student's peers in general education classes; or (2) requires adapted/modified general education curriculum in some or all areas of instruction, i.e., instruction that is modified in the way it is presented, paced, and/or sequenced, and/or which uses alternative materials and/or assessments, etc. or (3) requires alternate performance indicators in some or all areas of instruction where access to the general curriculum is minimal and instruction is directly applicable to the day-to-day life of the student. In determining the student's ability to access the general education curriculum, the IEP team must consider the impact on the student's ability to earn a high school diploma. The implication of the specific recommendation must be discussed with the parent and student. Participation in curriculum aligned with the New York State Alternate assessment and alternate performance indicators will not lead to a high school

diploma. Participation in an adapted/modified general education curriculum may impact on the number of years it will take the student to earn a high school diploma.

READING/WRITING AND MATH PERFORMANCE

For areas indicated:

specify the date;

the name of test/evaluation; or if not indicating a formal test or evaluation indicate informal assessment or teacher estimate;

indicate the scores obtained for formal assessments only. Please note the score should indicate **only a percentile rank or stanine**; and

indicate the instructional level expressed based upon teacher estimate, portfolio assessment and student observations.

For English Language Learners, assessments must be conducted in both English and the student’s other than English language. The language of the assessment instrument should be identified. No exact scores are reported when instruments are not standardized on the population being assessed.

Example:

READING and WRITING					MATH				
Area	Date	Test/Evaluation	Score	Instructional Level	Area	Date	Test/Evaluation	Score	Instructional Level
Decoding	12/23/98	Kaufman Test of Educational Achievement	2%	Beginning 2 nd Grade	Computation	12/23/98	Kaufman Test of Educational Achievement	14%	Beginning 4 th Grade
Reading Comprehension	12/23/98	Kaufman Test of Educational Achievement	3%	Beginning 2 nd Grade	Problem Solving	12/23/98	Kaufman Test of Educational Achievement	25%	Beginning 4 th Grade
Listening Comprehension					Mathematics	Spring 1998	Citywide CTB Mathematics	Level 1	
Writing	12/23/98	Portfolio Assessment/Teacher Estimate		Beginning 2 nd Grade					
Reading	Spring 1998	Citywide CTB Reading	Level 1						

Qualitative and descriptive information about the student’s present levels of performance in other than reading and math should be included in the narrative portion of the present levels of performance.

ACADEMIC MANAGEMENT NEEDS

Describe environmental/instructional modifications and human/material resources required by the student including strategies or instructional modes that will be needed to assist the student in meeting his/her goals. Environmental modifications may include structural arrangements (e.g., preferential seating, furniture grouping), while human/material resources may include support personnel (e.g., paraprofessional support, sign language interpreter), curriculum adaptations, provision of large print books, modified assignments, Braille materials, use of visual aids, highlighted work assignments, etc.

CREATING A QUALITY IEP

PAGE 4

SOCIAL/EMOTIONAL PERFORMANCE

Page 4 is the “**Social/Emotional Performance Page**”. This page describes the student's present strengths, weaknesses and management needs in the area of social/emotional development. It also provides information regarding the student's current behavior and describes the positive behavioral support the student has been receiving prior to the conference. It discusses the students' social/emotional management needs and indicates whether a functional behavior assessment was conducted as part of the evaluation and a behavior intervention plan is required. The information on this page reflects the IEP Team's understanding and proactively addresses behavior concerns that may impede learning.

PRESENT PERFORMANCE

Integrating information from all sources, describe student's present levels of social/emotional performance. Discuss the student's strengths and weaknesses in the area of social and emotional development. Consider the degree and quality of the student's relationships with peers and adults, feelings about self and social adjustment to school and community environments. In instances where it was determined that new psychological assessments were necessary, present performance information should include the implications of the tests results in this area. In instances where a functional behavior assessment was conducted as part of the evaluation, present performance information should include the implications of this assessment. State how the student's disability affects his/her involvement in the general education curriculum or, for preschool students with a disability, how the student's disability affects participation in age appropriate activities.

BEHAVIOR AND THE INSTRUCTIONAL PROCESS

Check one of the four options which best describes the student's overall behavior. **If either of the last two options are checked, a functional behavior assessment should have been conducted as part of the evaluation and a behavior intervention plan must be developed by the IEP Team.

CURRENT LEVEL OF BEHAVIORAL SUPPORT

If either one of the last two options are checked in the Behavior and Instructional Process section, describe the student's **current level** of positive behavioral support including the specific personnel who are providing positive behavioral support. If not relevant, indicate "none".

SOCIAL/EMOTIONAL MANAGEMENT NEEDS

List the environmental modifications and human/material resources required by the student. Environmental modifications may include structural arrangements (e.g., availability of “time-out” location), while human/material resources may include crisis intervention by various school personnel (e.g., behavior management paraprofessional). Indicate whether or not a behavior intervention plan is required by checking the appropriate box at the bottom of this section. If a behavior intervention plan is required the IEP Team must develop the plan (see information on completion of Behavior Intervention Plan Appendix G).

CREATING A QUALITY IEP

PAGE 5

HEALTH AND PHYSICAL DEVELOPMENT

Page 5 is the ***“Health and Physical Development Page”***. This page describes the student's present health and physical development. It contains information regarding the student's medical/health care and physical needs including the need for medication, treatments or health procedures, health as a related service, program accessibility, adapted physical education and assistive technology devices and/or services. The information on this page will assist school personnel in providing a healthy and safe environment for students with medical conditions and/or physical limitations.

PRESENT HEALTH STATUS AND PHYSICAL DEVELOPMENT

Integrating information from all sources, describe the student's health and physical development. Include information regarding the degree or quality of the student's motor and sensory development, health, vitality and physical skills or limitations which pertain to the learning process and/or participation in physical education or other school activities. State how the student's disability affects his/her involvement in the general education curriculum or, for preschool students with a disability, how the student's disability affects participation in age appropriate activities.

MEDICAL/HEALTH CARE NEEDS

Check whether or not the student requires:

Medication - If a student requires medication during the school day, provide a functional description of the condition for which medication is prescribed. The “Authorization to Administer Medication to Special Education Students” form must be completed and maintained in the school records. A copy of the student's health form together with a copy of the Authorization to Administer Medication should be sent to the school Principal and a copy provided to the Board of Education School Nurse in the building (if one is assigned) before the first day of the student's attendance.

Treatments or Other Health Procedures - If a student requires treatments or other health procedures during the school day, provide a functional description of the condition for which treatment(s) or procedure(s) are required. The “Annual Physician's Authorization for Treatments” must be completed and maintained in the school records. A copy of the student's health form together with a copy of the Annual Physician's Authorization for treatments should be sent to the school Principal and a copy provided

to the Board of Education School Nurse in the building before the first day of the student's attendance.

Health as a Related Service Check whether or not the student requires Health as a Related Service. If the student requires health services, this should be specified in the area of related services on Page 9.

PHYSICAL NEEDS

Check whether or not the student has any mobility limitations and provide a functional description of any limitations. Indicate whether or not special consideration needs to be given for accessibility to programs due to the student's medical physical needs.

Indicate whether or not the student requires adapted physical education and state the recommended staffing ratio. The class size/staffing ratio for APE may in some cases be different from the class size/staffing ratio of the student's primary program.

If the student requires assistive technology devices and/or services, check the appropriate box and specify the device or service in the management needs section of this page.

HEALTH/PHYSICAL MANAGEMENT NEEDS

Describe any environmental modifications, human/materials resources or assistive technology devices and/or services required by the student.

CREATING A QUALITY IEP

PAGE 6

OVERVIEW OF ANNUAL GOALS AND SHORT-TERM OBJECTIVES PAGE

Annual goals and short-term objectives are established prior to determining the type and intensity of special education services required. The special education services recommended should be those that afford the student a reasonable chance of achieving the goals and objectives that have been developed to address the needs from the present levels of performance.

ANNUAL GOALS

Annual goals are statements, which emanate from the present levels of performance and in measurable terms, describe a skill, knowledge or behavior that the student can reasonably be expected to accomplish within a twelve-month period. Goals may be academic, address social or behavioral needs, relate to physical needs or address other educational needs resulting from the student's disability. Annual goals must be specific to and reflect the students' needs as identified by the IEP Team. There must be a direct relationship between the annual goals and the present levels of performance. Annual goals must be clearly defined, observable outcomes written to:

meet the needs that result from the student's disability to enable the student to be involved and progress in the general education curriculum to the greatest extent appropriate;

meet the student's other educational needs that result from the disability;

identify the instructional level at which the student will be working; and

be related to the educational standards or skills appropriate for the student given his/her current level of performance.

