

**Please feel free to drop
any questions in the Chat Box
and we will answer them.**



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**We will have a stretch break
built into the presentation.**



Endrew F. and It's Impact on IEP Development and FAPE

Maine DOE

Office of Special Services and Inclusive Education

Supervision, Monitoring, and Support Team

Updated 4/2024

Agenda

1. Introductions
2. IEP Sections 1-4
3. Endrew F and data analysis
4. IEP Sections 5-8
5. Other Considerations
6. Frequently Asked Questions
7. Resources



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Meet The Team



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The background of the slide is a dense, overlapping pattern of red arrows pointing in various directions, interspersed with black question marks. The arrows and question marks are set against a white background, creating a high-contrast, busy visual effect.

Share in chat,

- **something you want to get clarification around and/or**
- **have questions about, related to the IEP?**



During previous onsite visits, more than 50% of IEPs we reviewed did not meet compliance because of the following:

- Gaps were identified but there were no corresponding goals.
- HOW statements were missing.
- Goals were not measurable because they included references to specific curriculum standards.
- Goals are not measurable because they included multiple skills and could not be clearly reported on during progress monitoring.
- Present Levels included statements like “Child struggles with...” or “Child sometimes...” and had NO baseline data.
- Goals did not align with a service.
- Services did not align with a goal.

2023-24 Cohort IEP Quick Reference Document

2023-2024 Cohort – Tips and Tricks for Writing a Compliant IEP

[For more information, click here for the Special Education Required Forms Procedural Manual](#)

<u>Finding</u>	<u>Location</u>	<u>MUSER Citation</u>	<u>Criteria</u>
RAE1	Section 4A	Results of initial or most recent evaluations of the child. 34 CFR 300.324(a)(1)(iii) MUSER IX.3.C(1)(c)	<ul style="list-style-type: none"> - Include evaluations that support the eligibility discussion - Include evaluation name - All evaluations must be dated
AFS1	Section 4B	Academic, Functional, and/or Developmental strengths of the child 34 CFR 300.324(a)(1)(i) MUSER IX.3.C(1)(a)	<ul style="list-style-type: none"> - Based on observations - Include areas of strength and relative strengths - NOT a restatement of evaluations
APG2	Section 4C	Academic needs (distinctly measurable and persistent skill gap) of the child. 34 CFR 300.324(a)(1)(iv) MUSER IX.3.C(1)(d)	<ul style="list-style-type: none"> - Academic - Distinctly Measurable and Persistent Skill Gaps - Best documented in a bulleted list - Make sure to include specific skill deficits <ul style="list-style-type: none"> - Fluency, Comprehension, etc. instead of Reading

The IEP Quick Reference Document (IEPQRD) is updated annually.

The 23-24 Cohort IEPQRD can be found on our website.

<https://www.maine.gov/doe/learning/specialized/supervision/resources>

What is the Purpose of an IEP?

The Individuals with Disabilities Education Act (IDEA) says the purpose of an ***Individualized*** Education Program (IEP) is “to ensure that all children with disabilities have available to them a ***free appropriate public education*** (FAPE) that emphasizes ***special education*** and related services designed to meet their ***unique needs*** and ***prepare them*** for further education, employment and independent living”, *and to promote movement back to general education.*

Section 1: SAU, Date Sent to Parent and Child Information

SAU or CDS Site:

Date IEP Sent to Parent:

1. CHILD INFORMATION

Child's Name:

Date of Birth:

Age:

Grade:

School/Program:

Parent/Guardian Name:

Child's Address:

City, State, ZIP:

Annual Date of IEP Meeting:

Duration of the IEP:

Date of Next Annual IEP Meeting:

Date of Re-Evaluation:

Date(s) of Amended IEP:

Case Manager:

State Agency Client? YES NO

Section 1: SAU, Date Sent to Parent and Child Information

SAU or CDS Site:

Date IEP Sent to Parent:

1. CHILD INFORMATION

Child's Name:

Date of Birth:

Age:

Grade:

School/Program:

Parent/Guardian Name:

Child's Address:

City, State, ZIP:

Annual Date of IEP Meeting:

Duration of the IEP:

Date of Next Annual IEP Meeting:

Date of Re-Evaluation:

Date(s) of Amended IEP:

Case Manager:

State Agency Client? YES NO

Section 1: SAU, Date Sent to Parent and Child Information

MUSER IX.3.G

- G. Copy of IEP to Parents. A complete copy of the Individualized Education Program shall be provided to the parent within 21 school days of the IEP Meeting at which the IEP was developed.*



Section 1: SAU, Date Sent to Parent

The date of the annual review must *not* exceed 364 days from the last annual IEP meeting:

Annual Date of IEP Meeting: **1/6/2022**

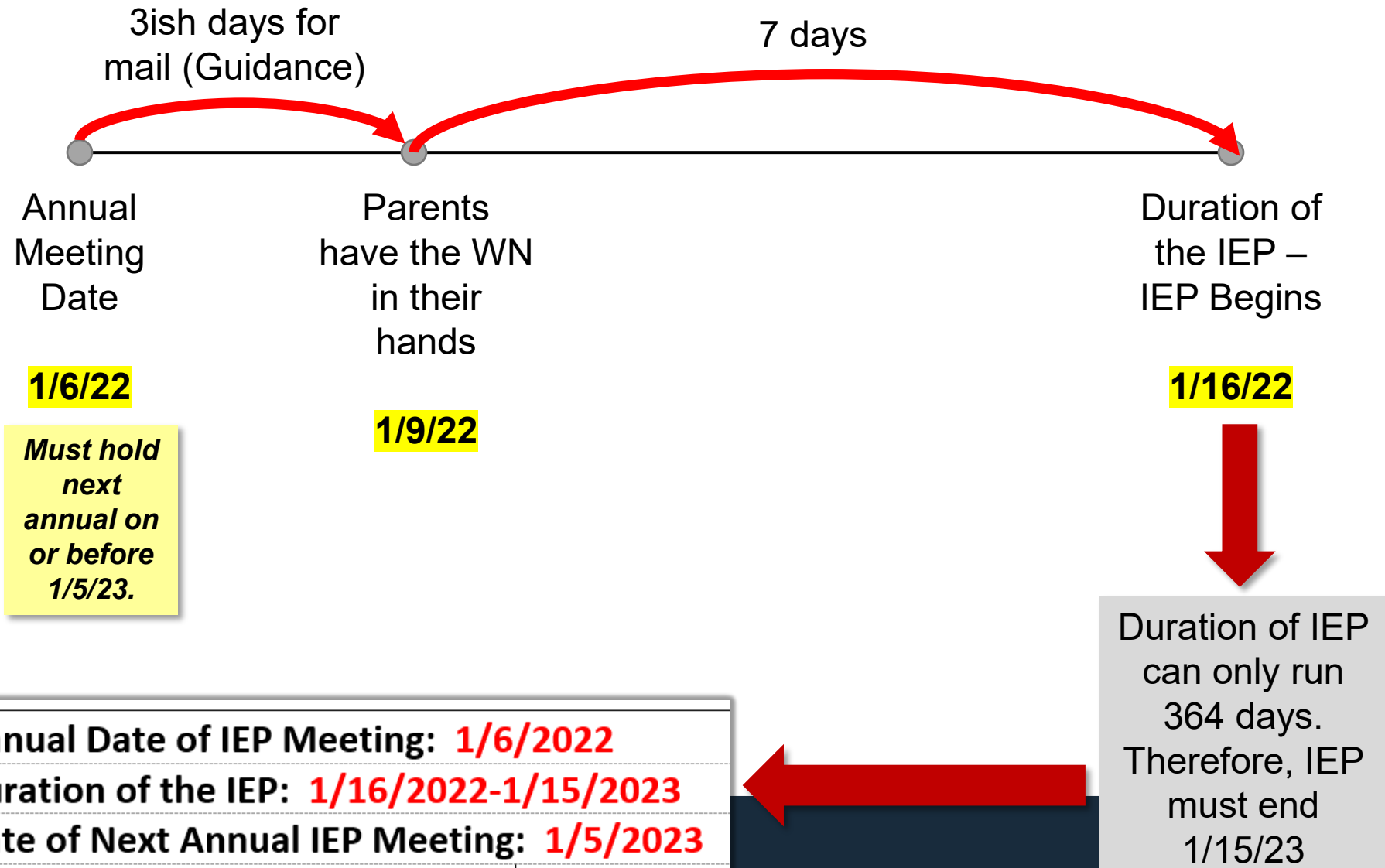
Duration of the IEP: **1/16/2022-1/15/2023**

Date of Next Annual IEP Meeting: **1/5/2023**

(5) To review, **at least annually**, the Individualized Education Program of each child with a disability to:

MUSER VI.2.J(5)

Section 1: Annual Date of IEP & Duration of IEP



Written Notice: Timeline Consideration

- Parent(s) can waive their right to 7-day notice
 - Implement IEP sooner than 7 days
 - 7 Day Waiver form (optional)
- Must be documented in the Written Notice

1. Describe the action(s) regarding the referral, evaluation, identification, programming or placement proposed or refused by the SAU:
 - The child's parents waived their right to 7-day notice prior to the IEP implementation, and agreed to make the IEP effective starting the next day.

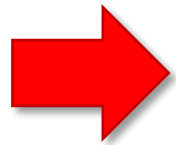
When can a parent/guardian NOT waive their 7-day notice?



Put your thoughts in the Chat Box



Parents cannot waive their 7-day notice if:



they do not attend the meeting



- (ii) Consent for services.--An SAU that is responsible for making a free appropriate public education available to a child with a disability under this part must obtain **informed consent from the parent** of such child before providing special education and related services to the child. The SAU must make reasonable efforts to obtain informed consent from the parent for the initial provision of special education and related services to the child.[34 CFR 300.300(b)(1,2)]

Section 2: Disability

A child with a Disability is an Individual Who –

- Has reached the age of 3 years;
- Has neither graduated from a secondary school program with a regular HS diploma nor reached 22 years of age;
- Has been observed in the learning environment/classroom setting; and
- Has been evaluated according to these rules and has been determined to have a disability which requires the provision of special education and supportive services.
- A child with a disability shall have one or more of the disabilities listed in MUSER VII.2.A-M

LD 98 / Chapter 450 codified the change in Ending Age for Special Education eligibility effective October 25, 2023.

Section 2: Disability

2. DISABILITY

<input type="checkbox"/> Autism	<input type="checkbox"/> Deaf-Blindness	<input type="checkbox"/> Deafness
<input type="checkbox"/> Developmental Delay (3-5)	<input type="checkbox"/> Developmental Delay (Kindergarten)	<input type="checkbox"/> Emotional Disturbance
<input type="checkbox"/> Hearing Impairment	<input type="checkbox"/> Intellectual Disability	<input type="checkbox"/> Visual Impairment (including Blindness)
<input type="checkbox"/> Other Health Impairment	<input type="checkbox"/> Orthopedic Impairment	<input type="checkbox"/> Speech/Language Impairment
<input type="checkbox"/> Specific Learning Disability	<input type="checkbox"/> Traumatic Brain Injury	<input type="checkbox"/> Multiple Disability <i>(check all applicable concomitant disabilities)</i>

MUSER – Maine Unified Special Education Regulations

MUSER VII.2.A-M outlines all Disability Categories, including the Definition and the Procedure for Determination.

Eligibility and Related Forms

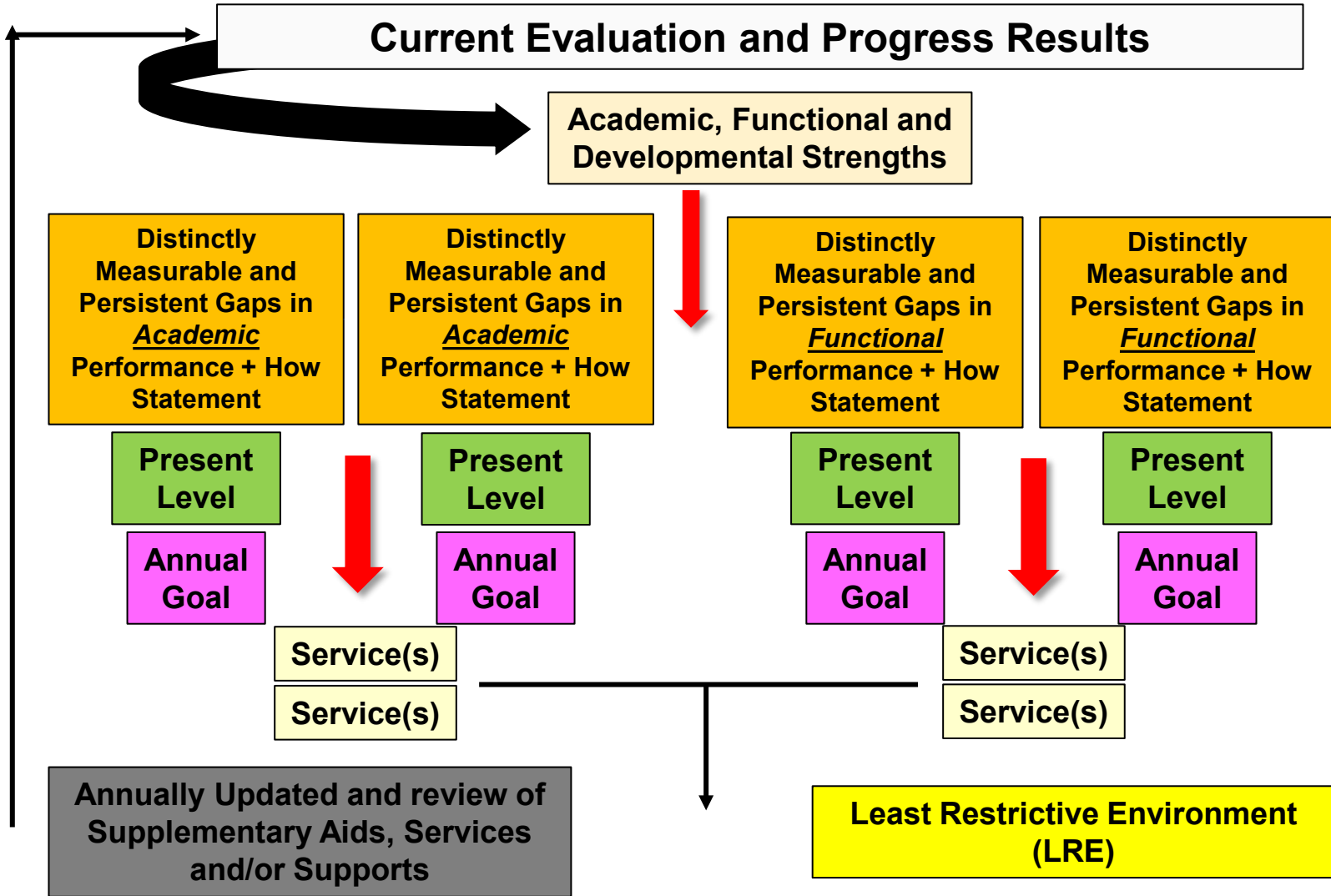
We have an Office Hour presentation from 9/28/22 that focused on the Eligibility Process and all related forms.

Referral to Special Education



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Individualized Education Plan IEP Alignment



Section 3: Considerations

3. CONSIDERATIONS – INCLUDING SPECIAL FACTORS	
A. Concerns of the parents for enhancing the education of their child (MUSER IX.3.C.(1)(b)):	
B. Does the child exhibit behavior that impedes the child’s learning or that of others requiring positive behavioral interventions and supports and other strategies to address the behavior? (MUSER IX.3.C.(2)(a))	<input type="checkbox"/> YES <input type="checkbox"/> NO
C. Does the child have limited English proficiency? (MUSER IX.3.C.(2)(b))	<input type="checkbox"/> YES <input type="checkbox"/> NO
i. Does the child have language needs, due to limited English proficiency, which need to be addressed in the IEP?	<input type="checkbox"/> YES <input type="checkbox"/> NO
D. If the child is blind or visually impaired, does the child require instruction in Braille and the use of Braille? (MUSER IX.3.C.(2)(c))	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> NA
E. Does the child have a print disability that requires accessible educational materials (AEM) to access the curriculum?	<input type="checkbox"/> YES <input type="checkbox"/> NO
i. If yes, what type of accessible educational materials (AEM) does the child require?	
F. Does the child have communication needs? (MUSER IX.3.C.(2)(d))	<input type="checkbox"/> YES <input type="checkbox"/> NO
i. Is the child deaf or hard of hearing?	<input type="checkbox"/> YES <input type="checkbox"/> NO
G. Does the child need assistive technology devices and services? (MUSER IX.3.C.(2)(e))	<input type="checkbox"/> YES <input type="checkbox"/> NO
H. Does the child have academic needs?	<input type="checkbox"/> YES <input type="checkbox"/> NO
I. Does the child have functional/developmental needs?	<input type="checkbox"/> YES <input type="checkbox"/> NO
POST-SECONDARY TRANSITION	
J. Is the child in 9 th grade or above OR is the child 16 years old or older?	<input type="checkbox"/> YES <input type="checkbox"/> NO
i. If yes , Section 9 should be completed before completing the remainder of the IEP.	