The IEP annual goals do not list everything a student is expected to learn in a year and are not a substitute for the general education curriculum. The IEP therefore, **is not intended to identify content area goals.** Instead, annual goals are linked to the learning standards established for all students by reflecting the foundation skills (e.g. reading, writing, listening) and/or the strategies the student requires to master the

content of the curriculum and meet standards established for all students. They focus on offsetting or reducing the learning or behavioral problems resulting from the student's disability so that the student can access and progress in the general education curriculum or alternate performance indicators or for preschool students participate in age appropriate activities given his/her disability. The IEP Team must also write goals that address the student's individual needs, including needs not necessarily related to the general education curriculum such as behavior and transition, where appropriate. The IEP Team should not include annual goals that relate to areas of the general education curriculum or school performance in which the student's disability does not affect his/her ability to be involved and progress.

SHORT-TERM OBJECTIVES

Short-term objectives are measurable, intermediate steps between present levels of performance and the outcome described in the annual goal. They should focus on providing direction to the teacher(s) or related service provider(s) on how to accomplish the goal, and provide benchmarks for measuring progress toward achieving the annual goal. They are not detailed lesson plans

EXAMPLES (PLEASE NOTE, FOR EXAMPLE PURPOSES, ONLY ONE AREA DESCRIBED IN THE STUDENT'S PRESENT LEVEL OF PERFORMANCE WAS SELECTED):

EXAMPLE 1

Present Level of Performance: *Nancy* is a fifth grader. *Nancy* has not developed basic decoding skills and is reading at a first grade instructional level. *Nancy's* listening and comprehension skills are adequate and she is able to respond to material read to her.

Annual Goal: *Nancy* will be able to read material written on a beginning second grade level independently by the end of the year.

Short-term Objectives:

- *Nancy* will correctly produce the short vowel sound for a given vowel (or vowels) in CVC words in both reading and spelling.
- *Nancy* will use flash cards and supervised drill to learn to read 50 sight words from the Dolch list and will be able to read them correctly in material written at the first and second grade level.
- *Nancy* will use graphic organizers to respond to material read to her (on tape or by peers) from fifth grade level texts.

EXAMPLE 2

Present Level of Performance: *Tony* does not complete assignments independently. When given an assignment to complete at his seat, he talks to his neighbors or gets up

to walk around the room at least once every five. Tony is able to complete his assignments when the teacher works one to one with him.

Annual Goal: Given a checklist of assignments to be completed at his independent reading level, *Tony* will work quietly at his desk for a 30-minute period with one verbal prompt.

Short-term Objectives:

- *Tony* will work quietly at his desk for a 10-minute period with no more than three verbal prompts.
 - *Tony* will work quietly at his desk for a 15-minute period with no more than two verbal prompts.
 - *Tony* will work quietly at his desk for a 20-minute period with no more than one verbal prompt.
-

EXAMPLE 3

Present Level of Performance: *Kim* does not use correct spelling, grammar and sentence structure in her written assignments, making at least ten errors in a page of written work. She understands the principles of spelling, grammar and sentence structure in isolation, but does not use them consistently in her written work.

Annual Goal: *Kim* will independently proof read and correct her own written assignments using correct spelling, grammar and sentence structure at the 5th grade level.

Short-term Objectives:

- *Kim* will use a spell checking device to proof her own assignments of up to one page with 90% accuracy.
 - *Kim* will proof read her assignments of up to one page for typographical errors with 85% accuracy using a grammar checking device.
 - *Kim* will proof read and correct capitalization and punctuation in her assignments of up to one page with 85% accuracy.
 - *Kim* will proof read and correct grammar and sentence structure in her assignments of up to one page with 85% accuracy.
-

EXAMPLE 4

Present Level of Educational Performance:

Alexis is a third grade student currently reading at the second grade level based upon reading achievement tests. She often misreads unfamiliar multi-syllable words.

Annual Goal:

Alexis will read third grade material fluently and with demonstrated comprehension.

Short-term Objectives:

- Before reading, *Alexis* will identify and look up, in a dictionary or glossary, unfamiliar words in her assigned third grade reading materials.
 - *Alexis* will use phonic and contextual clues to decode unfamiliar 2 and 3 syllable words while reading without losing fluency.
 - *Alexis* will be able to read third grade materials and write down the main idea and supporting details after reading.
-

EXAMPLE 5

Present Level of Performance:

Sally is a third grade student with writing skills at the first grade instructional level. She consistently omits punctuation and writes incomplete sentences.

Annual Goal:

Sally will write two sentence paragraphs using proper sentence structure at the second grade level.

Short-term Objectives:

- *Sally* will punctuate simple sentences correctly with 80% accuracy on 3 out of 4 assignments.
- *Sally* will write simple sentences at the third grade reading level with 80% accuracy on 3 out of 4 assignments.

CREATING A QUALITY IEP

PAGE 6

ANNUAL GOALS AND SHORT-TERM OBJECTIVES

Page 6 is the “*Annual Goals and Short-Term Objectives Page*”. This page describes the student’s annual goals and short-term objectives/benchmarks based upon information described on Pages 3, 4 and 5. This page also serves to document the student’s progress toward meeting annual goals. Progress information will be recorded on this page and shared with parents with the same frequency that parents of general education students are informed of student progress.

NUMBER OF REPORTS

Parents of students with disabilities must be regularly informed (as often as parents of general education students) of the student’s progress toward meeting annual goals. Reports of progress toward annual goals are in addition to, rather than in place of, regular reporting to parents (e.g. report cards). Indicate the number of progress reports that will be issued to parents during the next twelve-month period. This number should coincide with the number of report card distributions during the time between the creation of the IEP and the next annual review. For preschool students the recommended number of progress reports to be provided to parents must be as frequent as their non-disabled peers but minimally be two for students receiving services for 10 months and three for students receiving services for 12 months. Any additional progress reports to be provided should be determined in collaboration with the preschool provider.

A copy of the page(s) listing the annual goals and short-term objectives with the progress section completed along with the page of the Parents Right Notice relating to Promotion Criteria must be sent home as an insert to the regular report card as often as report cards are issued.

ANNUAL GOAL

Specify a measurable goal that facilitates access to the general education curriculum or otherwise meets the student’s educational needs or for preschool students, facilitates participation in age appropriate activities and/or meets an individual need of the student which result from the student’s disability.

SHORT-TERM OBJECTIVE

Specify measurable, intermediate steps that will bridge the gap between the student's present level of performance and the annual goal.

PROGRESS

This section, which is repeated for each annual goal, will serve to document periodic reporting to parents (1) the method by which the student's progress toward achieving the annual goal is measured; (2) the student's progress during the relevant period; (3) the extent to which it is anticipated that the student will achieve the annual goal prior to the next annual review; and, where needed, (4) the reasons the student did not meet the annual goal. In addition, the progress report will serve to inform the parent whether or not the student is anticipated to meet the promotion criteria established, and for those students who are not anticipated to meet either their annual goals and/or their promotion criteria, whether the special education provider upon consultation with the student's other providers (if any) is requesting that the IEP Team be convened to review the student's current IEP.

Methods of Measurement - For each marking period, indicate one or more of the eight methods of measurement listed at the bottom of Page 6. Specify additional methods of measurement as needed.

Report of Progress - For each marking period, indicate one of the five levels of progress listed at the bottom of Page 6.

Progress Toward Annual Goal - For each marking period, determine student's progress toward the annual goal and indicate the extent of the progress by selecting one of the three statements listed at the bottom of Page 6.

Reason(s) for Not Meeting Annual Goal - If student has not met an annual goal, select one or more of the reasons listed at the bottom of Page 6 which best describes student's lack of achievement.

The Student's Performance is Approaching his/her Promotion Criteria as set forth on Page 9 – The special education provider must indicate if the student is approaching his/her IEP promotion criteria, by indicating a Y (Yes) or N (no) in the box provided.

Students who ARE NOT ANTICIPATED to Meet either their Annual Goals and/or the Applicable Promotion Criteria – The special education provider(s) must indicate if they are recommending that the IEP Team be reconvened to consider changes to the student's special education services by indicating a Y (Yes) or N (No) in the box provided. In cases where it is recommended that the IEP Team be reconvened the IEP Team must consider the questions outlined on Page 61.

CREATING A QUALITY IEP

PAGE 7

OVERVIEW OF SCHOOL ENVIRONMENT AND SERVICE RECOMMENDATIONS PAGE

This page addresses three major issues: the type of special education services recommended, the intensity of the special education services required and the instructional environment (i.e. where services will be provided). These issues are separate, but intricately related. The content of this page evolves from and draws upon all of the information that has been developed on previous pages of the IEP. At this point, the IEP Team determines the type and intensity of special education services necessary and the environment where they are to be provided to enable the student to meet the annual goals and short-term objectives which have been developed.

Access to the general education curriculum or, for preschool students, participation in age appropriate activities and participation with non-disabled peers are of utmost importance. The IEP, therefore, must contain information on:

the special education, related services and supplementary aids and services to be provided to the student, or on behalf of the student, and a statement of the program modifications and/or supports for school personnel that will be provided for the student to advance appropriately toward attaining annual goals;

the extent to which the student will be involved in the general education curriculum or, for preschool students, the extent to which he/she will participate in age appropriate activities with other students with disabilities and non-disabled students; and

the extent, if any, to which the student will not participate with nondisabled students in general education classes or for preschool students, age appropriate activities and in extracurricular and other nonacademic activities.

Areas of Instruction

The course of instruction for the vast majority of students with disabilities should be the general education curriculum. "General education curriculum" for school aged students refers to the content of the curriculum and not the language of instruction or the setting in which it is provided. It can be delivered at different instructional levels to meet the

needs of individual students. It can be delivered in a general education environment, a special class environment or any other setting required to meet a student's individual needs. Each subject area of instruction is to be addressed in either the general education classroom or in a self-contained special class and must be delineated on Page 7 of the IEP.

Service Recommendations/Instructional Environments

The IEP Team must identify the special education services and supports the student requires to achieve his/her IEP goals. Specifically the IEP Team must determine the type of services required (**What?**), the intensity of services (**How Often?**) and finally the location where services will be provided (**Where?**).

In making the determination as to (**What?**) services the student requires, the IEP Team consistent with the *Continuum of Services* determines if the student requires direct specially designed instruction by a special education teacher and what other personnel supports (e.g. related services, paraprofessional support) other than special education teacher services the student requires to achieve the goals and objectives developed. Specially designed instruction means adapting the content, methodology, or delivery of instruction to address the unique needs that result from the student's disability and to ensure that the student has access to the general curriculum and the opportunity to meet standards that apply to all students. The IEP Team must also determine and specify on the IEP the manner in which the student's instruction will be specially designed including curriculum adaptations/modifications and what other supports including, assistive technology and supports for school personnel the student requires to reasonably achieve the goals and objectives established. For English Language Learners, the special education services must respond to both the student's current language competence in English and the other than English language and the needs that arise from the student's disability.

Once the IEP Team has determined what services are necessary, they must determine (**How Often?**) the student requires the identified services to reasonably achieve the established goals and objectives. In determining the intensity of services needed the IEP Team must consider what percentage of the school day the student requires special education support including specially designed instruction from a special education teacher and/or Related Services to achieve his/her goals and objectives.

The IEP Team should address the following questions when determining the type of services required (**What?**) and the intensity of services (**How Often?**):

- Will the services contribute to the student's involvement and progress in the general education curriculum?
- Will the services be relevant to the student's broader learning program?
- Will services assist the student in meeting his/her IEP goals?
- Will the services of a special education teacher be required to provide specially designed instruction? What will the nature of the services be (e.g. direct, indirect) and for what percentage of the school day (e.g. part-time, full-time)?

- Will the services of other special education providers, (e.g. related service providers,) be required, alone or in combination with the special education teacher services and the frequency, duration and group size of these services?
- Will bilingual special education or related services be needed?
- Will the services of a paraprofessional be required as an “other support service” or in combination with special education teacher services?
- Will other supplementary aids and services (e.g. assistive technology, behavior intervention plan) be required?
- Will the services be non intrusive (i.e., most in keeping with the general practices of the classroom)?
- Will the services provide the student who is deaf or hard of hearing opportunities for direct interaction with peers and educational personnel in the student’s own language or communication mode?
- Will the services maximize student participation with non-disabled peers?
- Will the services be culturally appropriate?
- Will the services maximize opportunities in the general education curriculum as a result of the special education service delivery (i.e., consideration of what the student would miss when receiving this service)?
- Will school personnel require modification or supports in order for the student to progress in the general education curriculum?

Next, the IEP Team must determine the location in which (**Where?**) the special education services will be provided. In determining where services will be provided, the IEP Team is guided by the least restrictive environment principle. In keeping with this principle the IEP Team first considers, for each subject area of instruction, whether the student can make satisfactory progress in the general education environment with the provision of supplementary aids and services (e.g., Special Education Teacher Support Services, Related Services, etc.) and whether there are unique benefits, academic or otherwise (e.g., language development, socialization skills, appropriate behavior models) that the student could receive in the general education environment.

LRE is an individualized determination. The least restrictive environment for an individual student is that environment in which the student can reasonably be expected to meet the goals on his/her IEP. Any setting that does not meet the student’s individual educational needs does not provide a free appropriate public education and is thus not the least restrictive environment for that student.

The IEP Team must also consider what effect the student with a disability will have on the general education environment and on the education other students are receiving. If the disabled student, even with the provision of supplementary aids and services requires so much of the teacher’s time that the teacher cannot give adequate attention to the needs of other students in the classroom; is so disruptive in the classroom that the education of the student or other students is significantly impaired; and/or requires the curriculum to be modified so significantly that it bears little relation to the instruction in the classroom and the student could not meet his/her IEP goals, the general education environment may not be an appropriate setting for the student.

The IEP Team should address the following questions when determining the location in which (**Where?**) the special education services will be provided:

- It is possible for the student to receive his/her individually determined services in a general education class?
- Can supplementary aids and services accommodate the student's needs in the general education class?
- Is it possible for the student to access the general education curriculum and meet his or her annual goals in the general education class setting for some, even if not a significant portion, of the day?
- What are the non-academic benefits to the student from interacting with non-disabled peers?
- Would the student require so much of the general education teacher's time that the teacher cannot give adequate attention to the needs of other students in the classroom?
- Is the student so disruptive in the general education classroom that the education of the student or other students is significantly impaired?
- Does the student require the curriculum to be modified so significantly that it bears little relation to the instruction in the classroom?

For students initially referred for special education, the IEP Team should consider the student's success or lack of success with pre-referral supports and academic intervention services that have been provided in general education. For students receiving special education supplementary aids and services in general education classes, the IEP team should consider the effectiveness of these services in determining whether the student can reasonably be expected to achieve his or her IEP goals in a given subject area.

For students receiving special education services in a self-contained special class setting, an integral part of deciding whether or not the student can be moved to a less restrictive setting (e.g. the general education classroom) is an individualized inquiry into the possible range of supplementary aids and services that the student would need in order to receive a satisfactory education in that environment. The IEP Team should consider the student's success or lack of success when mainstreamed and whether with appropriate special education supports the student can move to a general education class, full or part-time. For students who have been served in self-contained special classes the IEP Team should consider the special education services that could be delivered to the student in the general education environment and whether such services would provide the level of special education support required by the student.

For students recommended for Special Education Teacher Support Services and/or Related Services as a supplementary aid and service, the IEP Team must determine the location of where these services will be delivered. Specifically the IEP Team must determine whether services can be provided in the general education classroom or a separate location. Services in the general education classroom provide an opportunity for students to generalize and apply skills. It also provides opportunities for remediation activities to be linked to specific instructional areas. If a student's goals, however,

require explicit instruction that could not be accomplished appropriately in the general education classroom a separate location may be appropriate.

For intermediate/junior high school and high school students inextricably connected to the determination of where Special Education Teacher Support Services are provided (in the general education classroom or a separate location) is the determination of the subject area(s) in which the services can effectively be delivered. Special Education Teacher Support Services many times addresses remediation strategies and compensatory skills that can be addressed in a variety of subject areas. For example, literacy skills can be addressed in English/Language Arts, Science and Social Studies. Study skills or organizational skills may also be addressed in a variety of subject areas. Other times the skills are specific to an instructional area. For example, math skills are generally addressed during math instruction.

In making the decision the IEP Team considers what the student is expected to know and be able to do in the student's grade and subject areas to determine the most appropriate subject where the student can demonstrate those skills that are being addressed. For example, if one of the student's goals is the development of organizational skills in writing, the IEP Team would select those subject areas in which the student will be expected to produce written work that requires organizational skills. In the eighth grade this might include English/Language Arts, science or social studies.