- Think of this as the Table of Contents
- If any section is documented YES, then it is expected that there is corresponding information in the IEP itself.
- For every YES, the team wants to ensure alignment based on determinations discussed at the IEP meeting.

Section 4 – Academic and Functional/Developmental Evaluations, Strengths, and Needs (MUSER IX.3.C.(1))

4. ACADEMIC AND FUNCTIONAL/DEVELOPMENTAL EVALUATIONS, STRENGTHS, AND NEEDS (MUSER IX.3.C.(1))

- A. Results of all initial evaluations or most recent evaluations of the child:
- B. Beyond the evaluative information in **4A**, what are the academic, functional, and/or developmental **strengths** of the child?
- C. Based on evaluative information in **4A**, what are the child’s distinctly measurable and persistent gaps in **academic performance**, and **how** do they affect the child’s involvement and progress in the general education curriculum?
- D. Based on evaluative information in **4A**, what are the child’s distinctly measurable and persistent gaps in **functional performance**, and **how** do they affect the child’s involvement and progress in the general education curriculum?
- E. If appropriate, what are the **developmental needs** of the child, and how do they affect the child’s involvement and progress in the general education curriculum?

Section 4A – Results of All Evaluations

Include:

- Academic evaluations that were used for eligibility or continuing eligibility
- Functional evaluations that were used for eligibility or continuing eligibility
- Relevant state or district assessments
- Transition assessments
- Other relevant assessments, such as FBA, related service evaluations or similar

4. ACADEMIC AND FUNCTIONAL/DEVELOPMENTAL EVALUATIONS, STRENGTHS, AND NEEDS (MUSER IX.3.C.(1))

A. Results of all initial evaluations or most recent evaluations of the child:

Evaluations completed by Jane Doe on 10/15/22 and 10/17/22:

BASC, administered 10/12/2022

- Hyperactivity T Score 80 – Elevated
- Attention Problems T Score 70 – Elevated
- Withdrawal T Score 65 – Elevated

Woodcock Johnson, administered 10/12/2022

- Passage Comprehension SS 98 – High Average
- Math Calculation SS 72 – Low
- Written Expression SS 70 – Low
- Writing Fluency SS 78 – Low
- Word Attack SS 79 – Low

Document:

- Evaluation name
- Date eval was given
- Scores that highlight strengths/needs in the student profile
- Maintain any scores that support eligibility

Section 4B: Academic, Functional and/or Developmental Strengths

B. Beyond the evaluative information in 4A, what are the academic, functional, and/or developmental **strengths** of the child?

Leora loves to read and has strong decoding and comprehension skills. She has strong writing skills and enjoys sharing her stories with peers. Leora works hard and is very focused on all tasks presented to her.

- These are based on evaluations and observations.
- Include areas of strength and relative strengths.
- Not a restatement of “average” standard scores.
- What does the strength **look** like in the classroom?

Academic

- Reading
- Writing
- Listening
- Speaking
- Mathematical Problem Solving



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Section 4C: Distinctly Measurable and Persistent Gaps in Academic Performance and “How” Statement

C. Based on evaluative information in 4A, what are the child's distinctly measurable and persistent gaps in academic performance, and how do they affect the child's involvement and progress in the general education curriculum?

Identification of the distinctly measurable and persistent gaps in Academic performance

AND

How do the distinctly measurable and persistent skill gaps affect the child's involvement and progress in the general education curriculum

Distinctly
Measurable and
Persistent Gaps



How Statement

Skill Deficits/Gaps –

Consider the following: Might Include (there are others)

<u>Broad Academic Areas</u>	<u>Specific Areas</u>
Reading	Decoding, Encoding, Fluency, Comprehension, Sight Words, Phonemic Awareness, Vocabulary or similar
Writing	Sentence Structure, Paragraph Development, Organization, Details, Proofreading or similar
Listening/Speaking	Story Retell, Collaboration, Language, Context, Describe, Summarizing or similar
Mathematical Problem Solving	Addition/Subtraction, Multiplication/Division, Word Problems, Fluency, Measurement or similar

Distinctly
Measurable and
Persistent Gaps
(Needs)



How
Statement

<u>Student Needs</u>	<u>How Statement</u>
(Reading) Jimmy's reading fluency deficits	impact his ability to access grade level reading material.
(Writing) Sarah's spelling deficits	impact her ability to complete grade level writing prompts.
(Listening) Michael's listening comprehension deficits	impact his ability to paraphrase and restate grade level material.
(Speaking) Beth's inability to retell stories in a sequential manner	impacts her ability to engage with grade level material.
(Mathematical Problem Solving) Tom's deficits in addition/subtraction	impacts his ability to participate in grade appropriate math activities

Procedural Manual Pg. 22

Section 4C: ACADEMIC NEEDS AND “HOW” STATEMENT (Part B, ages 3-20)

- C. Based on evaluative information in 4A, what are the child’s distinctly measurable and persistent gaps in **academic performance**, and **how** do they affect the child’s involvement and progress in the general education curriculum?

This section is used to:

- Identify the child’s academic needs and how they affect the child’s involvement and progress in general education.

Directions:

- Identify (list) specific academic skill deficits that are to such a degree, that they need to be aligned to an annual goal and addressed through a provision of service. Academic skill deficits can be identified based on formal or informal evaluations, academic performance and observation, and formative and summative assessments. Ensure that each identified academic need is being addressed through at least one academic annual goal.
- For each Need, explain what it is about the child’s needs that prevent the child from being involved and making progress in the general education curriculum that affect the child’s participation in appropriate activities.

Example:

Reading comprehension impedes the child’s ability to comprehend grade level text and accurately provide details and events described in the text within the general education curriculum.

Functional

- Cognitive
- Communicative
- Motor
- Adaptive
- Social/Emotional
- Sensory



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Section 4D: Distinctly Measurable and Persistent Gaps in Functional Performance and “How” Statement

D. Based on evaluative information in 4A, what are the child's distinctly measurable and persistent gaps in functional performance, and how do they affect the child's involvement and progress in the general education curriculum?

Identification of the distinctly measurable and persistent gaps in Functional performance

AND

How do the distinctly measurable and persistent skill gaps affect the child's involvement and progress in the general education curriculum

Distinctly
Measurable and
Persistent Gaps



How Statement

Skill Deficits/Gaps –

Consider the following: Might Include (there are others)

<u>Broad Functional Areas</u>	<u>Specific Areas</u>
Cognitive	Problem Solving, Self Awareness, Peer Interactions, Self Initiation or similar
Communicative	Articulation, Following Directions, Answering Wh- Questions, Turn-Taking, Grammar or similar
Motor (Fine/Gross)	Coloring, Cutting, Walking, Stairs or similar
Adaptive	Toileting, Handwashing, Cooking, Eating, Dressing, Bathing or similar
Social/Emotional	Peer Interactions, Self Regulation, Communication, Pragmatic Skills or similar
Sensory	Processing, Self Advocacy, Attention to Task, Self Regulation or similar

Distinctly
Measurable and
Persistent Gaps
(Needs)



How Statement

Student Needs

How Statement

(Cognitive) Mary's deficits in problem solving	impact her ability to safely engage with peers at grade level.
(Communicative) Sarah's deficits with answering wh-questions	impact her ability to engage in conversations with peers during play activities.
(Motor) Michael's deficit with grasping items	impacts his ability use writing tools in class.
(Adaptive) Beth's deficits in personal care	impact her ability to engage socially with same aged peers.
(Social/Emotional) Tom's self regulation deficits	impact his ability to comprehend and apply social rules in the general education setting.
(Sensory) Barb's tactile defensiveness	impact her ability to stay on task in all grade level activities.

Procedural Manual Pg. 22-23

Section 4D: FUNCTIONAL/DEVELOPMENTAL NEEDS AND “HOW” STATEMENT

D. Based on evaluative information in 4A, what are the child's distinctly measurable and persistent gaps in functional performance, and how do they affect the child's involvement and progress in the general education curriculum?

This section is used to:

- Identify the child's functional/developmental needs and how they affect the child's involvement and progress in the general education.

Directions:

- Identifies specific functional/developmental skill deficits that are to such a degree, that they need to be aligned to an annual goal and addressed through a provision of service. Functional/developmental skill deficits can be identified based on formal or informal evaluations, functional/developmental performance and observation, and formative and summative assessments. Related services (e.g. OT, Speech/Language) would be reflected in this section. Ensure that each identified functional/developmental need, including a need being addressed through a related service, is being addressed through at least one functional/developmental annual goal.
- For each Need, explain how the disability adversely affects the child's access to the general education curriculum. This is not a restatement of LRE and should identify the how the

child's needs are adversely affecting his/her involvement in the general education curriculum.

Example:

Coping strategies and self-regulatory techniques to assist with the child's anxiety which is manifesting in the child not attending classes and missing instructional time within the general education curriculum.

Section 4E: Developmental Needs and “How” Statement

E. If appropriate, what are the **developmental needs** of the child, and **how** do they affect the child’s involvement and progress in the general education curriculum?

Identification of the distinctly measurable and persistent gaps in Developmental performance

AND

How do the distinctly measurable and persistent skill gaps affect the child's involvement and progress in the general education curriculum

Distinctly
Measurable and
Persistent Gaps



How Statement

Functional and Developmental Goals

“Functional performance means how the child demonstrates his/her skills and behaviors in cognition, communication, motor, adaptive, social/emotional and sensory areas.” (MUSER II.15)

Which is it?

Functional Goal(s)

Lifelong skills deficit(s) that the IEP team feels the child will not “outgrow”.



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Developmental Goal(s)

Lagging skill deficit(s) that the IEP team feels the child may “outgrow”.

Skill Deficits/Gaps – What are those specific areas?



- Be very specific
- Do not include or reference:
 - Broad Areas
 - Evaluation Results
 - Standard Scores

Distinctly Measurable and Persistent Gaps AND How Statement

C. Based on evaluative information in **4A**, what are the child's distinctly measurable and persistent gaps in academic performance, and **how** do they affect the child's involvement and progress in the general education curriculum?

- **Fluent Letter Identification (Distinctly Measurable and Persistent Gap)**

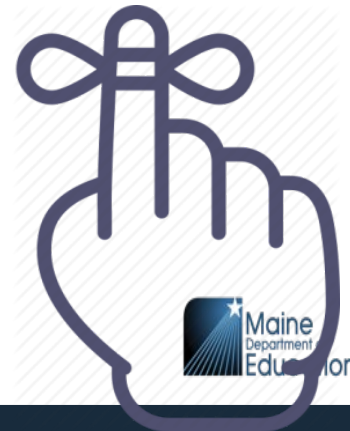
Skill gaps in this area impact Eli's ability to participate in literacy activities with same age peers. (How Statement)

D. Based on evaluative information in **4A**, what are the child's distinctly measurable and persistent gaps in functional performance, and **how** do they affect the child's involvement and progress in the general education curriculum?

- **Read and follow a schedule (Distinctly Measurable and Persistent Gap)**

This deficit impacts his ability to attend school and participate in all daily activities across his day. (How Statement)

Remember:
You must include
BOTH components.



OKAY
LET'S
DO
THIS



mare johus



Let's Review –

Section 4A



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A. Results of all initial evaluations or most recent evaluations of the child:

Evaluations Administered:

WJ-4

- **Basic Reading Skills – 78**
- **Reading Comprehension – 79**
- **Reading Fluency – 73**

What's wrong?

Section 4A



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A. Results of all initial evaluations or most recent evaluations of the child:

Evaluations Administered:

WJ-4

- **Basic Reading Skills – 78**
- **Reading Comprehension – 79**
- **Reading Fluency – 73**

Tell us in the Chat Box why this is not compliant.

What's wrong?

Section 4A



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A. Results of all initial evaluations or most recent evaluations of the child:

Evaluations Administered:

WJ-4

- Basic Reading Skills – 78
- Reading Comprehension – 79
- Reading Fluency – 73

- No dates when evals were given
- No scores to support strengths

Instead...



A. Results of all initial evaluations or most recent evaluations of the child:

Evaluations Administered:

WJ-4 (Woodcock Johnson Test of Achievement – 4th Edition)

Administered 10/5/22, 10/7/22 and 10/8/22

- **Basic Reading Skills – 78**
- **Reading Comprehension – 79**
- **Reading Fluency – 73**
- **Math Fluency – 99**
- **Problem Solving – 97**

Let's try again...



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Let's Review –

Section 4B



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B. Beyond the evaluative information in **4A**, what are the academic, functional, and/or developmental **strengths** of the child?

N/A

What's wrong?

Section 4B



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B. Beyond the evaluative information in **4A**, what are the academic, functional, and/or developmental **strengths** of the child?

N/A

Tell us in the Chat Box why this is not compliant.

What's wrong?

Section 4B



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B. Beyond the evaluative information in 4A, what are the academic, functional, and/or developmental **strengths** of the child?

N/A

- No strengths documented
- Do not leave this blank or put N/A

Instead...



B. Beyond the evaluative information in **4A**, what are the academic, functional, and/or developmental **strengths** of the child?

**Leora loves to read and has strong decoding and comprehension skills.
She has strong writing skills and enjoys sharing her stories with peers.
Leora works hard and is very focused on all tasks presented to her.**

Let's try another...



Let's Review –

Section 4C



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C. Based on evaluative information in **4A**, what are the child's distinctly measurable and persistent gaps in **academic performance**, and **how** do they affect the child's involvement and progress in the general education curriculum?

- **Reading**
- **Math**

What's wrong?

Section 4C



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C. Based on evaluative information in **4A**, what are the child's distinctly measurable and persistent gaps in **academic performance**, and **how** do they affect the child's involvement and progress in the general education curriculum?

- **Reading**
- **Math**

Tell us in the Chat Box why this is not compliant.

What's wrong?

Section 4C



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C. Based on evaluative information in **4A**, what are the child's distinctly measurable and persistent gaps in **academic performance**, and **how** do they affect the child's involvement and progress in the general education curriculum?

- Reading
- Math

- Very broad areas
- No specific skill deficits
- No How statement

Instead...



C. Based on evaluative information in **4A**, what are the child's distinctly measurable and persistent gaps in **academic performance**, and **how** do they affect the child's involvement and progress in the general education curriculum?

- **Spelling**
- **Addition/Subtraction**

Skill gaps in these areas impact Susie's ability to participate in academic activities with same age peers.

One more...



Let's Review –

Section 4D



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D. Based on evaluative information in **4A**, what are the child's distinctly measurable and persistent gaps in **functional performance**, and **how** do they affect the child's involvement and progress in the general education curriculum?

Julia has executive functioning deficits and cannot maintain attention to task.

What's wrong?

Section 4D



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- D. Based on evaluative information in **4A**, what are the child's distinctly measurable and persistent gaps in **functional performance**, and **how** do they affect the child's involvement and progress in the general education curriculum?

Julia has executive functioning deficits and cannot maintain attention to task.

Tell us in the Chat Box why this is not compliant.

What's wrong?

Section 4D



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D. Based on evaluative information in **4A**, what are the child's distinctly measurable and persistent gaps in **functional performance**, and **how** do they affect the child's involvement and progress in the general education curriculum?

Julia has executive functioning deficits and cannot maintain attention to task.

- Executive Functioning is much too broad
- No specific skill deficits
- No How statement

Instead...



D. Based on evaluative information in **4A**, what are the child's distinctly measurable and persistent gaps in **functional performance**, and **how** do they affect the child's involvement and progress in the general education curriculum?

- **Self-initiation**

This impacts her ability to maintain attention and complete assigned tasks.

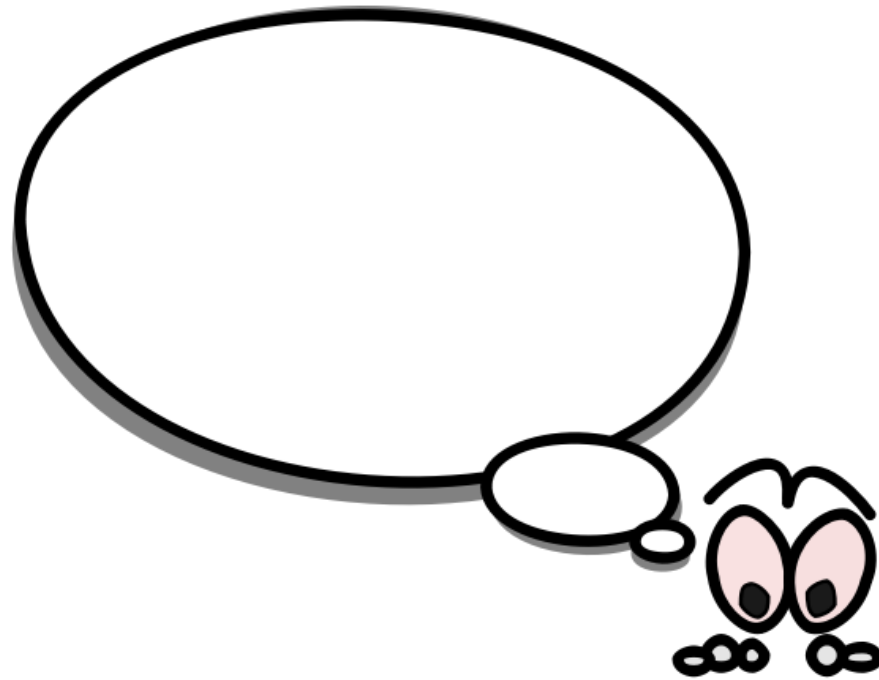


Links to our recorded trainings that will provide you more detail around the previous topics

Alignment

Academic and Functional Skill Gaps and How Statements

Chat Box Check In



Reporting Progress

PROGRESS MONITORING OF ANNUAL IEP GOALS

Progress on goals will be reported *insert #* times per academic year, using the following codes (locally determined):

Add the description below of progress codes for annual goal(s):

1.	
2.	
3.	
4.	
5.	
6.	

Describe how progress toward IEP goals will be reported for all children.



The U.S. Supreme Court's ruling in *Endrew vs. Douglas County School District*, highlighted the fact that IEP teams must discuss and develop IEP goals for students that are “appropriately ambitious” and that “to met its substantive obligation under the IDEA, a school must offer an IEP that is reasonably calculated to enable a child to make progress appropriate in light of the child’s circumstances.”

**UNITED STATES DEPARTMENT OF EDUCATION
WASHINGTON, DC 20202**

December 7, 2017

**Questions and Answers (Q&A) on
*U. S. Supreme Court Case Decision
Endrew F. v. Douglas County School District Re-1***

**[https://sites.ed.gov/idea/files/qa-
endrewcase-12-07-2017.pdf](https://sites.ed.gov/idea/files/qa-endrewcase-12-07-2017.pdf)**

Use of Data

Data should be used to:

- ✓ collected and maintained with fidelity
- ✓ analyzed consistently
- ✓ used to determine next steps and make changes if necessary



It is important to remember –



“IEP teams must demonstrate the following indicators of progress:

- The child is receiving all special education, supplementary aids, and related services outlined in the IEP
- The IEP team is making appropriate modifications as required
- Appropriate accommodations are provided
- Measurable IEP goals enable a clear assessment of whether the child is making adequate progress.”

<https://www.smartersteps.com/2018/11/28/endrew-decision-how-do-you-write-ambitious-iep-goals/>

Why is this important when developing and maintaining an IEP and how does the Endrew F. case impact this?

If the IEP team responsible for Endrew F. had effectively maintained and analyzed the data, and then used that data to drive programming, they would probably have identified that he wasn't making progress and would have made appropriate changes.

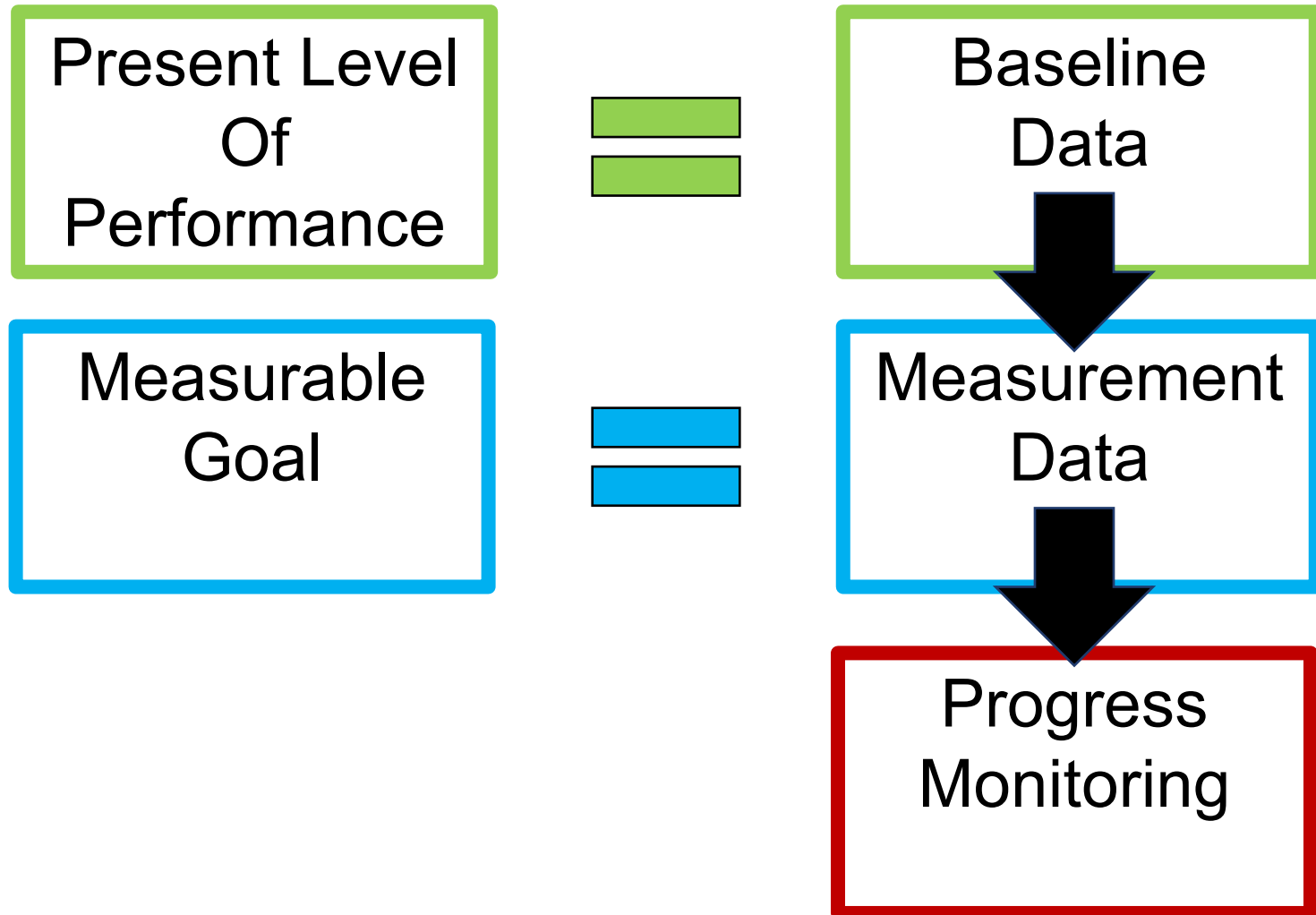
Present Level of Performance is:



Include statement(s) of the child's current academic performance (baseline data) above each academic annual goal. The present level and annual goal should be aligned to the same skill. The IEP should include a present level and annual goal for all identified academic skill deficits listed in the Needs section. This statement should be written in a way that all members of the IEP Team can understand the current uniqueness of the child's academic performance. This should not include specific levels of programs and curriculum as not all IEP Team members will have foundational knowledge of the program being used and its unique leveling.

- Procedural Manual page 24 & 25

Same Data Point



Section 5: Academic Performance– Present Level

IDEA requirement – **MUST** fill

§300.320 Definition of individualized education program.

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

(1) A statement of the child's **present levels of academic achievement and functional performance**, including

5. MEASURABLE ANNUAL GOAL(S) (MUSER IX.3.A.(1)(b) & (c))

ACADEMIC PERFORMANCE (Part B, ages 3 - 20) refers to a child's ability to perform (or learn to perform) tasks and demonstrate appropriate skills in *reading, writing, listening, speaking, and thinking* in the classroom or other educational environment.

Present Levels of Academic Performance (MUSER IX.3.A.(1)(a)(i) & (ii)):

Measurable Goal (MUSER IX.3.A.(1)(b) & (c))
By date, given service, child's name will skill as measured by evidence.

Objective(s) required? Yes No
By date, given service, child's name will skill as measured by evidence.

Even if Student has Functional Need/Goals but has no academic skill deficits/gaps and will have no Academic Goals, Academic Present Level can **NOT be blank.**

Section 5: Academic Performance– Present Level

IDEA requirement – **MUST** fill

5. MEASURABLE ANNUAL GOAL(S) (MUSER IX.3.A.(1)(b) & (c))

ACADEMIC PERFORMANCE (Part B, ages 3 - 20) refers to a child's ability to perform age appropriate (comparable to same age/grade peers) tasks and demonstrate appropriate skills in *reading, writing, listening, speaking, and mathematical problem solving* in the school environment.

Present Levels of Academic Performance (MUSER IX.3.A.(1)(a)(i) & (ii)):

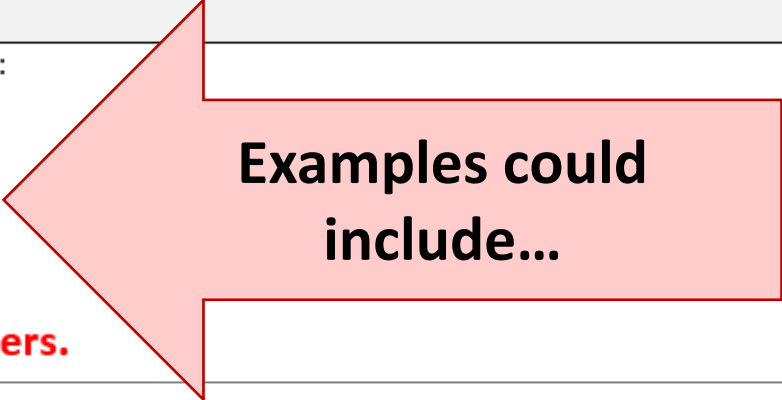
Walter is on academic grade level with his peers.

OR

Walter has no academic needs.

OR

Walter is academically commensurate with his peers.



Examples could include...

Procedural Manual

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IDEA requires that a statement of the present level of academic performance must be included in each IEP even if the child does not exhibit any academic deficits that require special education services. If the child does not exhibit academic deficits, the present level statement should be included above the first goal only.

Example:

"The child is academically commensurate with his/her peers."

Section 5: Functional Performance– Present Level

IDEA requirement – **MUST** fill

§300.320 Definition of individualized education program.

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

(1) A statement of the child's **present levels of academic achievement and functional performance**, including

FUNCTIONAL/DEVELOPMENTAL PERFORMANCE: Functional performance refers to how the child is managing daily activities in cognitive, communicative, motor, adaptive, social/*emotional* and sensory areas. Developmental performance refers to how the child is performing developmentally (comparable to same age/grade peers) in physical, cognitive and adaptive areas.

Present Levels of Functional/Developmental Performance (MUSER IX.3.A.(1)(a)(i) & (ii):

Measurable Goal (MUSER IX.3.A.(1)(b) & (c)

By date, given service, child's name will skill as measured by evidence.

Objective(s) required? Yes No

By date, given service, child's name will skill as measured by evidence.

Even if Student has Academic Needs and Goals but has no functional skill deficits/gaps and will have no Functional Goals, Functional Present Level can **NOT be blank.**

Section 5: Functional Performance– Present Level

IDEA requirement – **MUST** fill

FUNCTIONAL/DEVELOPMENTAL PERFORMANCE: **Functional performance** refers to how the child is managing daily activities in *cognitive, communicative, motor, adaptive, social/emotional* and *sensory areas*. **Developmental performance** refers to how the child is performing developmentally (comparable to same age/grade peers) in physical, cognitive, communicative, social, emotional, and/or adaptive areas.

Present Levels of Functional/Developmental Performance (MUSER IX.3.A.(1) & (ii):

Walter is functionally commensurate with peers.

OR

Walter has no functional needs at this time.

Examples could include...

Procedural Manual

Pg. 26

IDEA requires that a statement of the present level of functional performance must be included in each IEP even if the child does not exhibit any functional deficits that require special education services. If the child does not exhibit functional deficits, a present level statement should be included above the first goal only.

Example:

“Child is functionally commensurate with his/her peers.”

Present Level of Performance is not:

Present Level
Of
Performance



Subjective:

- “struggles with”
- “about”
- “sometimes”

Present Level
Of
Performance



Approximate:

- Less than 60%
- About 55%
- 60-70%
- ~ 40%

Present Level of Performance is not:

Present Level
Of
Performance



- Grades
- Grade Level
- Standard Scores
- Percentile
- Reading Level

Present Level
Of
Performance

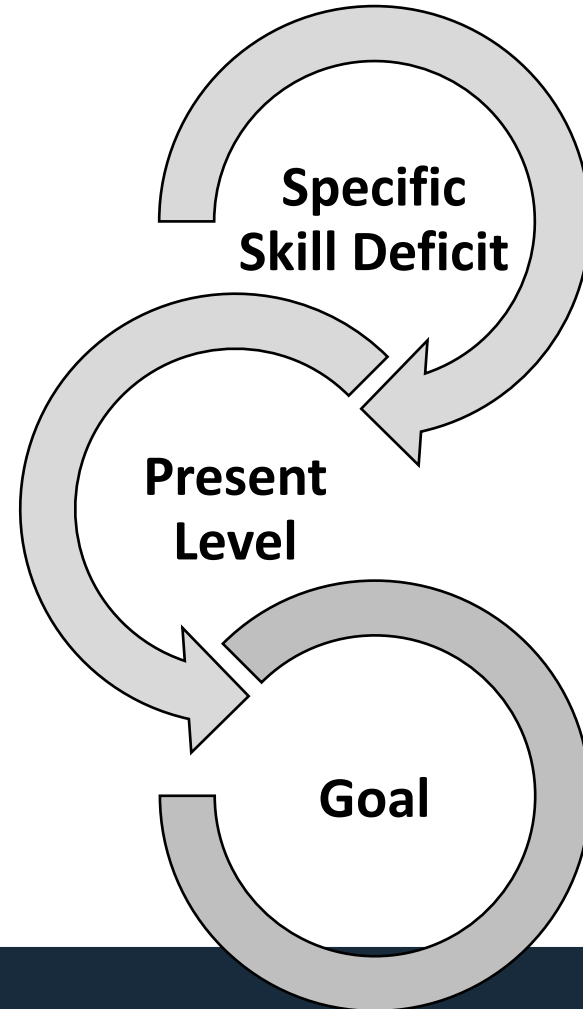


Multiple Skills or
Prerequisite Skills

Section 5: Academic Performance – Standards Based Goals

Remember

Alignment –



Section 5: Academic Performance– Standards Based Goals

Present Levels of Academic Performance (MUSER IX.3.A.(1)(a)(i) & (ii)):

Molly can decode CVC words with 45% accuracy.

Measurable Goal (MUSER IX.3.A.(1)(b) & (c)

By date, given service, child's name will skill as measured by evidence.

By 9/17/2023, given specially designed instruction, Molly will decode CVC words with 85% accuracy, as measured by data collection, teacher observation, work samples or similar. CITATION HERE

If there is an annual goal, there should be a present level of performance directly above it aligned to the same skill.

Section 5: Academic Performance – Standards Based Goals

- **By** (what date), **given** (service and/or conditions), **the child will** (skill) **with** (level of mastery and/or frequency) **as measured by** (assessments/measurements). (standards citation...)

- **BY (what date)** – The date must be prior to the end of the duration date of the IEP and written in a way to be reasonably calculated to be achieved in one year.
- **GIVEN (service)** – SDI, consultation, etc.
- **CHILD WILL (skill)** – Skill must align with skill deficits and a goal.
- **WITH (level of mastery/frequency)** – Data must be present.

Section 5: Academic Performance – Standards Based Goals

Goals should facilitate the child's achievement of Common Core (CCSS), Maine Learning Results (MLR), Guiding Principles and/or district adopted standards

Remember: start with the goal then find the appropriate standard to align to it.

- Assume competence, begin with the grade the child is in and move down to where the team feels they can go within a year.



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Section 5: Academic Performance – Standards Based Goals

Present Levels of Academic Performance (MUSER IX.3.A.(1)(a)(i) & (ii)):

Dan can currently write a 5-sentence essay with 10 spelling errors on 4 out of 5 assignments.

Measurable Goal (MUSER IX.3.A.(1)(b) & (c))

By June 2022, given specially designed instruction **in preparation for attending a 4 year college or university to study marketing or for work in the carpentry field**, Dan will write a 5 sentence essay, including an opening sentence, 3 supporting details and a closing sentence with less than 5 spelling errors on 5 out of 5 assignments as measured by teacher data collection and informal writing assessments. [MLR W.A.3](#)

Progress: Oct 21: P-75%
Jan. 22: P-82%

By date, given service, child's name will skill as measured by evidence.

Objective(s) required? Yes No

By date, given service, child's name will skill as measured by evidence.

MLR = Maine Learning Results

W = Strand (Writing)

A = Grade Span (**C**hildhood (K-5), **E**arly **A**dolescence (6-8), and **A**dolescence (9-Diploma))

3 = Standard Number

**Do NOT include specific curriculums
in your Present Levels or Goals.**



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**Consider this
Pretend Reading Curriculum...**

Do NOT include specific curriculums in your Present Levels or Goals.