Program Modifications and Supports for School Personnel: In addition to supplementary aids and services, the IEP Team must consider what (if any) program modifications and supports for school personnel will be provided on behalf of the student to address the student's annual goals and participation in the general education curriculum, environment and activities. Program modifications and supports for school personnel are specific to the student being served and may include:

Information on a specific disability and implications for instruction;

Staff development in use of specific behavior interventions and/or instructional strategies;

Staff development for teachers and support personnel who serve students with special health and physical needs;

Information on the need for special placement of the student within the classroom.

Program modifications and supports for school personnel can be provided through a variety of resources including but not limited to: SETRC, District Office Personnel, UFT Professional Development Programs, local institutions of higher education, etc.

CREATING A QUALITY IEP

PAGE 7

SCHOOL ENVIRONMENT AND SERVICE RECOMMENDATIONS

Page 7 is the “*School Environment and Service Recommendation Page*”. This page specifies the areas of instruction the student will receive in the general education environment and any special education services (e.g., Related Services, Special Education Teacher Support Services) and program modifications or supports for school personnel that will be provided for the student to benefit from instruction in that environment. It also describes the areas of instruction the student will receive in a special class environment, supports that will be provided for the student to benefit from instruction in that environment and the reasons for non-participation in the general education environment.

GENERAL EDUCATION ENVIRONMENT

Area of Instruction - Indicate the general instructional areas (e.g., English, Reading, Math, Social Studies, Science, Art, Health, Physical Education) and not the specific courses (e.g., Global Studies, Biology I) in which the student will participate in a general education classroom. For students who participate full-time in a general education class with special education services, it is not necessary to list all the instructional areas, indicate “All”. The special education supplementary aids and services and/or program modifications or supports for school personnel will then be specified. For a student who is recommended to participate part-time in a general education class and part-time in a special class, list the instructional areas the student receives in a general education class. For a student who receives special class services full-time or for most of the school day and is mainstreamed in an area of instruction, list the area and indicate mainstreaming in the supplementary aids and services box next to the instructional area.

Periods - For students who participate in a general education class part-time indicate the number of periods per week that the student participates in general education classes. If a student receives all his/her instruction in a general education class simply indicate “All”.

Languages of Instruction or Mode of Communication - For students recommended for bilingual instruction, indicate the student’s other than English language (must be

consistent with Page 1 of the IEP). For students who are deaf or hard of hearing, indicate both the language (e.g., English, Spanish, etc.) and the mode of communication (e.g., sign language, cued speech, etc.). A full description of the student's language and communication needs should appear in the academic and social performance pages of the IEP.

Supplementary Aids and Services - Specify the supplementary aid(s) and/or service(s) that will be provided to support the student in the general education class as follows:

For a student who receives Related Services including an "other support services paraprofessional" (e.g., Behavior Management Paraprofessional, sign language paraprofessional, etc.) as a Supplementary Aid and Service simply indicate Related Services. It is not necessary to list each Related Service in this section of the IEP as they are specified on Page 9.

For a student who receives Special Education Teacher Support Services indicate the number of periods per week and the distribution between direct and indirect services and the location of the services (in the general education classroom or separate location).

For a student at the intermediate/junior high school or high school level who is recommended to receive Special Education Teacher Support Services in the general education classroom the specific subject area(s) during which Special Education Teacher Support Services will be provided must be indicated.

For a student whose Special Education Teacher Support Services can be addressed in several subject areas the IEP must indicate all of the subject areas where the service may be delivered (e.g. Special Education Teacher Support Services, one period a day in the general education classroom during any of the following subjects list all the appropriate subjects).

For a student who requires paraprofessional support (other than an "other support services paraprofessional") as a supplementary aid and service indicate paraprofessional support and the number of periods per day/week. For students at the intermediate/junior high school or high school level indicate the subject area(s) during which paraprofessional support will be provided. If the student may receive paraprofessional support in several subject areas the IEP must indicate all of the subject areas where paraprofessional support may be provided (e.g. Paraprofessional support 2 periods per day during any of the following subject areas list all the appropriate subjects).

For a student who receives Collaborative Team Teaching Services, indicate Collaborative Team Teaching in the Supplementary Aids and Services section. If Collaborative Team Teaching is less than full-time indicate the number of periods per day/week the student will receive Collaborative Team Teaching services.

Program Modifications and Supports for School Personnel: - In addition to supplementary aids and services, the IEP Team must consider program modifications and supports for school personnel that will be provided on behalf of the student to address the student's annual goals and participation in the general education

curriculum, environment and activities. Program modifications and supports for school personnel are specific to the student being served and may include:

information on a specific disability and implications for instruction;

staff development in use of specific behavioral interventions;

staff development for teachers and support personnel who serve students with special health and physical needs;

Program modifications and supports for school personnel can be provided through a variety of resources including but not limited to: SETRC, District Office Personnel, UFT Professional Development Programs, local institutions of higher education, etc.

SPECIAL CLASS ENVIRONMENT

Area of Instruction - Indicate all instructional areas (e.g., Social Studies, Science, English/Language Arts, Math, Art) and not specific courses (e.g., Global Studies) in which the student will participate in a special class setting. For students who participate in all areas of instruction in the special class setting, it is not necessary to list all instructional areas, indicate "All". Please note students receiving services at home or in a hospital setting are considered as receiving services in a special class environment.

Periods – For students receiving services part-time in a special class indicate the number of periods per week the student participates in a special class. For students who receive all instruction in a special class simply indicate "All".

Languages of Instruction or Mode of Communication - For students recommended for bilingual instruction, indicate the student's other than English language (must be consistent with Page 1 of the IEP). For students who are deaf or hard of hearing, indicate both the language (e.g., English, Spanish, etc.) and the mode of communication (Sign language, cued speech, etc.) A full description of the student's language and communication needs appears in the academic and social performance pages of the IEP.

Special Class and Staffing Ratio - For instruction in a special class indicate the appropriate staffing ratio from the New York City Board of Education publication: *Special Education Services as Part of a Unified Service Delivery System* (The Continuum of Services for students with Disabilities)

Supports - The IEP Team must specify the supports, if any, the student needs different in nature or intensity from those provided in the special class. The types of supports indicated include Assistive Technology, and Related Services including, "other support services" paraprofessionals. For Related Services simply indicate Related Services. It is not necessary to list each Related Service as they are specified on Page 9.

Reasons for Non-Participation in the General Education Environment - This section provides an explanation of why the student will not participate in these instructional areas with non-disabled students in general education class(es). The

section in this manual entitled Service Recommendation/Instructional Environments which begins on Page 44 explains the process for determining a student's least restrictive environment and the considerations that may justify a recommendation for a special class. The reason(s) entered in the box for each area of instruction that the student receives in a special education self contained class setting must reflect the outcome of that process.

Examples:

A student with the Recommended Services of Special Class, staffing ratio 12:1:1 with Counseling and who is mainstreamed for Music:

SCHOOL ENVIRONMENT AND SERVICE RECOMMENDATIONS

General Education Environment

Area of Instruction	Language of Instruction Communication Mode	Periods per week	Supplementary Aids and Service	Program Modifications and Supports for School Personnel
Music	English	1	Mainstreaming	

Special Class Environment

Area of Instruction	Language of Instruction Communication Mode	Periods per week	Special Class Staffing Ratio	Supports	Reason for Non-Participation in General Education Environment
All (except above)	English	All (except above)	12:1:1	Related Services	Student lacks impulse control and requires increased adult supervision to participate in age appropriate curriculum.

A student with the Recommended Services of General Education with Special Education Teacher Support Services, 5 periods of direct services per week provided in a separate location.

SCHOOL ENVIRONMENT AND SERVICE RECOMMENDATIONS

General Education Environment

Area of Instruction	Language of Instruction Communication Mode	Periods per week	Supplementary Aids and Service	Program Modifications and Supports for School Personnel
All	English	All	Special Education Teacher Support Services 5 periods of direct services per week in a separate location.	

Special Class Environment

Area of Instruction	Language of Instruction Communication Mode	Periods per week	Special Class Staffing Ratio	Supports	Reason for Non-Participation in General Education Environment
Left BLANK as all instruction is provided in the general education environment.					

A junior high school student with the Recommended Services of General Education with Special Education Teacher Support Services, two periods per day of direct services in the classroom during any of the following academic subject areas English/Language Arts, Sciences and Social Studies, one period a week of indirect services, Related Services of Occupational Therapy, Speech and Language Therapy, Health Services and Paraprofessional Support during Math Instruction one period per day.