Present Levels of Academic Performance (MUSER IX.3.A.(1)(a)(i) & (ii)):

Leo is currently at Level A in the Pretend Reading Curriculum.

Measurable Goal (MUSER IX.3.A.(1)(b) & (c))

By date, given service, child's name will skill as measured by evidence.

By 11/2/2022, given specially designed instruction, Leo will move from Level A to Level B in the Pretend Reading Curriculum, as measured by work samples, data collection, teacher observation or similar. MLR R.3

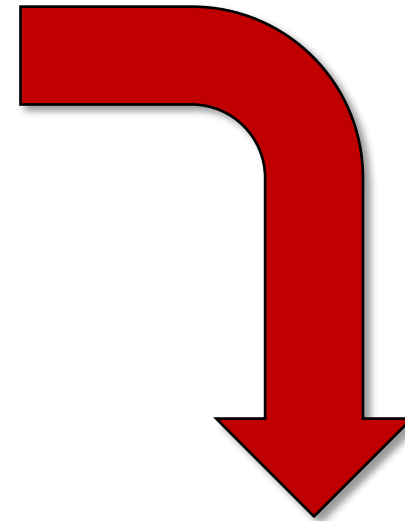
Pretend Reading Curriculum
Level A

Child will learn:

19 Basic Consonant Sounds

High Frequency Sight Words 1-25

Segment Simple CVC Words



Pretend Reading Curriculum
Level B

Child will learn:

Vowel Sounds

High Frequency Sight Words 26-40



Segment Simple CCVC Words

Pretend Reading Curriculum
Level B

Child will learn:

Vowel Sounds

High Frequency Sight Words 26-40

Segment Simple CCVC Words

If Leo masters the vowel sounds and can segment simple CCVC words, but does not master the high frequency sight words, you can't do Progress Monitoring.

Remember: a goal should only include 1 skill; if the child has skill deficits in BOTH vowel sounds and sight words, these would be two different goals.

Do not include specific curriculums.

Focus on the specific skill deficits and include those deficits in the Present Levels and the Goals.

Pretend Reading Curriculum
Level A

Child will learn:

19 Basic Consonant Sounds

High Frequency Sight Words 1-25

Segment Simple CVC Words

Present Levels of Academic Performance (MUSER IX.3.A.(1)(a)(i) & (ii)):

Leo can segment simple CVC words with 15 % accuracy.

Measurable Goal (MUSER IX.3.A.(1)(b) & (c))

Progress:

By date, given service, child's name will skill as measured by evidence.

By 11/2/2023, given specially designed instruction, Leo will segment CVC words with 80% accuracy, as measured by teacher observation, work samples or similar. CITATION HERE

Objective(s) required? Yes No

By date, given service, child's name will skill as measured by evidence.

Present Levels of Academic Performance (MUSER IX.3.A.(1)(a)(i) & (ii)):

Leo currently identifies 7 of the 19 basic consonant sounds with 100% accuracy.

Measurable Goal (MUSER IX.3.A.(1)(b) & (c))

Progress:

By date, given service, child's name will skill as measured by evidence.

By 11/2/2023, given specially designed instruction, Leo will identify 19 of the 19 basic consonant sounds with 100% accuracy, as measured by work samples, data collection, teacher observation or similar. MLR R.3

Objective(s) required? Yes No

By date, given service, child's name will skill as measured by evidence.

Section 5: Functional/Developmental Performance – Goals

Present Levels of Functional/Developmental Performance (MUSER IX.3.A.(1)(a)(i) & (ii):

Measurable Goal (MUSER IX.3.A.(1)(b) & (c)

Progress:

By date, given service, child's name will skill as measured by evidence.

Objective(s) required? Yes No

By date, given service, child's name will skill as measured by evidence.

- Functional/Developmental goals do not require alignment to standards or citation but should be written using the provided goal format.
- **By** (what date), **given** (service and/or conditions), **the child will** (skill) **with** (level of mastery and/or frequency) **as measured by** (assessments/measurements).

Measurable Academic/Functional/Developmental Goals

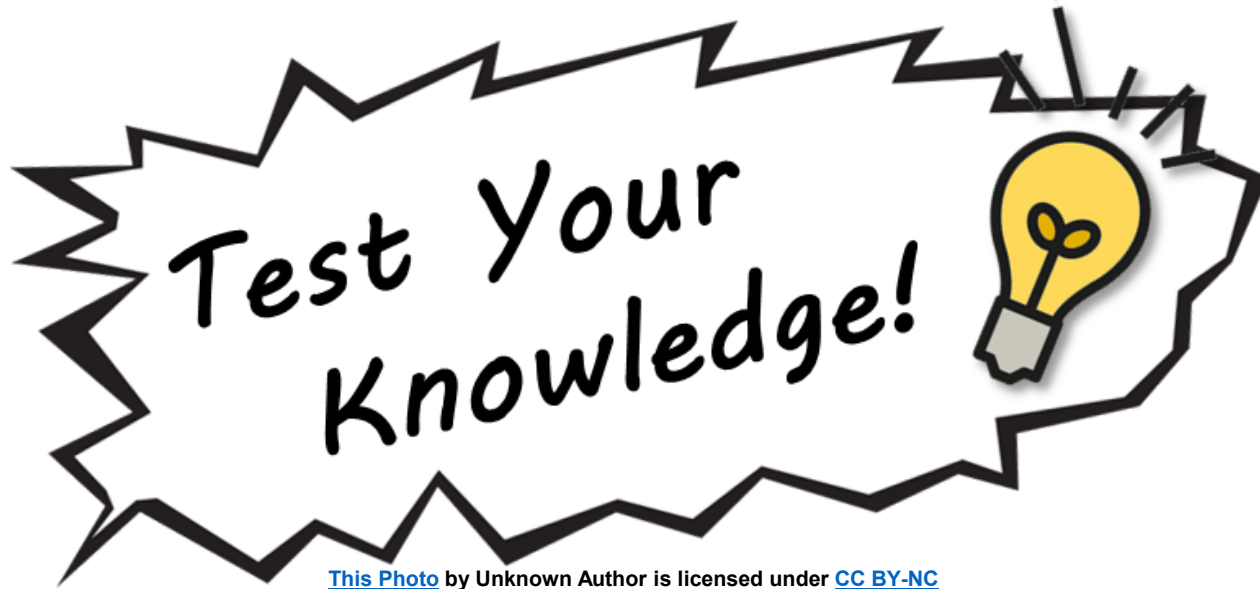
Can measure goals using –

- skill specific measurements/assessment
- qualitative data through teacher observation
- checklist or daily log
- running record
- work samples
- rubrics (attach the rubric to the IEP)

Can NOT measure goals using –

- evaluations used for eligibility or continuing eligibility
- state and local assessments
- grades or report cards
- specific academic curriculums

So then...



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Let's Review – Section 5 – Present Level



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Present Levels of Academic Performance (MUSER IX.3.A.(1)(a)(i) & (ii)):

Jennifer demonstrates ability to rhyme less than 70% of the time.

What's wrong?
Section 5 –
Present Level



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Present Levels of Academic Performance (MUSER IX.3.A.(1)(a)(i) & (ii)):

Jennifer demonstrates ability to rhyme less than 70% of the time.

Tell us in the Chat Box why this is not compliant.

What's wrong? **Section 5 – Present Level**



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Present Levels of Academic Performance (MUSER IX.3.A.(1)(a)(i) & (ii)):

Jennifer demonstrates ability to rhyme less than 70% of the time.

- Data point is not concise and specific
- Data point is presented as less than

Instead...



Present Levels of Academic Performance (MUSER IX.3.A.(1)(a)(i) & (ii)):
Jennifer demonstrates the ability to rhyme simple one syllable patterns with 42% accuracy.

And... How about this one?



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Let's Review – **Section 5 –**



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Present Levels of Academic Performance (MUSER IX.3.A.(1)(a)(i) & (ii)):

Mary can decode CVC words with 55%-70% accuracy.

Measurable Goal (MUSER IX.3.A.(1)(b) & (c))

By date, given service, child's name will skill as measured by evidence.

By 11/2/2022, given specially designed instruction, Mary will improve her Reading Comprehension using a 3rd grade text from a Standard Score of 72 to 80 as measured by data collection, WJ-R, and work samples.

What's wrong? *Section 5 –*



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Present Levels of Academic Performance (MUSER IX.3.A.(1)(a)(i) & (ii)):

Mary can decode CVC words with 55%-70% accuracy.

Measurable Goal (MUSER IX.3.A.(1)(b) & (c))

By date, given service, child's name will skill as measured by evidence.

By 11/2/2022, given specially designed instruction, Mary will improve her Reading Comprehension using a 3rd grade text from a Standard Score of 72 to 80 as measured by data collection, WJ-R, and work samples.

Tell us in the Chat Box why this is not compliant.

What's wrong? **Section 5 –**



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Present Levels of Academic Performance (MUSER IX.3.A.(1)(a)(i) & (ii)):

Mary can decode CVC words with 55%-70% accuracy.

Measurable Goal (MUSER IX.3.A.(1)(b) & (c))

By date, given service, child's name will skill as measured by evidence.

By 11/2/2022, given specially designed instruction, Mary will improve her Reading Comprehension using a 3rd grade text from a Standard Score of 72 to 80 as measured by data collection, WJ-R, and work samples.

- Data point in Present Level is written in a range
- Data point in Present Level does not align with the goal
- Measurement in goal referenced Standard Scores
- No citation to a standard in the goal

Instead..



Present Levels of Academic Performance (MUSER IX.3.A.(1)(a)(i) & (ii)):

Mary can decode CVC words with 62% accuracy.

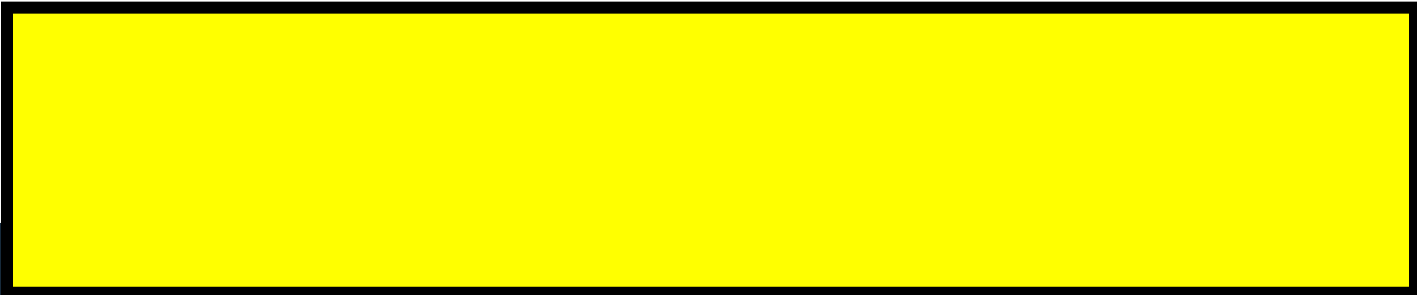
Measurable Goal (MUSER IX.3.A.(1)(b) & (c))

By date, given service, child's name will skill as measured by evidence.

By 11/2/2022, given specially designed instruction, Mary will decode CVC words with 80%, as measured by work samples, data collection, teacher observation or similar. MLR R.3

Let's take a 5-minute Break

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Avoid Outcome Based Goals

Outcomes = Age-Appropriate Expectations

We want all students to meet these expectations.

Academic Outcome Based Goals = Academic Age-Appropriate Expectations

What do we expect and/or want for ALL students?

We want ALL students to Demonstrate:

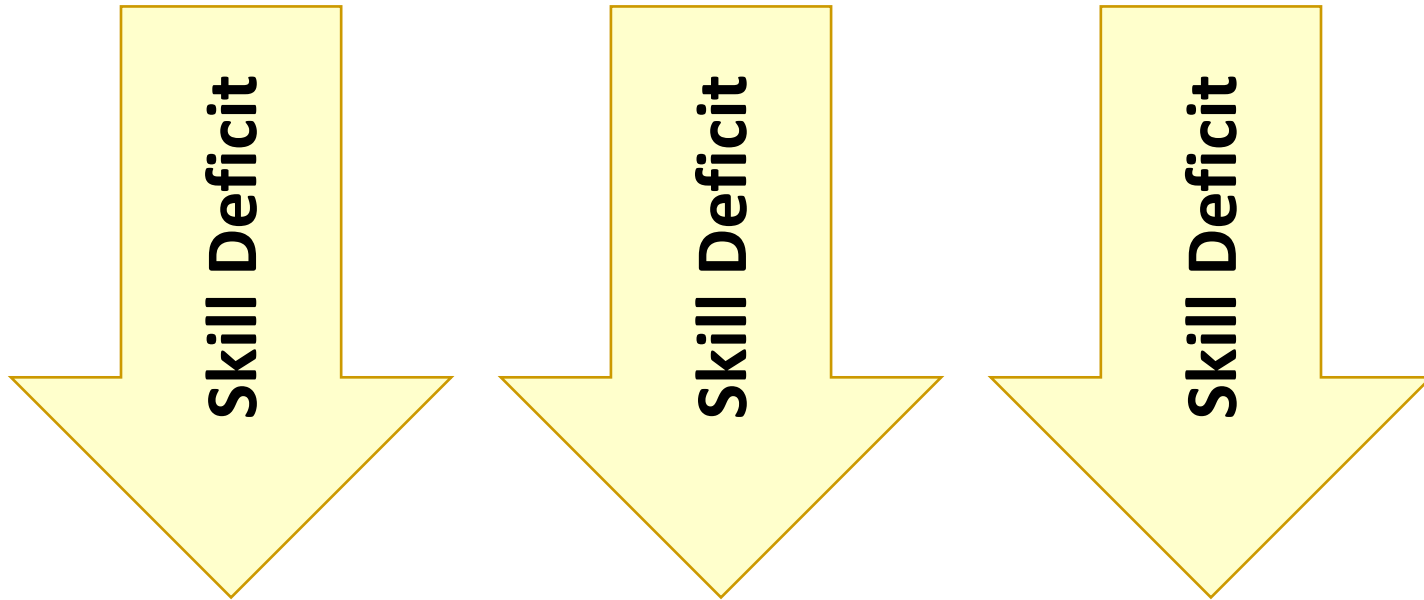
- Reading skills on Grade Level
- Math skills on Grade Level
- Writing skills on Grade Level



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What are the outcomes/age-appropriate expectations we have for the student?
What are the skill deficits that interfere with their ability to get there?

Then... what will we teach them?



**Outcome/
Age-Appropriate Expectation**

Bill

Example –

Bill is in 7th grade

Bill is reading at the 1st grade level

- You would not write a Reading goal that states “Bill will read at the 7th grade level.”
- This is an outcome that we want for all 7th graders
- Focus on the Why or the Skill Deficits

Bill

Example –

- Bill has very weak decoding skills
- Bill can decode words with a CVC word pattern with 100% accuracy
- Bill can decode words with CVC-e word patterns with 23% accuracy
- Bill will increase his ability to decode words with CVC-e word patterns up to 75%

Bill



**Specially Designed Instruction in Decoding =
Increased Decoding Skills**



**Increased Decoding Skills =
Increased Reading Ability**



**Increased Reading Ability =
Movement towards Outcome of Reading Skills
commensurate to Peers**

Meet Bill.



- Bill is in seventh grade and has been identified with an SLD in Reading.
- There are evaluations to support this, and they are documented in Section 4A.
- His IEP team identified the following specific skill deficit/How in Section 4C –

C. Based on evaluative information in **4A**, what are the child's distinctly measurable and persistent gaps in **academic performance**, and **how** do they affect the child's involvement and progress in the general education curriculum?

- **Decoding**

Skill gaps in this area impact Bill's ability to participate in literacy activities with same age peers.

- Because he has this very specific skill deficit, he has been unable to reach the age-appropriate expectation of reading at the seventh grade level.
- Therefore, we will write a goal around Decoding in Section 5 –

Present Levels of Academic Performance (MUSER IX.3.A.(1)(a)(i) & (ii)):

Bill can decode words with CVC word pattern with 100% accuracy.

Bill can decode words with CVC-e word patterns with 23% accuracy.

Measurable Goal (MUSER IX.3.A.(1)(b) & (c))

By date, given service, child's name will skill as measured by evidence.

By 9/17/2024, given specially designed instruction, Bill will increase his ability to decode words with CVC-e word pattern to 75% accuracy, as measured by work samples, data collection, teacher observation or similar. CITATION HERE

Skill to Teach

**We will teach Bill
Decoding Skills**

OUTCOME:

**We want Bill to read at the
7th grade level.**

Meet Eli.



- Eli is in first grade and has been identified with an SLD in Reading.
- There are evaluations to support this, and they are documented in Section 4A.
- His IEP team identified the following specific skill deficit/How in Section 4C –

C. Based on evaluative information in **4A**, what are the child’s distinctly measurable and persistent gaps in **academic performance**, and **how** do they affect the child’s involvement and progress in the general education curriculum?