SCHOOL ENVIRONMENT AND SERVICE RECOMMENDATIONS

General Education Environment

Area of Instruction	Language of Instruction Communication Mode	Periods per week	Supplementary Aids and Service	Program Modifications and Supports for School Personnel

All	English	All	<p>Special Education Teacher Support 2 periods per day direct services in the classroom during any one of the following subject areas English/Language Arts, Science and Social Studies, one period per week of indirect services. Related Services</p> <p>Paraprofessional Support one period per day during Math instruction.</p>	<p>Information on specific health problems and implication for classroom management.</p>
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Special Class Environment

Area of Instruction	Language of Instruction Communication Mode	Periods per week	Special Class Staffing Ratio	Supports	Reason for Non-Participation in General Education Environment
Left BLANK as all instruction is provided in the general education environment.					

A junior high school student with the Recommended Services of General Education with Special Education Teacher Support Services part-time one period per day of direct services in the general education classroom during social studies or science, Related Services of Counseling and Special Class Services part-time with a staffing ratio of 12:1.

SCHOOL ENVIRONMENT AND SERVICE RECOMMENDATIONS

General Education Environment

Area of Instruction	Language of Instruction Communication Mode	Periods per week	Supplementary Aids and Service	Program Modifications and Supports for School Personnel
All (except below)	English	25	Special Education Teacher Support Services 1 period per day of direct services in the classroom during Social Studies or Science. Related Services.	

Special Class Environment

Area of Instruction	Language of Instruction Communication Mode	Periods per week	Special Class Staffing Ratio	Supports	Reason for Non-Participation in General Education Environment
English/ Language Arts Math	English	10	12:1		Due to the extent of modifications in the age appropriate curriculum even with supplementary aids and services IEP goals could not be met in the general education environment for these subjects.

A student with the Recommended Services of General Education with Collaborative Team Teaching.

SCHOOL ENVIRONMENT AND SERVICE RECOMMENDATIONS

General Education Environment

Area of Instruction	Language of Instruction Communication Mode	Periods per week	Supplementary Aids and Service	Program Modifications and Supports for School Personnel
All	English	All	Collaborative Team Teaching	

Special Class Environment

Area of Instruction	Language of Instruction Communication Mode	Periods per week	Special Class Staffing Ratio	Supports	Reason for Non-Participation in General Education Environment
Left BLANK as all instruction is provided in the general education environment.					

A student with the Recommended Services of Special Class in a specialized school with a staffing ratio of 6:1:1, an augmentative communication device and who is not mainstreamed for any instructional areas.

SCHOOL ENVIRONMENT AND SERVICE RECOMMENDATIONS

General Education Environment

Area of Instruction	Language of Instruction Communication Mode	Periods per week	Special Class Staffing Ratio	Supports	Reason for Non-Participation in General Education Environment
Left BLANK as all instruction is provided in the general education environment.					

Special Class Environment

Area of Instruction	Language of Instruction Communication Mode	Periods per week	Special Class Staffing Ratio	Supports	Reason for Non-Participation in General Education Environment
All	English	All	6:1:1	Assistive Technology	Student requires continuous adult supervision to meet IEP goals.

CREATING A QUALITY IEP

PAGE 8

OTHER PROGRAMS CONSIDERED AND REASONS FOR REJECTION

Page 8 is the “*Program/Service Consideration Page*”. This page describes other programs and services considered by the IEP Team in developing service recommendations for the student and the reasons these services were rejected. If the student is recommended for a special class for all or part of the day, this page explains why the team believes the student cannot achieve his/her IEP goals in a general education environment with supplementary aids and services.

OTHER PROGRAMS CONSIDERED AND REASONS FOR REJECTION

Prior to and during the development of the IEP, school personnel must consider the full range of supplementary aids and services that could be provided to assist the student in the general education classroom.

Provide an explanation of all programs/services both less restrictive and more restrictive considered and the reason for rejection in the space provided. If the student is recommended for a special class for all or part of the day explain why the student cannot achieve the goals of his/her IEP within a general education program with the assistance of supplementary aids and services.

SECOND LANGUAGE INSTRUCTION

All school-aged students are expected to participate in second language instruction unless the student’s IEP Team determines that this requirement is not appropriate. Students who demonstrate severe language and communication difficulties (receptive and/or expressive) which significantly interfere with their school performance may be considered for exemption. These language and communication deficits must be documented and clearly indicated in the present level of performance section of the student’s IEP. The second language requirement is fully described in Part 100 of the Regulations of the Commissioner of Education. If the IEP Team determines that the student is exempt, provide an explanation of the reason for the exemption in the space provided. If the student is pursuing a Regents Diploma, the student is required to substitute other courses for the required units of credit in a second language.

CREATING A QUALITY IEP

OVERVIEW PAGE

PARTICIPATION IN SCHOOL ACTIVITIES, RELATED SERVICE RECOMMENDATIONS, PARTICIPATION IN ASSESSMENTS AND PROMOTION CRITERIA

PARTICIPATION IN SCHOOL ACTIVITIES

Each student with a disability is expected to participate with non-disabled students in non-academic and extracurricular services and activities to the maximum extent appropriate to the student's needs. The opportunity to participate in school activities with non-disabled peers is particularly important for students with disabilities who are receiving instruction in special classes or separate settings. Non-academic and extracurricular services may include lunch, assembly, trips, recess periods, athletics, transportation, health services, recreational activities, school-sponsored special interest groups or clubs, referrals to agencies that provide assistance to individuals with disabilities, and employment of students. For students recommended to receive paraprofessional services for health or behavior management needs, this section should indicate whether the paraprofessional service is required during non-academic/extracurricular school activities (e.g., lunch, school trips) or any other accommodations required for the students participation.

RELATED SERVICE RECOMMENDATIONS

At the IEP Team meeting, the team reviews the results of assessments and information provided by parents, school personnel, and agencies providing services to the student in order to determine which services, if any, are necessary for the student to benefit from his or her educational program. If the student is receiving related services the related service provider(s) who are providing service to the student should be invited to attend the meeting. If the related service providers cannot attend, his or her written input should be obtained prior to the meeting regarding the student's performance levels, service needs, and annual goals and objectives in the area of the related service.

The IEP must specify the language of instruction and whether the related service will be delivered in the general education classroom or a separate location. This decision requires knowledge of the student's related service needs and the general education classroom. Accordingly, the location decision must be made in collaboration with the student's related service provider(s) or for initial cases the evaluator and the classroom

teacher(s). For preschool students, the initial location (e.g., home, school, therapist's office, etc.) of where Related Services (only) will be provided is made by the parent/guardian.

PARTICIPATION IN ASSESSMENTS

Students with disabilities are expected to meet the same standards set for all students and participate in State and districtwide assessments. With this in mind, it is the responsibility of the IEP Team to determine whether or not a student should participate in such assessments, whether or not the student should participate with accommodations, or whether the student is in the small percentage of students who should participate in an alternate assessment.

If the IEP Team determines that the student can participate in assessments with accommodations, the IEP must indicate the test accommodations required by the student. The intent of test accommodations is to allow the student to demonstrate what he or she knows without being limited or unfairly restricted by his or her disability. Accommodations are not intended to substitute for knowledge which the student has not achieved, nor are they intended to give the student with a disability an advantage over their non-disabled peers. Testing accommodations indicated in the IEP must be used consistently for all teacher developed/classroom tests as well as standardized tests.

Test accommodations must be clearly stated to ensure a consistent understanding by the IEP Team, the principal, the teacher(s), the student and the parent(s). Specific test accommodations (e.g., use of word processor with spell check function) should be indicated, for example, not generic test accommodation categories (e.g., answers recorded in other manner). It is appropriate to indicate the conditions or nature of tests which will require test accommodations (e.g., use of a note taker for tests having answer sheets requiring answers to be blackened). Vague qualifying terms such as "as appropriate" or "when necessary" may not be used on the IEP. Test accommodations should not be indicated in a test-specific manner (e.g., indicate "calculator with fraction capability", not "calculator with fraction capability on Regents Test in mathematics"). For further information on this topic, the IEP Team should refer to the *New York City Test Memorandum issued yearly by the Division of Assessment and Accountability*.

Non-participation in State and districtwide assessments with participation in the State Alternate Assessment or an other alternate assessment has significant consequences for a student with a disability. Students who do not participate in standardized tests will not participate in the promotional policy program and will not earn a high school diploma. The impact on the ability to earn a high school diploma must be discussed with the parent and student at the IEP meeting. This recommendation can only be finalized at an EPC.

PROMOTION CRITERIA

Students with disabilities must be afforded high quality instruction in the general education curriculum to enable them to achieve high standards. They must also be

included in the accountability system by participating in State and districtwide assessments, with or without accommodations unless otherwise stated on their IEP (i.e. students participating in the State Alternate Assessment). This participation will permit review of individual student progress and program effectiveness identical to their non-disabled peers.