- **Fluent Letter Identification**

Skill gaps in this area impact Eli’s ability to participate in literacy activities with same age peers.

- Because he has this very specific skill deficit, he has been unable to reach the age-appropriate expectation of reading at the first-grade level.
- Therefore, we will write a goal around Letter Id in Section 5 –

Present Levels of Academic Performance (MUSER IX.3.A.(1)(a)(i) & (ii)):

Eli can expressively identify 17 of the 26 alphabet letters.

Measurable Goal (MUSER IX.3.A.(1)(b) & (c))

By date, given service, child’s name will skill as measured by evidence.

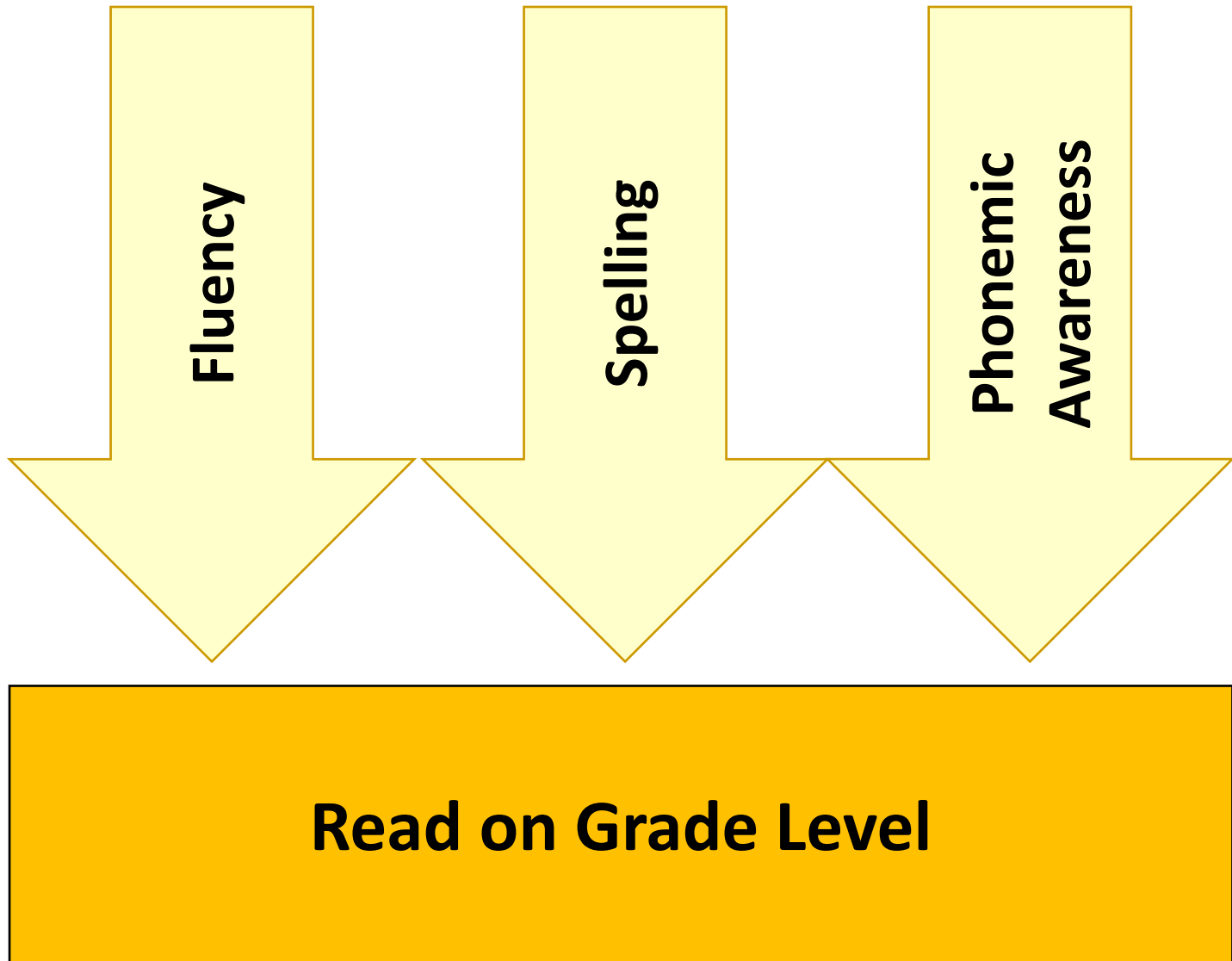
By 12/5/2023, given specially designed instruction, Eli will expressively identify all 26 letters in the alphabet, as measured by data collection and teacher observation. R.2

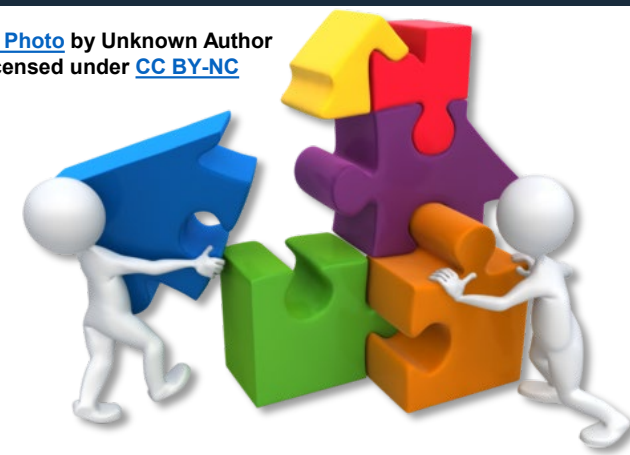
**We will teach him
Letter
Identification**

OUTCOME:

**We want Eli to read at the
first-grade level.**

Other examples might include:





But, how do I know what to focus on?

When considering Skill Deficits versus Outcomes and Age-Appropriate Expectations, it is very important to work with your team to review evaluations, data collection, observations, and similar info to figure this out.

Use your Team to determine those skills that *might* facilitate a change in any outcome.

Functional Outcome Based Goals = Functional Age-Appropriate Expectations

What do we expect and/or want for ALL students?

We want ALL students to Demonstrate:

- Appropriate Attendance
- Work Completion
- No Aggression/Biting/Bolting etc.
- Safety
- Attention to Task



Nina

Example –

Nina is in 1st grade

Nina demonstrates aggressive behavior

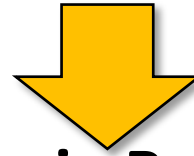
- You would not write a Behavior goal that states “Nina will decrease aggressive behaviors.”
- This is an outcome that we want for all students
- Focus on the Why or the Skill Deficits

Nina

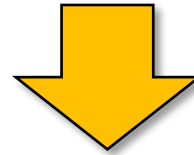
Example –

- Nina can not independently use a visual to request Help
- Nina will increase her ability to independently use the visual card to request Help with 40% accuracy

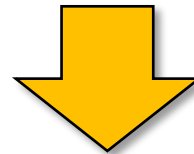
Nina



Specially Designed Instruction in Requesting Help = Increased Ability to Request Help



Increased Ability to Request Help = Improved Behaviors



Improved Behavior Skills = Movement towards Outcome of Behaviors commensurate to Peers

Meet Nina



- Nina is in first grade and has been identified with Autism.
- There are evaluations to support this, and they are documented in Section 4A.
- Her IEP team identified the following specific skill deficit/How in Section 4D –

D. Based on evaluative information in 4A, what are the child's distinctly measurable and persistent gaps in **functional performance**, and **how** do they affect the child's involvement and progress in the general education curriculum?

Nina has skill deficits in her ability to request HELP in situations that are challenging for her.

This impacts her ability to engage socially with peers in ways that are not aggressive.

- Because she has this very specific skill deficit, she has been unable to reach the age-appropriate expectation of a day without aggressions.
- Therefore, we will write a goal around Requesting HELP in Section 5 –

Present Levels of Functional/Developmental Performance (MUSER IX.3.A.(1)(a)(i) & (ii):

When prompted by an adult, Nina can pick up a HELP card, reach and release to a communicative partner, in 100% of opportunities. Independently, Nina can do this in 0% of opportunities.

Measurable Goal (MUSER IX.3.A.(1)(b) & (c)

By date, given service, child's name will skill as measured by evidence.

By 12/1/2023, given specially designed instruction, Nina will independently pick up a HELP card, reach and release to a communicative partner, in 70% of opportunities, as measured by data collection, teacher observation, and reduced aggressions.

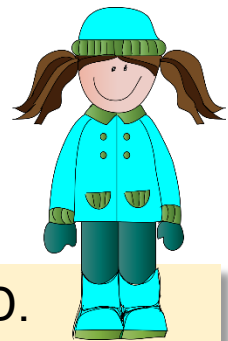
Skill to Teach

**We will teach Nina
to
request Help.**

OUTCOME:

**We want Nina to decrease the
number of aggressions she
exhibits across a day.**

Meet Jane



- Jane is in third grade and has been identified with an OHI due to ADD.
- There are evaluations to support this, and they are documented in Section 4A.
- Her IEP team identified the following specific skill deficit/How in Section 4D –

D. Based on evaluative information in **4A**, what are the child’s distinctly measurable and persistent gaps in **functional performance**, and **how** do they affect the child’s involvement and progress in the general education curriculum?

Jane has deficits in her ability to self-initiate.

This impacts her ability to maintain attention and complete assigned tasks.

- Because she has this very specific skill deficit, she has been unable to reach the age-appropriate expectation of work completion.
- Therefore, we will write a goal around Self-Initiation in Section 5 –

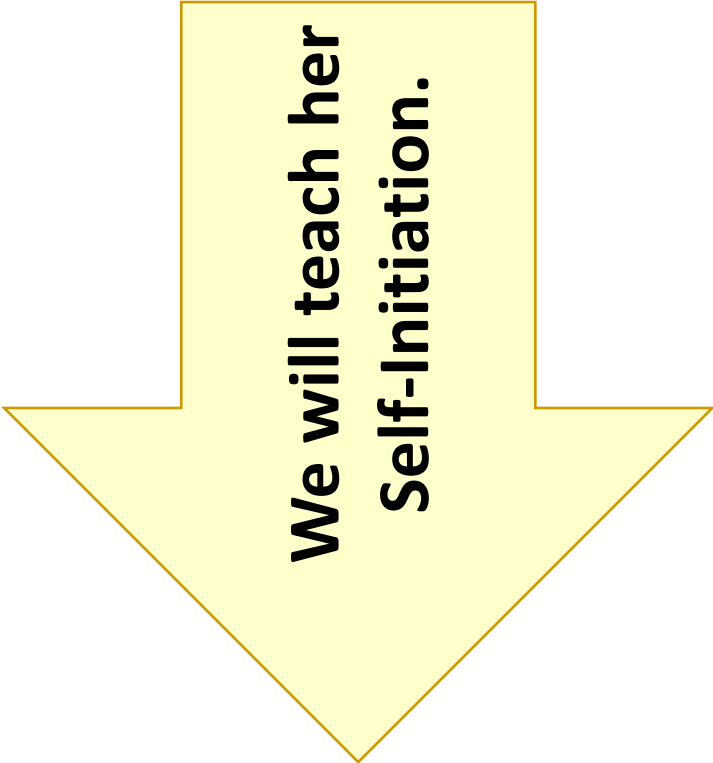
Present Levels of Functional/Developmental Performance (MUSER IX.3.A.(1)(a)(i) & (ii):

Jane is demonstrating self-initiation skill deficits and can start work tasks within 12 minutes, in 100% of opportunities.

Measurable Goal (MUSER IX.3.A.(1)(b) & (c)

By date, given service, child’s name will skill as measured by evidence.

By 12/1/2023, given specially designed instruction, Jane will demonstrate increased self-initiation skills by starting work tasks within 5 minutes in 80% of opportunities, as measured by data collection and teacher observation.



**We will teach her
Self-Initiation.**

OUTCOME:

**We want Jane to complete work
commensurate to her peers.**

Meet Louis



- Louis is in fourth grade and has been identified with Emotional Disturbance.
- There are evaluations to support this, and they are documented in Section 4A.
- His IEP team identified the following specific skill deficit/How in Section 4D –

D. Based on evaluative information in **4A**, what are the child's distinctly measurable and persistent gaps in **functional performance**, and **how** do they affect the child's involvement and progress in the general education curriculum?

Louis has skill deficits in his ability to read and follow a schedule.

This impacts his ability to attend school and participate in all daily activities across his day.

- Because he has this very specific skill deficit, he has been unable to reach the age-appropriate expectation of consistent attendance in school.
- Therefore, we will write a goal around Following a Visual Schedule in Section 5 –

When presented with a First/Then visual schedule, Louis can transition between two presented activities with 18% accuracy.

Measurable Goal (MUSER IX.3.A.(1)(b) & (c))

By date, given service, child's name will skill as measured by evidence.

By 12/1/2023, given specially designed instruction, Louis will use a First/Then visual schedule to transition between two presented activities with 50% accuracy, as measured by data collection and teacher observation.

**We will teach him
to use
a First/Then
Board.**

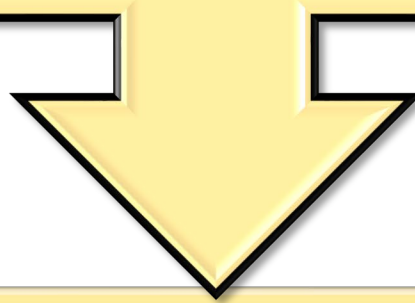
OUTCOME:

We want Louis to increase his attendance.

Remember

Teach the skill that helps the student reach the Outcome/Age-Appropriate Expectation.

*** Write the goal around that skill ***



**Outcome = Age-Appropriate
Expectation**

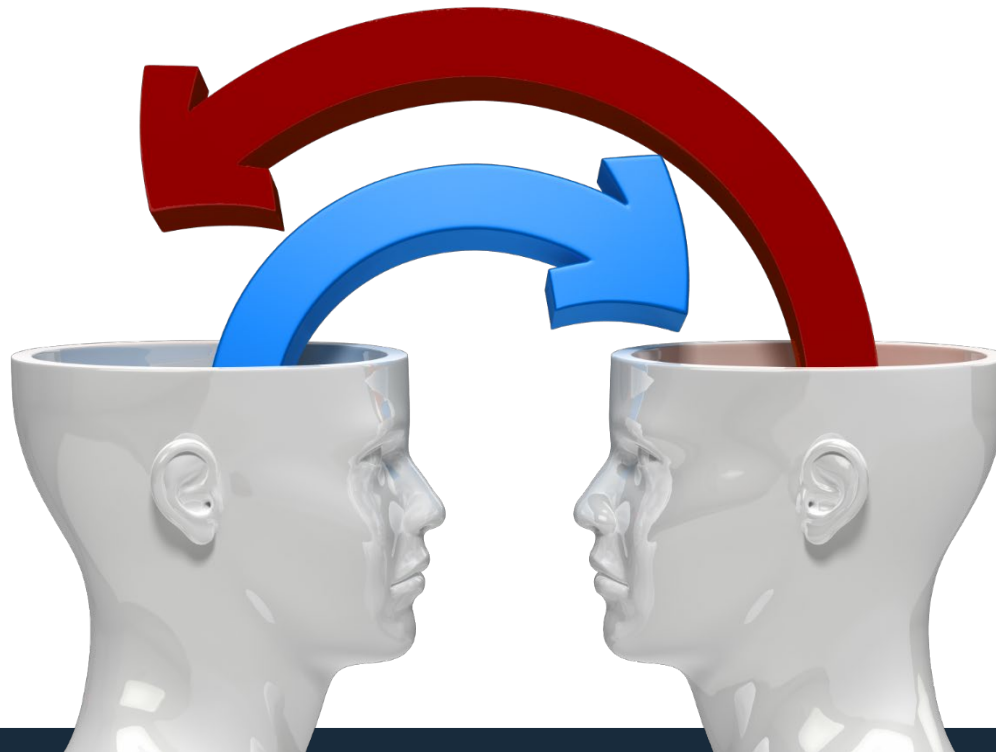
Procedural Manual Pg. 26

Functional/Developmental present levels and annual goals should address gaps in the child's functional/developmental performance, not intended and hopeful outcomes (attendance, work completion, passing classes/grades).

Example:

If a child is not attending school, the child's IEP should not include a goal related to the child attending school 75% of the time. The functional/developmental needs, present levels, and goals should identify and address the gaps that are manifesting in the child not attending school (such as a need for instruction in the utilization of coping skills).

Chat Box Interaction



Let's Review...



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Present Levels of Academic Performance (MUSER IX.3.A.(1)(a)(i) & (ii)):

Margaret is demonstrating reading skills at the 4th grade level.

Measurable Goal (MUSER IX.3.A.(1)(b) & (c))

By date, given service, child's name will skill as measured by evidence.

By 9/17/2022, given specially designed instruction, Margaret will demonstrate reading skills at the 5th grade level, as measured by data collection, teacher observation, work samples or similar. CITATION HERE

What's wrong?



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Present Levels of Academic Performance (MUSER IX.3.A.(1)(a)(i) & (ii)):

Margaret is demonstrating reading skills at the 4th grade level.

Measurable Goal (MUSER IX.3.A.(1)(b) & (c))

By date, given service, child's name will skill as measured by evidence.

By 9/17/2022, given specially designed instruction, Margaret will demonstrate reading skills at the 5th grade level, as measured by data collection, teacher observation, work samples or similar. CITATION HERE

Tell us in the Chat Box why this is not compliant.

What's wrong?



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Present Levels of Academic Performance (MUSER IX.3.A.(1)(a)(i) & (ii)):

Margaret is demonstrating reading skills at the 4th grade level.

Measurable Goal (MUSER IX.3.A.(1)(b) & (c))

By date, given service, child's name will skill as measured by evidence.

By 9/17/2022, given specially designed instruction, Margaret will demonstrate reading skills at the 5th grade level, as measured by data collection, teacher observation, work samples or similar. CITATION HERE

- Margaret is in 5th grade; this is an age-appropriate expectation
- Present Level is too broad
- Goal is not measurable, too broad
- No specific skill deficits

Instead...



Present Levels of Academic Performance (MUSER IX.3.A.(1)(a)(i) & (ii)):

Margaret demonstrates reading fluency of 37% when presented with a 3rd grade reading passage.

Measurable Goal (MUSER IX.3.A.(1)(b) & (c)

By date, given service, child's name will skill as measured by evidence.

By 9/17/2023, given specially designed instruction, Margaret will demonstrate reading fluency of 80% when presented with a 3rd grade reading passage. CITATION HERE



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Let's Review...



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Present Levels of Functional/Developmental Performance (MUSER IX.3.A.(1)(a)(i) & (ii):
Jeffrey demonstrates aggressive behavior 64% of his day.

Measurable Goal (MUSER IX.3.A.(1)(b) & (c)

By date, given service, child's name will skill as measured by evidence.

By 10/9/2023, Jeffrey will reduce aggressive behaviors to 15% of his day, as measured by teacher observation and data collection.

What's wrong?



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Present Levels of Functional/Developmental Performance (MUSER IX.3.A.(1)(a)(i) & (ii):
Jeffrey demonstrates aggressive behavior 64% of his day.

Measurable Goal (MUSER IX.3.A.(1)(b) & (c)

By date, given service, child's name will skill as measured by evidence.

By 10/9/2023, Jeffrey will reduce aggressive behaviors to 15% of his day, as measured by teacher observation and data collection.

Tell us in the Chat Box why this is not compliant.

What's wrong?



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Present Levels of Functional/Developmental Performance (MUSER IX.3.A.(1)(a)(i) & (ii):
Jeffrey demonstrates aggressive behavior 64% of his day.

Measurable Goal (MUSER IX.3.A.(1)(b) & (c))

By date, given service, child's name will skill as measured by evidence.

By 10/9/2023, Jeffrey will reduce aggressive behaviors to 15% of his day, as measured by teacher observation and data collection.



- Outcome based (age-appropriate expectation)
- We want all kids to be free from aggressions
- No skill deficits

Instead...



Present Levels of Functional/Developmental Performance (MUSER IX.3.A.(1)(a)(i) & (ii):

When presented with situations that require Jeffrey to take a break before becoming aggressive, he will exchange the break card with a partner with 19% accuracy.

Measurable Goal (MUSER IX.3.A.(1)(b) & (c)

By date, given service, child's name will skill as measured by evidence.

By 10/9/2024, given specially designed instruction, when presented with situations that require Jeffrey to take a break, he will change the break card with a partner with 50% accuracy, as measured by teacher observation, data collection, and reduced aggressions.

If you are teaching supports that help a student to be successful, make sure those tools are added to Section 6 of the IEP.

6. SUPPLEMENTARY AIDS, SERVICES, MODIFICATIONS, AND/OR SUPPORTS (MUSER IX.3.A.(1)(d) & (g))

In addition to ongoing classroom supports and services, supplemental aids, and modifications, include a statement of any individual appropriate accommodations that are necessary to measure the academic achievement and functional performance of the child on State and district-wide and classroom assessments (MUSER IX.3.A.(1)(f)(i)).

A. Supplementary aids, modifications, accommodations, services, and/or supports for SAU personnel	Location	Frequency	Duration Beginning/End Date	
<ul style="list-style-type: none"> *Sensory Tool Kit *Help Card *Visual Schedule *Wobble Seat/Stool *Option to Sit or Stand *Fidgets 	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> Classroom Instruction <input checked="" type="checkbox"/> Classroom Assessment <input type="checkbox"/> District-wide Assessment <input type="checkbox"/> State Assessment 	Special Education and Regular Education	As Needed	12/13/2023-12/12/2024
<ul style="list-style-type: none"> *Visual Aids and Supplements *Daily Check In *Reduce number of problems to demonstrate proficiency 	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> Classroom Instruction <input checked="" type="checkbox"/> Classroom Assessment <input type="checkbox"/> District-wide Assessment <input type="checkbox"/> State Assessment 	Special Education and Regular Education	As Needed	12/13/2023-12/12/2024
	<input type="checkbox"/> Other			

We get this question a lot –
What about Related Services?

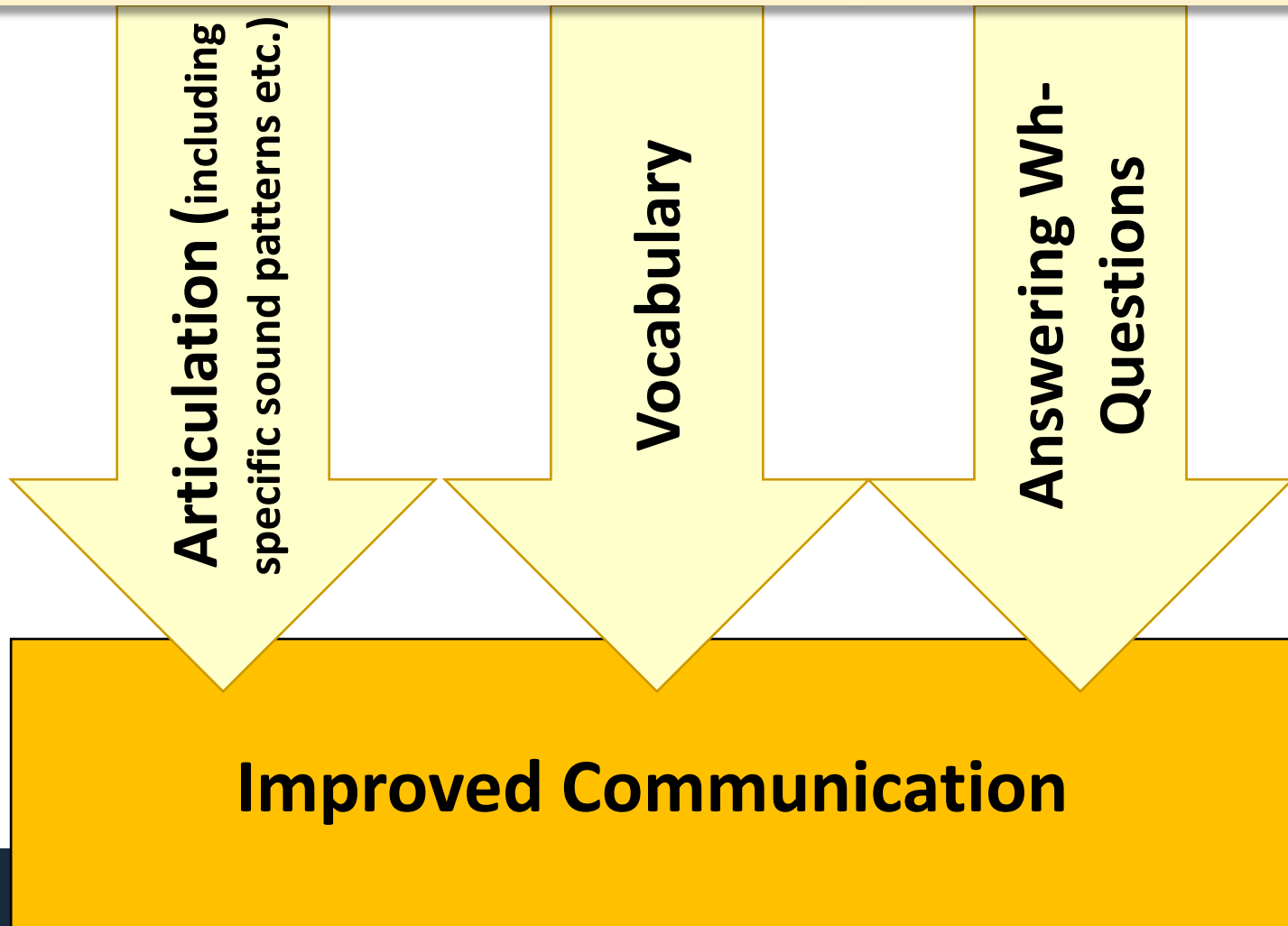
Outcome versus Skill



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Example: We want all children to have appropriate communication skills. The child has skill deficits in articulation, following directions, and answering wh-questions.

These deficits result in decreased ability to communicate appropriately. Therefore, we will work to teach them skills that = Improve Communication.





Links to our recorded trainings that will provide you more detail around the previous topics

Present Level of Performance

Measurable Goals and Avoiding Outcome Goals

Chat Box Check In



Section 6: Supplementary Aids, Services, Modifications and/or Supports

6. SUPPLEMENTARY AIDS, SERVICES, MODIFICATIONS, AND/OR SUPPORTS (MUSER IX.3.A.(1)(d) & (g))

In addition to ongoing classroom supports and services, supplemental aids, and modifications, include a statement of any individual appropriate accommodations that are necessary to measure the academic achievement and functional performance of the child on State and district-wide and classroom assessments (MUSER IX.3.A.(1)(f)(i)).

A. Supplementary aids, modifications, accommodations, services, and/or supports for SAU personnel	Location	Frequency	Duration Beginning/End Date
<input type="checkbox"/> Classroom Instruction <input type="checkbox"/> Classroom Assessment <input type="checkbox"/> District-wide Assessment <input type="checkbox"/> State Assessment			
<input type="checkbox"/> Classroom Instruction <input type="checkbox"/> Classroom Assessment <input type="checkbox"/> District-wide Assessment <input type="checkbox"/> State Assessment			
<input type="checkbox"/> Other			

[Procedural Manual](#) pgs. 27-28

Section 6: Supplementary Aids, Services, Modifications and/or Supports

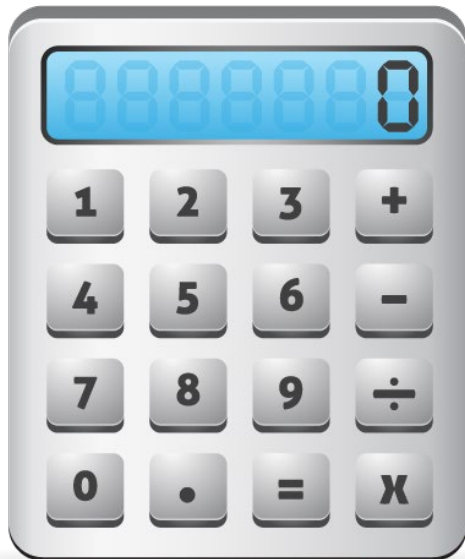
6. SUPPLEMENTARY AIDS, SERVICES, MODIFICATIONS, AND/OR SUPPORTS (MUSER IX.3.A.(1)(d) & (g))				
In addition to ongoing classroom supports and services, supplemental aids, and modifications, include a statement of any individual appropriate accommodations that are necessary to measure the academic achievement and functional performance of the child on State and district-wide and classroom assessments (MUSER IX.3.A.(1)(f)(i)).				
A. Supplementary aids, modifications, accommodations, services, and/or supports for SAU personnel		Location	Frequency	Duration Beginning/End Date
Sensory tool kit Help card Break card Squishy First/Then board	<input checked="" type="checkbox"/> Classroom Instruction	Special Education and General Education	As Needed	9/18/23-9/17/24
	<input checked="" type="checkbox"/> Classroom Assessment			
	<input checked="" type="checkbox"/> District-wide Assessment			
	<input checked="" type="checkbox"/> State Assessment			
ILAP: Individual Language Acquisition Plan	<input checked="" type="checkbox"/> Classroom Instruction	Special Education and General Education	As Needed	9/18/23-9/17/24
	<input checked="" type="checkbox"/> Classroom Assessment			
	<input checked="" type="checkbox"/> District-wide Assessment			
	<input checked="" type="checkbox"/> State Assessment			
Extra Time Quality over quantity with product Frequent sensory breaks	<input checked="" type="checkbox"/> Classroom Instruction	Special Education and General Education	As Needed	9/18/23-9/17/24
	<input checked="" type="checkbox"/> Classroom Assessment			
	<input type="checkbox"/> District-wide Assessment			
	<input type="checkbox"/> State Assessment			
Read Aloud/Human Reader for directions, questions/items, and response items, NWEA reading	<input type="checkbox"/> Classroom Instruction	Special Education	During NWEA Reading Window	9/18/23-9/17/24
	<input type="checkbox"/> Classroom Assessment			
	<input checked="" type="checkbox"/> District-wide Assessment			
	<input checked="" type="checkbox"/> State Assessment			

Section 6: Supplementary Aids, Services, Modifications and/or Supports

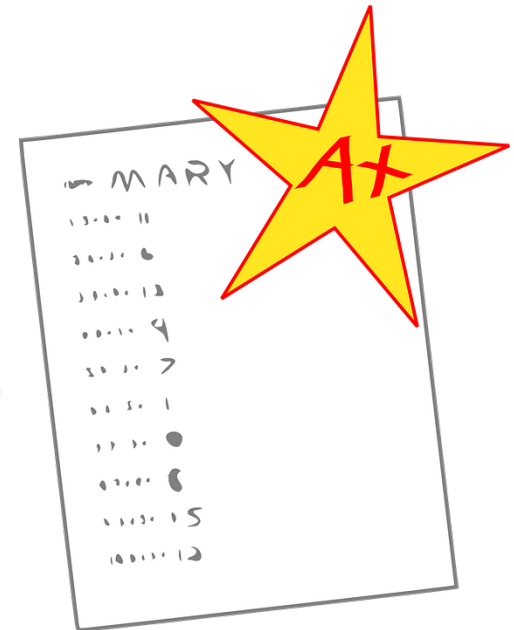
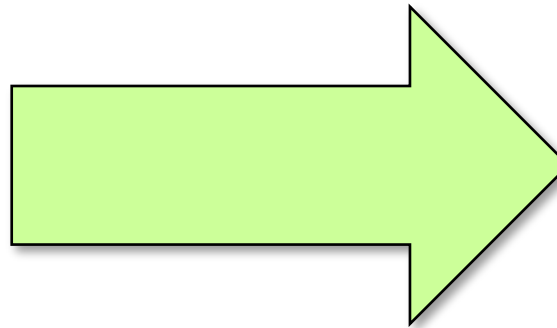
- An **accommodation** changes *how* a student learns the material.
- A **modification** changes *what* a student is taught or expected to learn.

<https://www.smartkidswithld.org/getting-help/the-abcs-of-ieps/examples-of-accommodations-modifications/>

Section 6: Supplementary Aids, Services, Modifications and Supports

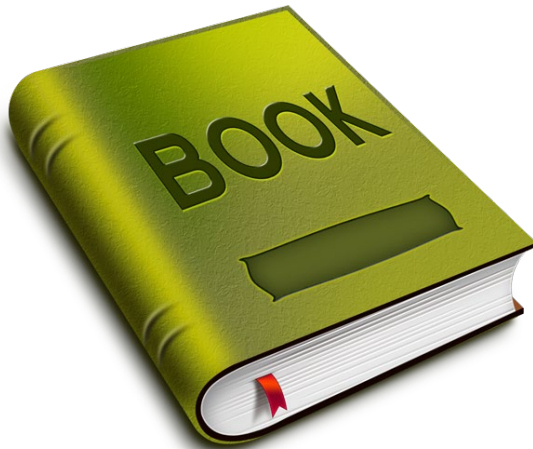


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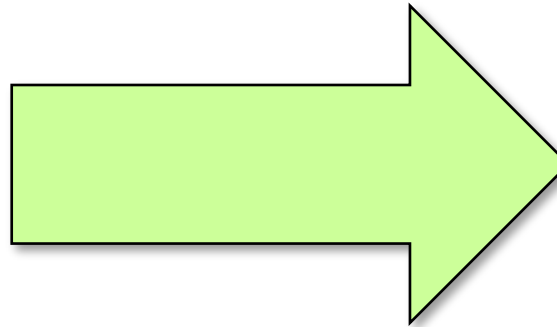


Modifications mean changes in the regular education curriculum and/or assessment that lower the standards of the curriculum.