Toward this end, Chancellor's Regulation A-501 sets forth a system-wide promotion policy with clearly defined standards for promotion for each grade, three to twelve. All students with disabilities receiving special education services are subject to the promotion policy, with the exception of those students whose IEP indicates that they will not participate in State and districtwide assessments (i.e. students who participate in the State Alternate Assessment). The promotion criteria for special education students participating in State and districtwide assessments in grades for which promotion is established by Board policy (i.e. grades three to twelve), must be individually determined at an IEP meeting and stated on the student's IEP.

While it is anticipated that most students with disabilities will be held to the standard promotion criteria, there are students for whom it will not be appropriate to apply these standards without modification due to the nature or severity of their disability. For these students, the IEP Team will determine modified promotion criteria.

THE IEP PROCESS/DETERMINING INDIVIDUAL PROMOTION CRITERIA

During the school level Annual Review process (for students already receiving special education services) and during the SBST/CSE Review for initial referrals to special education, triennials, and requested reviews, the IEP Team must consider whether the student will participate in State and districtwide assessments. If the student will participate, the IEP Team must consider whether the student: (1) can meet the standard promotion criteria; or (2) requires modifications to the standard promotion criteria. In either case, the IEP must identify the promotion standard for the student and describe it in writing on the student's IEP on Page 9 of the IEP.

In making these individualized decisions regarding the applicable promotion criteria, the IEP Team should have high expectations for students and not assume that the need for special education services indicates that a student will be unable to meet the standard promotion criteria. Additionally, decisions regarding the promotion criteria for a student should not be based on the location in which special education services are provided. It should not be assumed, for example, that a student served in a special class will be unable to meet the standard promotion criteria. On the other hand, a student who receives special education teacher support services may need modified promotion criteria.

With this in mind, it is the responsibility of the IEP Team to consider whether or not:

The student's disability adversely impacts his/her potential for learning or rate of learning such that the student's ability to meet the Standard Promotion Criteria is compromised.

Instructional accommodations, adaptations or supplementary aids and services can minimize the impact of the student's disability and furnish the student the ability to meet the Standard Promotion Criteria.

If the IEP Team determines that with special education supports, modifications and supplementary aids and services the student will be able to meet the standard promotion criteria, the IEP Team must specify this by checking the box *Standard Criteria* on Page 9 of the IEP.

It may be determined that, even with special education supports, modifications and supplementary aids and services, the student will be unable to meet the standard promotion criteria because of the nature or severity of the student's disability. For example, a student with physical limitations may be able to meet the standard promotion criteria with the accommodation of extended time for taking tests. Whereas, a student with cognitive disabilities may have a slower rate of learning and may not be able to meet the standard promotion criteria regardless of the test modifications provided. In these cases, the IEP Team must specify on Page 9 of the IEP that the student will have modified promotion criteria by checking the box *Modified Criteria*. The IEP Team must then describe the individualized promotion standard for the student. A description of each modified standard is required.

DEVELOPING MODIFIED PROMOTION CRITERIA

When developing modified promotion criteria the IEP Team must not automatically assume that a student receiving special education services will be unable to succeed at high academic levels. The IEP Team must consider:

- student's progress in the general education curriculum;
- student's participation in the unadapted or adapted general education curriculum;
- student evaluation reports;
- current grades;
- current and past progress toward IEP goals;
- present level of performance and instructional level;
- past level of performance, if any, on State and districtwide assessments; and
- attendance.

Chancellor's Regulation A-501 sets forth the following Standard Promotion Criteria for students attending grades 3 to 8:

achievement of designated performance standards as evidenced by student work, teacher observation, and assessment/grades;
achievement of designated proficiency levels on State and Citywide assessments; and
attainment of 90 percent attendance.

The decision to promote or retain may not be based on the consideration of a sole criterion. Instead promotion will be based on the integrated use of the multiple criteria established by A-501.

When developing modified promotion criteria, the IEP Team may only modify the: (1) achievement of designated performance standards as evidenced by student work, teacher observation, and assessment/grades etc.; and/or (2) attaining of 90 percent attendance. **The achievement of designated proficiency levels on State and districtwide assessments may not be modified.** In addition, the standard promotion criteria from grade 8 to grade 9 that requires the attaining of passing grades in English, Mathematics, Science and Social Studies may not be modified. However, all criteria must be considered when making promotion decisions and the decision to promote or retain may not be based on consideration of a sole criterion.

Modifying Achievement of Designated Performance Standards

When considering modification of the achievement of designated performance standards as evidenced by student work, teacher observation and assessment/grades, the IEP Team must consider the student's present grade level and the grade level standards which the student is currently achieving. When considering modification of the standard promotion criteria, the IEP Team must consider and indicate on the IEP a benchmark that the student must achieve. That benchmark must be presented as a percentage of the elements comprising the grade level standard as detailed in the publication entitled "*What Every Student Should Know And Be Able To Do*" (e.g. the student is currently achieving at 25 percent of the elements that comprise the third grade ELA standard and must achieve 75 percent of the elements comprising the third grade ELA standard).

The IEP Team must be conscious of the number of years remaining between the current grade level and articulation to the 9th grade in modifying the promotional standard. For example, if the student is being promoted to the 7th grade with an achievement level well below the 7th grade standard, the Team must be mindful of the fact that only one school year remains to "close the gap" between achievement and grade level prior to articulation to high school where grade level is predicated upon the number of credits earned.

EXAMPLE #1

A student in the 4th grade with a learning disability requires that the pace of the general education curriculum be modified. The student is currently meeting 25 percent of the elements comprising the 3rd grade English Language Arts (ELA) standard (i.e. 10 elements of the 40 elements comprising the 3rd grade standard). The student is currently meeting 10 percent of the elements comprising the 3rd grade Math standard (i.e. 4 of the 42 elements that comprise the 3rd grade Math standard). The IEP Team may, therefore, modify the promotion criteria for the student as follows:

PROMOTION

Promotion Standard Criteria Modified Criteria*

*Describe the modified promotion criteria.

Student will be held to the standard criteria with the following modification through June 2001 (indicate appropriate year):

The student must meet 75 percent of the elements of the third grade ELA standard as evidenced by student work, teacher observation, and assessment/grades.

The student must meet 50 percent of the elements of the third grade Math standard as evidenced by student work, teacher observation, and assessment/grades.

Modifying Attendance

All students should be encouraged to develop good habits of attendance, however a student's disability (e.g. health impaired) may impact the students ability to achieve 90 percent attendance. Based upon past attendance records, the IEP team may modify the attendance criteria utilized for promotion.

EXAMPLE #2

A student with a health impairment who requires constant medical intervention by his primary care provider may be unable to attain 90 percent attendance due to medical problems. After a review of past attendance, the IEP Team may modify the attendance standard that the student must achieve.

PROMOTION

Promotion Standard Criteria Modified Criteria*

*Describe the modified promotion criteria.

Student will be held to the standard criteria with the following modification:

The student will attain 85 percent attendance.

For students in grades 9 through 12, all students including students with disabilities who participate in State and districtwide assessments must attain the necessary number of credits in order to be promoted to the next grade. The IEP Team for high school students, similar to elementary and middle school students, may modify the standard promotion criteria as it relates to meeting of performance standards and attendance. However, students in grades 9 through 12 (whether being held to the standard promotion criteria or an IEP modified promotion criteria) must attain the necessary credits to be promoted to the next grade. It is understood that students with disabilities

are entitled to remain in school until they are 21 years of age, or until they have graduated from high school with a regular high school diploma, whichever is sooner. The IEP, therefore, need not reflect this as a promotion modification.

If at any time the student's providers or parent believes that the promotion criteria established for the student is inappropriate, an IEP meeting may be convened.

The IEP Team during annual reviews, initial reviews, triennials and requested reviews must also consider accommodations that may be necessary for the student to participate in the summer school program related to promotion if it becomes necessary for the student to attend. This is discussed on Page 66.

PARENTAL NOTIFICATIONS

Once the student's IEP has been reviewed to include promotion criteria, students with disabilities are expected to meet the established criteria by the end of the school year. IEP Teams must ensure, when developing IEPs for initial referrals for students who are identified as disabled and require special education services, that the IEP indicates promotion criteria. Please note that during annual review, initial reviews, triennials or requested reviews for second graders, a promotion criteria must be established and reflected on the student's IEP prior to beginning the third grade.