Section 6: Supplementary Aids, Services, Modifications and Supports



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Accommodations mean changes in the manner in which instruction and assessment is delivered that does not alter the curriculum level expectation being measured or taught.

“Other” could include collaboration and recommendations from related service providers that are **not** directly related to an annual IEP goal (For example, manipulation of the child’s environment or instructional materials) - Procedural Manual pg. 27

6. SUPPLEMENTARY AIDS, SERVICES, MODIFICATIONS, AND/OR SUPPORTS (MUSER IX.3.A.(1)(d) & (g))

In addition to ongoing classroom supports and services, supplemental aids, and modifications, include a statement of any individual appropriate accommodations that are necessary to measure the academic achievement and functional performance of the child on State and district-wide and classroom assessments (MUSER IX.3.A.(1)(f)(i)).

A. Supplementary aids, modifications, accommodations, services, and/or supports for SAU personnel	Location	Frequency	Duration Beginning/End Date	
Educational Technician/BHP support in core content	<input checked="" type="checkbox"/> Classroom Instruction <input checked="" type="checkbox"/> Classroom Assessment <input checked="" type="checkbox"/> District-wide Assessment <input checked="" type="checkbox"/> State Assessment	General and Special Education Setting	As Needed	11/14/2022-11/13/2023
	<input type="checkbox"/> Classroom Instruction <input type="checkbox"/> Classroom Assessment <input type="checkbox"/> District-wide Assessment <input type="checkbox"/> State Assessment			
Regular Education Teacher/Occupational Therapist Collaboration	<input checked="" type="checkbox"/> Other	General Education Setting	As Needed	11/14/2022-11/13/2023

- Discussion of progress and accommodations is not consultation. This should be documented in **Section 6** as an accommodation.

Section 6: Supplementary Aids, Services, Modifications and/or Supports

6. SUPPLEMENTARY AIDS, SERVICES, MODIFICATIONS, AND/OR SUPPORTS (MUSER IX.3.A.(1)(d) & (g))

In addition to ongoing classroom supports and services, supplemental aids, and modifications, include a statement of any individual appropriate accommodations that are necessary to measure the academic achievement and functional performance of the child on State and district-wide and classroom assessments (MUSER IX.3.A.(1)(f)(i)).

A. Supplementary aids, modifications, accommodations, services, and/or supports for SAO personnel		Location	Frequency	Duration Beginning/End Date
Educational Technician/BHP support in core content	<input checked="" type="checkbox"/> Classroom Instruction	General and Special Education Setting	As Needed	11/14/2022-11/13/2023
	<input checked="" type="checkbox"/> Classroom Assessment			
	<input checked="" type="checkbox"/> District-wide Assessment			
	<input checked="" type="checkbox"/> State Assessment			
	<input type="checkbox"/> Classroom Instruction			
	<input type="checkbox"/> Classroom Assessment			
	<input type="checkbox"/> District-wide Assessment			
	<input type="checkbox"/> State Assessment			
Regular Education Teacher/Occupational Therapist Collaboration	<input checked="" type="checkbox"/> Other	General Education Setting	As Needed	11/14/2022-11/13/2023

Educational Technicians, BHPs and Related Service assistants are always listed as accommodations.



Ensure that all fields are considered and complete.

Section 6B: Alternate Assessment

B. Alternate Assessments

If the IEP Team determines that the child shall take an alternate assessment on a particular State or district-wide assessment of child achievement, a statement of why the child cannot participate in the regular assessment and why the particular alternate assessment selected is appropriate for the child (MUSER IX.3.A.(1)(f)(ii)(I) & (II)).

Yes, the child meets qualifications outlined in the Participation Decision Flowchart.

• If yes, include an explanation:

Cannot be blank

No, the child cannot participate in the regular assessment and will be participating in regular education state and district-wide assessments.

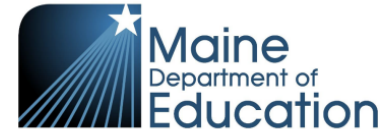
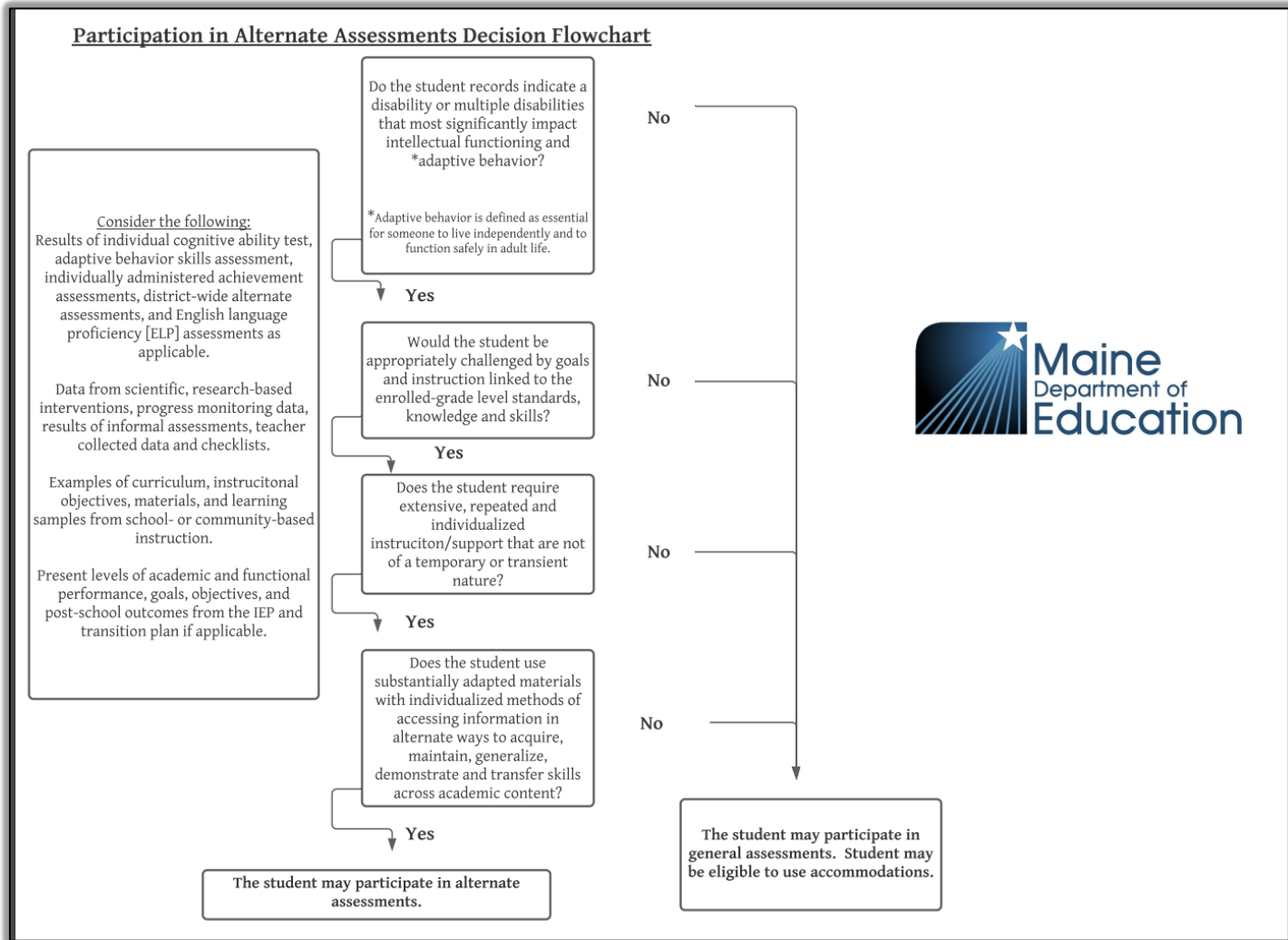
Not applicable.

❖ This section is a MUST fill

If the child requires the alternate assessment:

- Check “Yes”
- Provide an explanation
- Child’s academic goals require objectives

Section: 6B Alternate Assessment



<https://www11.maine.gov/doe/learning/specialed/assessment>



Section: 6B Alternate Assessment

If the student is determined eligible for alternate assessment per the Participation Guideline document, all academic goals must have short-term objectives aligned to the Alternate Academic Achievement Standards (AA-AAAS).

34 CFR 300.320(a)(2)(ii)

MUSER IX.3.A(1)(a)(iii)

These are students who are learning content adapted from grade level standards, reduced in breadth, depth, and complexity. In Maine, these alternate academic achievement standards are the Core Content Connectors in ELA and Mathematics and the Extended Performance Expectations in Science.

<https://www.maine.gov/doe/learning/specialized/assessment>

Section: 6B Alternate Assessment

Present Levels of Academic Performance (MUSER IX.3.A.(1)(a)(i) & (ii):

Lily is currently able to participate in conversations (including but not limited to: eye contact with the speaker, use of text to speech device), and express her own thoughts in 5 out of 10 opportunities per week.

Measurable Goal (MUSER IX.3.A.(1)(b) & (c)

Progress:

By date, given service, child's name will skill as measured by evidence.

By November 5, 2024, given specially designed instruction in reading strategies, Lily will participate in conversations and express her own thoughts in 8 out of 10 opportunities per week as measured by teacher observation and data collection. CCSL.1

Objective(s) required? Yes No

By date, given service, child's name will skill as measured by evidence.

By February 5, 2024, given specially designed instruction in reading strategies, Lily will participate in conversations and express her own thoughts in 6 out of 10 opportunities per week as measured by teacher observation and data collection.

By May 5, 2024, given specially designed instruction in reading strategies, Lily will participate in conversations and express her own thoughts in 7 out of 10 opportunities per week as measured by teacher observation and data collection.

Section 6: Supplementary Aids, Services, Modifications and/or Supports

Resources

- [PEAK Parent Center Accommodations & Modifications Fact Sheet](#)
- [Maine Through Year Assessment Overview | Maine Department of Education](#)
- [Multilingual Learners with Disabilities| Maine Department of Education](#)
 - [Multilingual Learner Document](#) – link to recorded training
- [MSAA Overview | Maine Department of Education](#)

Section 7: Special Education and Related Services

7. SPECIAL EDUCATION AND RELATED SERVICES (MUSER IX.3.A.(1)(d) & IX.3.A.(1)(g))

Special Education Services	Position Responsible	Location	Frequency	Duration Beginning and End Date
Specially Designed Instruction				
Speech/Language Services				
Consultation				
Tutorial Instruction				
Extended School Year				
Related Services	Position Responsible	Location	Frequency	Duration Beginning and End Date
Speech/Language Services				
Occupational Therapy				
Physical Therapy				
Social Work Services				
Nursing Services				
Behavioral Health Day Treatment				
Transportation				
Other				

Child's needs drive services and their frequencies not the school or program schedule.

Consider this

Schoolwide block scheduling looks like this –

9:00-10:00	Special Ed Study Hall
9:00-10:00	General Ed Study Hall

Student's IEP looks like this –

Special Education Services	Position Responsible	Location	Frequency	Duration Beginning and End Date
Specially Designed Instruction Reading Comprehension	Special Education Teacher	Special Education	30 minutes per week	11/2/2022 – 11/1/2023

Once the student is finished working on goals related to Reading Comprehension, they should be offered the opportunity to return to General Ed. If it is in Section 6 of their IEP as an accommodation, they may choose to stay.

The student's IEP should reflect their Distinctly/Measurable Skill Deficits and should not be written to align with school scheduling.

Section 7: Special Education and Related Services

7. SPECIAL EDUCATION AND RELATED SERVICES (MUSER IX.3.A.(1)(d) & IX.3.A.(1)(g))				
Special Education Services	Position Responsible	Location	Frequency	Duration Beginning and End Date
Specially Designed Instruction	MUST FILL - Certified special educators or licensed related service providers are positions responsible	MUST FILL - Special Education Setting, General Education Setting, or Special Education/General Education Setting Location	MUST FILL - Minutes, hours, weekly, daily, or monthly	MUST FILL
Speech/Language Services				
Consultation				
Tutorial Instruction				
Extended School Year				
Related Services				Duration Beginning and End Date
Speech/Language Services				MUST FILL
Occupational Therapy				
Physical Therapy				
Social Work Services				
Nursing Services				
Transportation				
Other				

Speech/Language services are a direct special education service when:

1. The child is a child with a Speech/Language impairment (solely or as a part of a Multiple Disability)
2. The child is a child with Autism and Speech/Language services are the child's only service.

Section 7: Special Education and Related Services

-Indicate the specialized instruction services the child requires. **For children ages 5-20**, each identified instructional area should be listed unless the child is accessing a self-contained program.

ex. Given SDI in ELA/Behavior Support
Given SDI in ELA and OT consultation.

Procedural Manual pg. 32

Section 7: Special Education and Related Services

7. SPECIAL EDUCATION AND RELATED SERVICES (MUSER IX.3.A.(1)(d) & IX.3.A.(1)(g))

Special Education Services	Position Responsible	Location	Frequency	Duration Beginning and End Date
Specially Designed Instruction ELA/Behavior Support	Special Education Teacher	Special Education/General Education	225 minutes weekly	10/15/2023-10/14/2024
Speech/Language Services				
Consultation				
Tutorial Instruction				
Extended School Year	Special Education Teacher	Special Education	24 hours/week	7/8/2024-8/16/2024
Related Services	Position Responsible	Location	Frequency	Duration Beginning and End Date
Speech/Language Services				
Occupational Therapy Consult	Occupational Therapist	Special Education	30 min monthly	10/15/2023-10/14/2024
Physical Therapy				
Social Work Services				
Nursing Services				
Transportation				
Other				



Every Service

needs a

Goal

Every Goal

needs a

Service

Section 5

Present Levels of Functional/Developmental Performance (MUSER IX.3.A.(1)(a)(i) & (ii):

Elaine can independently utilize a tool from her individualized tool kit, in 0 out of 5 opportunities.

Measurable Goal (MUSER IX.3.A.(1)(b) & (c)

Progress:

By date, given service, child's name will skill as measured by evidence.

By 10/14/2024, given specially designed instruction and consult from an occupational therapist, Elaine will independently utilize a tool from her individualized tool kit, (including but not limited to break card, help card, fidget, first/then board, or similar) in 4 out of 5 opportunities as measured by teacher observation and data collection.



7. SPECIAL EDUCATION AND RELATED SERVICES (MUSER IX.3.A.(1)(d) & IX.3.A.(1)(g))

Special Education Services	Position Responsible	Location	Frequency	Duration Beginning and End Date
Specially Designed Instruction Self-Regulation Skills	Special Education Teacher	Special Education	30 minutes per day	10/15/2023-10/14/2024
Related Services	Position Responsible	Location	Frequency	Duration Beginning and End Date
Occupational Therapy Consultation	Occupational Therapist	Special Education/General Education	15 minutes per month	10/15/2023-10/14/2024

- **Consultation** is to ensure that skills developed in a previously more restrictive setting (SDI) are being carried over into a less restrictive setting (general education setting). It is specific to student goals and should be documented in the goal itself. *“Given consultation, child will...”* or *“Given specially designed instruction and consultation child will...”*

Section 7

Related Services	Position Responsible	Location	Frequency	Duration Beginning and End Date
Speech/Language Services				
Occupational Therapy Consult	Occupational Therapist	Special Education	30 min monthly	10/15/2023- 10/14/2024

 **Goal**

- Discussion of progress and accommodations is not consultation. This should be documented in **Section 6** as an accommodation.

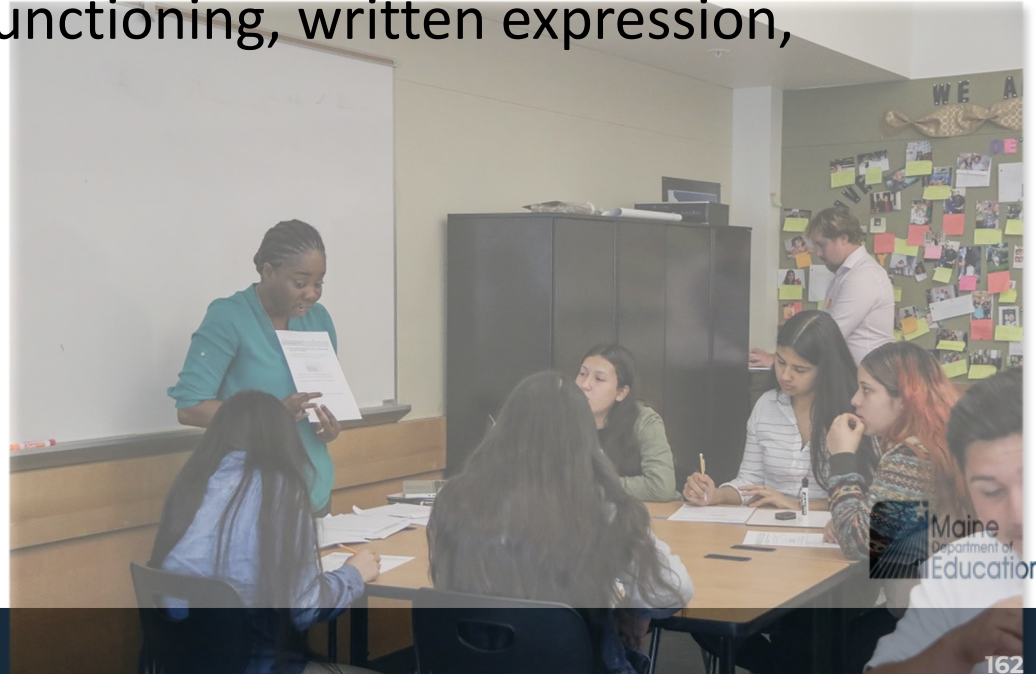
Section 6

Related Services	Position Responsible	Location	Frequency	Duration Beginning and End Date
Regular Education Teacher/Occupational Therapist Collaboration	<input type="checkbox"/> State Assessment <input checked="" type="checkbox"/> Other	General Education Setting	As Needed	11/14/2022- 11/13/2023

 **Goal**

Section 7: Special Education and Related Services

- Content areas such as: Social Studies, Science, Health, etc. should not be identified in the service grid.
- Do not write goals around Social Studies, Science, Health etc.
- If a student requires support in one of these content areas, SDI should be provided in the specific skill deficit (reading comprehension, executive functioning, written expression, etc.).