To ensure that parents, providers and students have sufficient notification of the promotion criteria to be applied and to have the benefits of all necessary instructional interventions, student IEPs must indicate the promotion criteria for the current school year prior to January 31st. For students who have an IEP meeting in the Spring and have a modified Promotion Criteria, the IEP Team must indicate on the IEP the promotion criteria that was established for the current school year as well as the promotion criteria for the upcoming school year. If additional space is needed, the information should be recorded on a blank sheet of paper and marked as Page 9A, with the student's name, NYC ID number and date of conference indicated on the top of the page.

PROMOTION
Promotion <input type="checkbox"/> Standard Criteria <input checked="" type="checkbox"/> Modified Criteria*
*Describe the modified promotion criteria.
<u>Student will be held to the standard criteria with the following modification through June 2001 (indicate appropriate year). The student must meet 75 percent of the elements of the third grade ELA standard as evidenced by student work, teacher observation, and assessment/grades. The student must meet 50 percent of the elements of the third grade Math standard as evidenced by student work, teacher observation, and assessment/grades.</u>
<u>Student will be held to the standard criteria with the following modification for the 2001-2002 school year. The student must meet 50 percent of the elements of the fourth grade ELA standard as evidenced by student work, teacher observation, and</u>

assessment/grades. The student must meet 25 percent of the elements of the fourth grade Math standard as evidenced by student work, teacher observation, and assessment/grades.

Procedures outlined in Chancellor's Regulation A-501 concerning decisions regarding promotion, timelines for parent notification, provision of interventions, goal setting, students identified as at-risk of not being promoted and parental appeals apply to all students with disabilities whether they will meet standard promotion criteria or modified criteria.

Similar to general education students, decisions regarding promotion for students with disabilities will be made with appropriate staff input (e.g. teachers, related service providers, etc.) and parent consultation. The principal will be responsible for all decisions at the school level. The principal or designee in making promotion decisions for students with disabilities receiving special education services must (a) review the student's Report Card and IEP Progress Reports; (b) consult the student's special education providers and their supervisors regarding the student's special education needs and services and the IEP goals and promotion criteria set forth on the student's IEP; and (c) for any student for whom a request was made to reconvene his/her IEP Team where the IEP Team has not yet reconvened, consult the student's IEP Team members, individually or in a group, at the principal's discretion, regarding the issues that will be addressed at the reconvened meeting.

PARENTAL PARTNERSHIP AND NOTIFICATION OF POSSIBILITY OF RETENTION

Parents will be advised in the early part of the school year but not later than the Fall Parent Teacher Conference following the distribution of report cards, IEP progress reports and a copy of the page of the Parents Right Notice relating to Promotion Criteria that the student's performance is not approaching standards. The Parents Rights Notice relating to Promotion Criteria will advise the parent of the following:

- Their right to have the opportunity at the Fall Parent conference to meet with their child's classroom teacher(s) to discuss their child's Report Card, IEP Progress Report and the special education services the child is receiving. If the special education teacher is not available to meet with the parent at this conference the parent may request that the teacher contact them to discuss the child. Parents will make a request for the teacher to contact them by checking off a box on a notice that will be provided to them at the Fall Parent Teacher Conference. If the parent is unable to attend the Fall Parent Teacher Conference the parent has the right to contact the child's teacher(s) to discuss the child's Report Card, IEP Progress Report and the special education services the child is receiving.
- For students in grades 3 through 8 for whom a decision has been made in June that the student is not being promoted, the parent has the right to appeal this decision by writing to the school principal within three school days of the mailed notification. The

principal must respond to the parent's appeal within three school days. The parent may appeal the principal's decision to the superintendent. This appeal must be filed within three school days of the date the principal mails or hand delivers his/her decision to the parent.

- The right at any time to request that the IEP Team be reconvened to review the child's IEP including the promotion criteria and the special education services the child receives.
- The right to request that the child's IEP and IEP Progress Report be provided in the parent's preferred language.

The IEP progress report (i.e. Page 6 of the IEP) completed by the special education provider (i.e. the special education teacher) must indicate on the IEP Progress Report (which is issued at the same time as the Report Card) the following information:

- Whether, or not the student is anticipated to meet the annual goals set forth in the student's IEP;
- Whether or not the student is anticipated to meet the promotion criteria set forth on Page 9 of the student's IEP; and
- For those students who are not anticipated to meet either their annual goals and/or the applicable promotion criteria, whether the special education provider, upon consultation with the student's other special education providers (if any), is recommending that the student's IEP Team be reconvened to consider changes to the student's IEP and to consider, the following questions:

Are the services currently indicated on the student's IEP appropriate to meet the student's special education needs?

Did the student receive the special education services indicated on his/her IEP?

Given the student's disability, are the annual goals and short-term objectives indicated on the student's IEP appropriate?

Given the student's disability, are the promotion criteria indicated on Page 9 of the student's IEP appropriate?

What additional or different special education supports and/or services, if any, are required to address the student's needs that result from the student's disability so as to enable the student to meet his/her annual goals?

Please note in cases where any provider recommends that the IEP Team be reconvened the special education provider will convene an IEP Team meeting in a timely manner.

For students with disabilities who are at-risk of not meeting the promotion criteria (standard or modified), a written letter of notification to the parent must be sent no later than January 31st (as outlined in Chancellor's Regulation A-501). The letter must include the following language:

“Your child’s performance in his recommended educational program indicates that he/she may not meet the standard required for promotion to the next grade. While a review of your child’s educational program occurs regularly every year, please be advised that you have a right to request a review of your child’s program at any time. You may make a written request to the school principal to review your child’s IEP.”

SUMMER SCHOOL PARTICIPATION

Parents should be notified in writing by regular mail of the June decision not to promote and, where applicable, to require summer instruction, not less than fourteen days before the end of the school year as set forth in Chancellor’s Regulation A-501. For students with disabilities receiving special education services, this letter must include the following language:

“While a review of your child’s educational program occurs regularly every year, please be advised that you have a right to request a review of your child’s program at any time. You may make a written request to the school principal to review your child’s IEP”

Summer programs provide an additional opportunity to meet promotion standards. As such, students with disabilities who are at-risk of being retained in their current grade must also be considered for summer school.

Participation in summer school for additional instructional interventions is not to be confused with IEP mandated Extended School Year services (12 month Chapter 683 Program) provided for students to prevent substantial regression of skills/knowledge. During the summer, students with disabilities who are at-risk of being retained will be provided with the opportunity to attend the general summer program with the necessary accommodation(s) to facilitate their participation. In addition, students with disabilities who have met their IEP modified promotion criteria may also be provided with the opportunity to attend the general summer program to provide them with additional instructional time to meet the New York City Performance standards. To accomplish this, the IEP Team will also consider the instructional/behavioral/physical accommodation(s) the student would require in the event the student were to attend summer school when meeting to review the promotional criteria.

The necessary accommodations, if any, will be indicated on the enclosed Student Accommodation Plan (Appendix H). Please note: summer school services connected to promotion are not to be indicated on the student’s IEP.

The Student Accommodation Plan which is completed at the IEP Meeting when determining or revising promotional criteria should indicate what instructional or behavioral accommodations if any, the student requires, including services from a special education teacher (full or part-time). In addition, any medical, health or transportation accommodations that must be continued during the summer program to

facilitate the student's placement must be included (e.g. health paraprofessional). Summer school staff must have access to student Accommodation Plans and IEPs to ensure that student needs are appropriately addressed.

For all students who are not promoted following summer instruction and assessment, a mandated instructional strategic plan will be developed in September. **For students with disabilities, this mandated instructional strategic plan will be developed at the student's Annual Review IEP meeting, which must be convened in September.** In addition, at the annual review meeting in September the IEP Team will review the special education and related services the student is receiving.

In September, the IEP Team should consider:

- the student's educational needs
- any necessary revisions to the student's current IEP (i.e. modifications of the established promotion criteria, etc.)

The IEP should be revised as appropriate to reflect relevant changes and supports the student requires to meet established promotion criteria. As always, the procedural safeguards applicable to the IEP process apply (e.g. parental due process notices, etc.)

CREATING A QUALITY IEP

PAGE 9

PARTICIPATION IN SCHOOL ACTIVITIES, RELATED SERVICE RECOMMENDATIONS, PARTICIPATION IN ASSESSMENTS AND PROMOTION CRITERIA

Page 9 is the “*School Activities, Related Services and Assessments Page*”. This page identifies each school activity that the student cannot participate in with non-disabled students and the reasons for non-participation or any accommodations necessary to ensure the student’s participation. It also describes the related services the student requires to benefit from instruction. Lastly, this page discusses the student’s participation in district and statewide assessments and for students who participate in assessments the student’s promotion criteria. It describes accommodations that will be used consistently in the student’s educational program and, for students who will not participate in state and local assessments, states the reasons for non-participation and how the student will be assessed. It also describes for student’s who participate in assessments whether the student will be held to the standard promotion criteria or a modified criteria which is described.

PARTICIPATION IN SCHOOL ACTIVITIES

If a student with a disability cannot participate in lunch, assembly, trips and other nonacademic and extracurricular services and school activities with students without disabilities, indicate the service and/or activity and the reason(s) for non-participation.

For students recommended to receive other support paraprofessional services for health or behavior management needs indicate whether the paraprofessional is required during non-academic/extracurricular school activities (e.g., lunch, school trips) or any other accommodation necessary to ensure the students participation.

RELATED SERVICE RECOMMENDATIONS

Status - For each related service, indicate whether the recommendation is for initiation (**I**); continuation (**C**), modification (**M**) or termination (**T**) of the related service.

Related Service - Indicate which related service(s), if any, the student with a disability requires to benefit from his or her instructional program. Definitions of related services

and eligibility criteria may be found in Special Education As Part of a Unified Service Delivery Service System (*Continuum of Services for Students with Disabilities*).

Related services may be any of the following:

- speech and language therapy
- hearing education services
- vision education services
- counseling*
- orientation and mobility
- physical therapy
- occupational therapy
- health services
- other support services

*Please note: Counseling can be provided by a guidance counselor, school psychologist or a school social worker. If it is determined, however, that a student requires counseling services from a particular provider (i.e. school social worker or school psychologist) due to the unique counseling needs such as needs relating to a student's living situation, (home, school and community) that effects the student's adjustment in school, the IEP must indicate Counseling by School Social Worker/School Psychologist. Additionally, beginning at age 15, the student's IEP must include transition planning and services intended to promote the student's movement from school to post-school activities. As part of the transition planning, a student may require counseling services which focus specifically on career development, employment preparation, achieving independence and integration in the work place and community. This type of counseling is known as rehabilitation counseling services. For students who require this service as part of their transition plan, the IEP must indicate counseling for rehabilitative services under instructional activities in the Transition Plan.

Language of Service - Indicate the language of service. The recommended language of service must be indicated separately for each related service when the student is recommended for bilingual instructional services. Occupational Therapy, Physical Therapy and/or Health Services may be provided by a monolingual professional if it is determined that the services can meaningfully be provided by a monolingual professional and that the student will be able to benefit from receiving such services from a monolingual professional. This must be indicated in the student's IEP. For further information, refer to the *Continuum of Services*.

Location - Indicate whether the related service will be provided in the general education classroom or a separate location. The decision as to whether the service will be in the general education classroom or in a separate location is to be made in collaboration with the school-based service provider and the classroom teacher or, for initial referrals, the evaluator (e.g., Speech and Language Evaluator) and the classroom teacher.

Sessions/Week - Indicate the number of sessions per week or per month.

Duration - Specify minutes per session.

Group Size - Indicate the maximum group size. Where services are provided in a mixed group of students with disabilities and non-disabled students, the group size for the combined group may not exceed the group size maximum for any individual student with a disability in the group.

PARTICIPATION IN ASSESSMENT

Students who WILL PARTICIPATE in State and districtwide assessments - Check the box indicating that the student “will participate”; and

- Check the box “without accommodations” if the student will participate in tests under standard conditions; OR
- Check the box “with accommodation” if the student with a disability will participate in tests with the use of specifically noted accommodations. Describe specific accommodations in the area provided. These accommodations will be used consistently for all teacher developed, as well as standardized tests. Examples of accommodation areas to be considered by the IEP Team include modification in timing, scheduling, setting, presentation and response. Note that accommodations must be specific as described on Page 47.
- Check the box “the student WILL PARTICIPATE in Alternate Assessment for students not participating in the general education curriculum.

State the reasons for participation in Alternate Assessment; and

In addition to the State Alternate Assessment describe how the student will be assessed.

Students who will participate in State and districtwide assessments:

- Check the appropriate box indicating the student’s promotion criteria;
- Check the box “standard criteria” if the students will be held to the same promotion criteria as all students;
- Check the box “modified criteria” if the student will be held to a modified criteria.

Describe the students modified criteria.

CREATING A QUALITY IEP

PAGE 10

OVERVIEW OF TRANSITION

The Transition Page of the IEP has three components: Long-term Adult Outcomes, Diploma Objectives and Transition Services. Each component will be addressed separately.

LONG-TERM ADULT OUTCOMES

Beginning at 14 years of age or younger (if appropriate), the IEP must include a statement of long-term adult outcomes in the following four areas: community integration, post-secondary placement, independent living and employment related to the student's individual need. These long-term adult outcomes may be developed by reviewing the Level I Vocational Assessment with the student and the parent and from discussions at the annual Guidance Review.

DIPLOMA OBJECTIVE

A diploma objective must be specified for all secondary level students including students in District 75 programs and students receiving home and hospital instruction. Students with disabilities must be afforded the opportunity to earn a Regents or local high school diploma, if appropriate. The IEP Team must consider the high school credential the student will seek to attain: a Regents or local high school diploma or IEP diploma.

The Freshman class (9th grade class of Year 2000) graduating in 2004, will be the last class that will have the option to attain a local high school diploma. All students entering as freshman on or after the year 2001 must meet the course work and examination requirements for a Regents diploma. During the phase-in of the revised examinations (i.e., for classes entering ninth grade between September 1996 and September 2000) students with disabilities will take each revised Regents examination required for the entering class. If they fail the Regents exam, students with disabilities in the entering class may take the competency exam in that subject in order to graduate. The competency examinations will be available for that school year and the following school year only.

TRANSITION SERVICES

By age 15, or earlier, if appropriate, the IEP must indicate the required Transition services in each of the following areas:

1. **Instructional Activities** - Educational instruction that will be provided to the student to achieve the stated outcome(s) (e.g., general and/or special education course instruction, rehabilitative counseling services, occupational education and advanced placement courses).
2. **Community Integration** - Community-based experiences that will be offered, or community resources utilized as part of the student's school program, whether utilized during school hours or after school hours, to achieve the stated outcome(s) (e.g., local employers, public library, local stores).
3. **Post High School** - Educational services that will be provided to the student to prepare for employment or other post school activity.
4. **Independent Living** - Post school activities that will determine what other skills or supports will be necessary for the student to succeed as independently as possible. Examples include participation in a work experience program, information about colleges in which the student has an interest and travel training.
5. **Acquisition of Daily Living Skills/Functional Vocational Assessment** - ADL skills necessary to achieve the stated outcome(s) (e.g., dressing, hygiene, self-care skills, self-medication). If the vocational assessment has not provided enough information to make a vocational program decision, additional assessment activities can be performed to obtain more information about the student's needs, preferences and interests.

The long-term adult outcome statements establish clear expectations for the school, the student, the student's family and any agencies participating in planning and implementing the transition programs and services in the IEP. These statements are the basis for planning the student's movement from school to post school activities and for discussion with appropriate public and private community agencies regarding their contributions to the student's transition process.

Additional information may be found in Transition Plan Goals and Objectives (Appendix I).

CREATING A QUALITY IEP

TRANSITION PAGE 10

Page 10 is the “**Transition Page**”. This page describes the student’s transition needs including long-term adult outcomes for students beginning at age 14, or younger if appropriate, diploma objective and transition service needs for students beginning at age 15 in the areas of instruction, community integration, post-high school education or training and independent living as well as acquisition of daily living skills and functional vocational assessment, if necessary.

LONG-TERM ADULT OUTCOMES

Include a long-term adult outcome for each area listed (i.e., community integration, post secondary placement, independent living and employment).

DIPLOMA OBJECTIVE

- Check the high school credential the student will seek to attain (i.e., Regents Diploma, Advanced Regents Diploma, Local Diploma or IEP Diploma).
- Enter the expected date of high school completion.
- Indicate the number of high school credits earned and indicate the date upon which these credits were earned.

TRANSITION SERVICES

- At age 15 and older, a coordinated set of activities must address the following: instructional activities, community integration, post high school, independent living and acquisition of daily living skills/functional vocational assessment. A statement must be developed for each area which indicates that the student will be provided with incremental skills and experiences to prepare him/her to attain the long-term adult outcomes. A menu of sample statements has been developed. (Appendix G).
- For each category, check the responsible party or parties and indicate the name of the agency involved in providing or augmenting services, where appropriate (e.g., VESID, Independent Living Center, AHRC, OMRDD, OMH).
- Indicate the time for delivery of services, Fall, Spring and/or Summer for each area addressed.