Chat Box Check In



Section 8: Least Restrictive Environment

8. LEAST RESTRICTIVE ENVIRONMENT

FOR CHILDREN AGES 3-5 ONLY (CDS)

What percentage of time is this child with non-disabled children?

General Education Setting

Special Education Setting

More than or equal to
10 hours

Less than 10 hours

Total # of hours:

An explanation of the extent, if any, to which the child will not participate with non-disabled children in the regular class and in extracurricular and other non-academic activities (MUSER IX.3.A.(1)(e)):

FOR K-12 ONLY

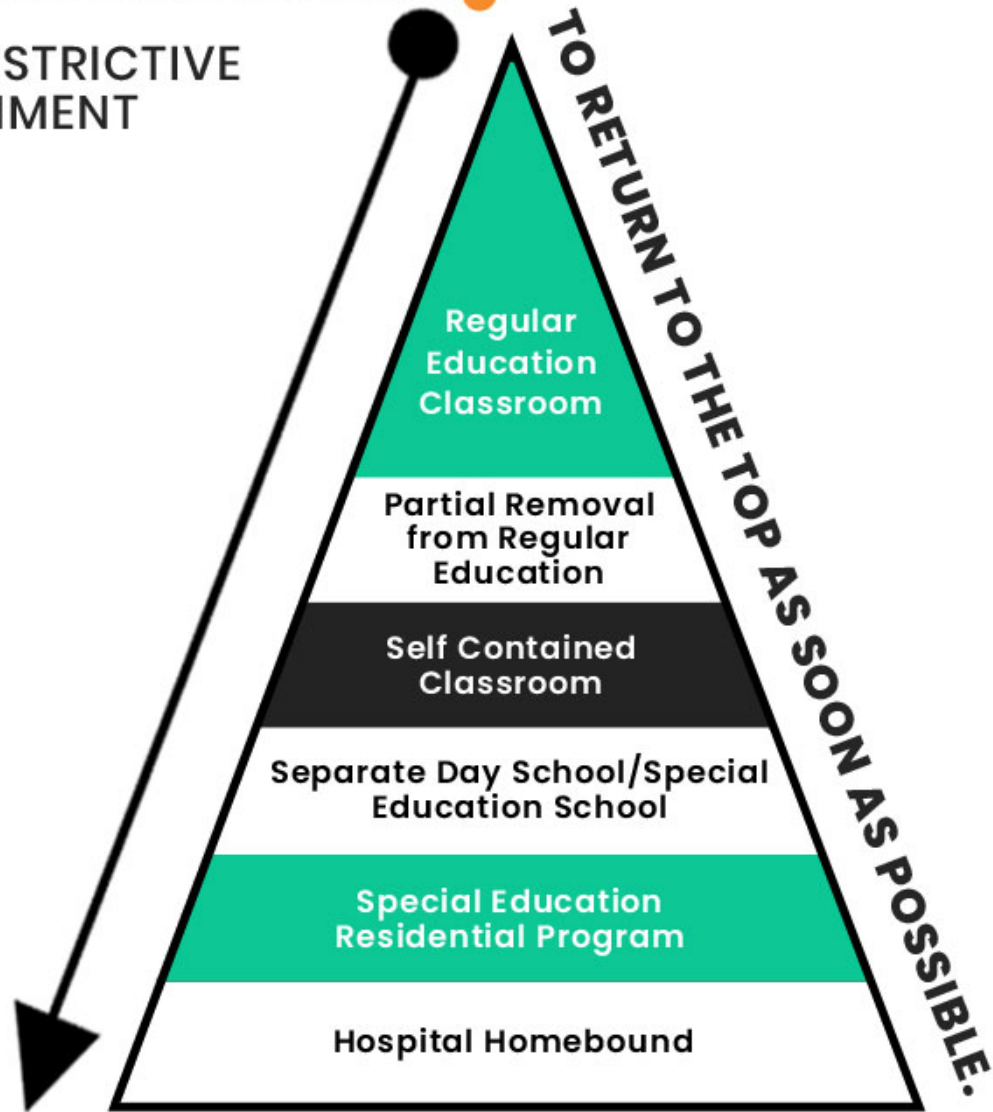
What percentage of
time is this child with
non-disabled children?
%

An explanation of the extent, if any, to which the child will not participate with non-disabled children in the regular class and in extracurricular and other non-academic activities (MUSER IX.3.A.(1)(e)):

Section 8: Least Restrictive Environment

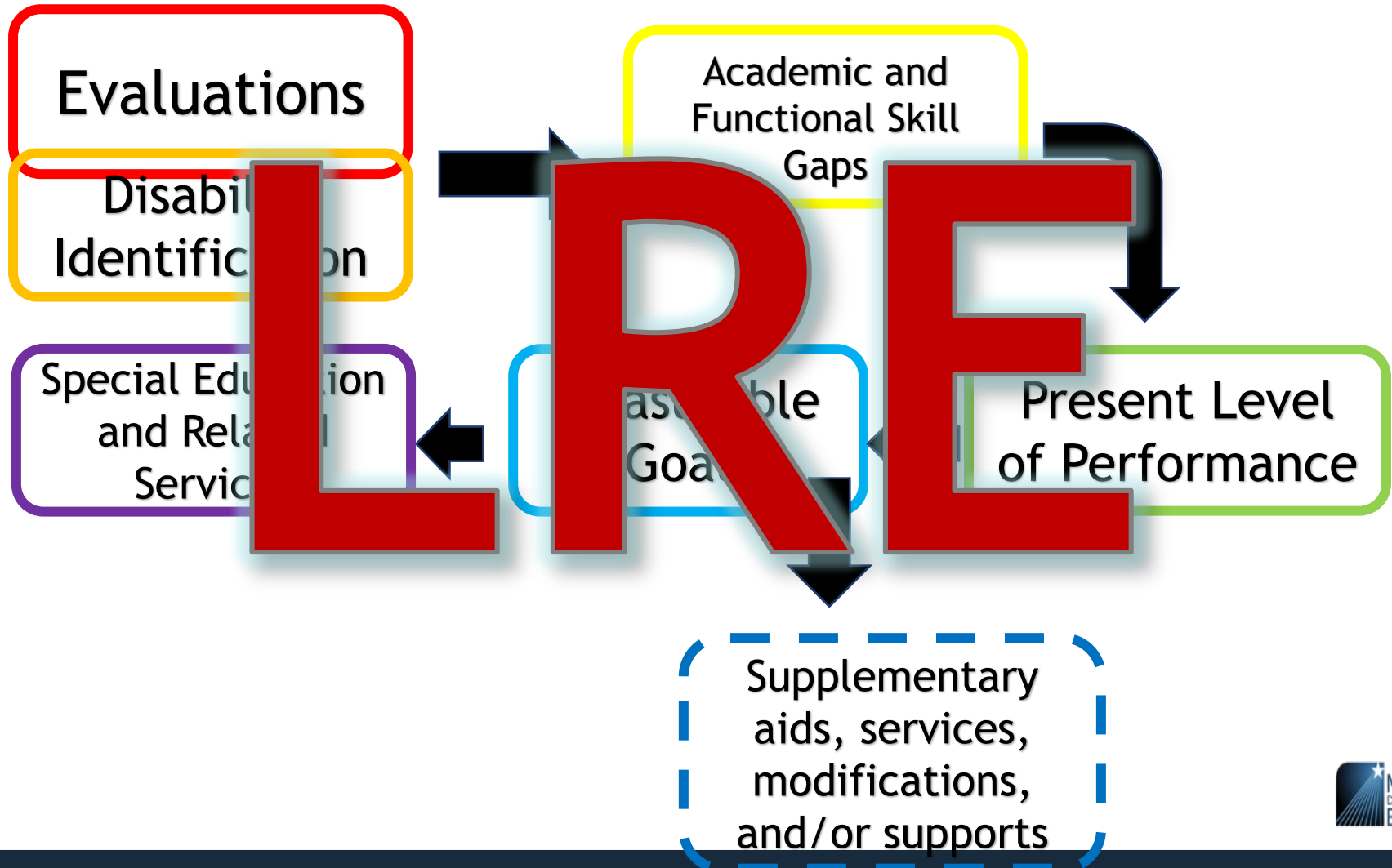
“To the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, shall be educated with children who are not disabled, and special classes, separate schooling, or other removal of students with disabilities from the regular educational environment shall occur only when the nature or severity of the disability of a child is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.” MUSER [20 USC 1412(a)(5) and 34 CFR 300.114]

LEAST RESTRICTIVE ENVIRONMENT



MOST RESTRICTIVE ENVIRONMENT

All of the IEP components together will guide the Least Restrictive Environment discussion.



Section 8: Least Restrictive Environment

- LRE is about the student's access to general education instruction
 - Working on completely different skills or a subset of skills than what their peers are learning, within the general education classroom, is **not LRE**
 - Working on a subset of skills of the general education content, within the general education, classroom **is LRE**
- **When in the general education setting, are they receiving the same access to general education curriculum as their peers?**

Section 8: Least Restrictive Environment

8. LEAST RESTRICTIVE ENVIRONMENT

FOR CHILDREN AGES 3-5 ONLY (CDS)			
What percentage of time is this child with non-disabled children?			An explanation of the extent, if any, to which the child will not participate with non-disabled children in the regular class and in extracurricular and other non-academic activities (MUSER IX.3.A.(1)(e)):
General Education Setting		Special Education Setting	
More than or equal to 10 hours <input type="checkbox"/>	Less than 10 hours <input type="checkbox"/>	Total # of hours:	
FOR K-12 ONLY			
What percentage of time is this child with non-disabled children? 73%		An explanation of the extent, if any, to which the child will not participate with non-disabled children in the regular class and in extracurricular and other non-academic activities (MUSER IX.3.A.(1)(e)): Sammy's Other Health Impairment due to ADHD is to such a degree that he requires individual and small group instruction in the special education environment.	



Let's Review...



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7. SPECIAL EDUCATION AND RELATED SERVICES (MUSER IX.3.A.(1)(d) & IX.3.A.(1)(g))

Special Education Services	Position Responsible	Location	Frequency	Duration Beginning and End Date
Specially Designed Instruction Reading Comprehension	Special Education Teacher	Special Education	30 minutes per week	11/2/2022 – 11/2/2023
Science	Special Education Teacher	Regular Education	45 minutes per week	11/2/2022 – 11/2/2023

What's wrong?



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7. SPECIAL EDUCATION AND RELATED SERVICES (MUSER IX.3.A.(1)(d) & IX.3.A.(1)(g))

Special Education Services	Position Responsible	Location	Frequency	Duration Beginning and End Date
Specially Designed Instruction Reading Comprehension	Special Education Teacher	Special Education	30 minutes per week	11/2/2022 – 11/2/2023
Science	Special Education Teacher	Regular Education	45 minutes per week	11/2/2022 – 11/2/2023

Tell us in the Chat Box why this is not compliant.

What's wrong?



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7. SPECIAL EDUCATION AND RELATED SERVICES (MUSER IX.3.A.(1)(d) & IX.3.A.(1)(g))

Special Education Services	Position Responsible	Location	Frequency	Duration Beginning and End Date
Specially Designed Instruction Reading Comprehension	Special Education Teacher	Special Education	30 minutes per week	11/2/2022 – 11/2/2023
Science	Special Education Teacher	Regular Education	45 minutes per week	11/2/2022 – 11/2/2023

- You would not provide SDI in Science
- Student does not have a disability in Science
- Address through the SDI in Reading Comprehension
- IEP Duration date is incorrect: should only run 364 days

Duration Beginning and End Date
11/2/2022 – 11/1/2023

Instead...



7. SPECIAL EDUCATION AND RELATED SERVICES (MUSER IX.3.A.(1)(d) & IX.3.A.(1)(g))

Special Education Services	Position Responsible	Location	Frequency	Duration Beginning and End Date
Specially Designed Instruction Reading Comprehension	Special Education Teacher	Special Education	30 minutes per week	11/2/2022 – 11/1/2023

Try this



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Let's Review...



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7. SPECIAL EDUCATION AND RELATED SERVICES (MUSER IX.3.A.(1)(d) & IX.3.A.(1)(g))

Special Education Services	Position Responsible	Location	Frequency	Duration Beginning and End Date
Specially Designed Instruction Reading Fluency	Educational Technician		30 minutes per week	9/5/2022 – 9/4/2023
Speech/Language Services Consultation				
Tutorial Instruction				
Extended School Year	Educational Technician		4 hours per day	9/5/2022 – 9/4/2023
Related Services	Position Responsible	Location	Frequency	Duration Beginning and End Date
Speech/Language Services	Speech/Language Pathologist		60 minutes per week	9/5/2022 – 9/4/2023

What's wrong?



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7. SPECIAL EDUCATION AND RELATED SERVICES (MUSER IX.3.A.(1)(d) & IX.3.A.(1)(g))

Special Education Services	Position Responsible	Location	Frequency	Duration Beginning and End Date
Specially Designed Instruction Reading Fluency	Educational Technician		30 minutes per week	9/5/2022 – 9/4/2023
Speech/Language Services Consultation Tutorial Instruction				
Extended School Year	Educational Technician		4 hours per day	9/5/2022 – 9/4/2023
Related Services	Position Responsible	Location	Frequency	Duration Beginning and End Date
Speech/Language Services	Speech/Language Pathologist		60 minutes per week	9/4/2022 – 9/4/2023

Tell us in the Chat Box why this is not compliant.



What's wrong?

7. SPECIAL EDUCATION AND RELATED SERVICES (MUSER IX.3.A.(1)(d) & IX.3.A.(1)(g))

Special Education Services	Position Responsible	Location	Frequency	Duration Beginning and End Date
Specially Designed Instruction Reading Fluency	Educational Technician		30 minutes per week	9/5/2022 – 9/4/2023
Speech/Language Services				
Consultation				
Tutorial Instruction				
Extended School Year	Educational Technician		4 hours per day	9/5/2022 – 9/4/2023
Related Services	Position Responsible	Location	Frequency	Duration Beginning and End Date
Speech/Language Services	Speech/Language Pathologist		60 minutes per week	9/5/2022 – 9/4/2023

- Location is blank
- Educational Technician can not be the Person Responsible
- ESY is documented for whole IEP and not ESY dates

Instead...



7. SPECIAL EDUCATION AND RELATED SERVICES (MUSER IX.3.A.(1)(d) & IX.3.A.(1)(g))

Special Education Services	Position Responsible	Location	Frequency	Duration Beginning and End Date
Specially Designed Instruction Reading Fluency	Special Education Teacher	Special Education	30 minutes per week	9/5/2022 – 9/4/2023
Speech/Language Services				
Consultation				
Tutorial Instruction				
Extended School Year	Special Education Teacher	Special Education	4 hours per day	7/5/2022 – 8/15/2022
Related Services	Position Responsible	Location	Frequency	Duration Beginning and End Date
Speech/Language Services	Speech/Language Pathologist	Special Education	60 minutes per week	9/5/2022 – 9/4/2023

Just One More



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What's wrong?



8. LEAST RESTRICTIVE ENVIRONMENT

FOR CHILDREN AGES 3-5 ONLY (CDS)			
What percentage of time is this child with non-disabled children?			An explanation of the extent, if any, to which the child will not participate with non-disabled children in the regular class and in extracurricular and other non-academic activities (MUSER IX.3.A.(1)(e)):
General Education Setting		Special Education Setting	
More than or equal to 10 hours <input type="checkbox"/>	Less than 10 hours <input type="checkbox"/>	Total # of hours:	
FOR K-12 ONLY			
What percentage of time is this child with non-disabled children? 33%	An explanation of the extent, if any, to which the child will not participate with non-disabled children in the regular class and in extracurricular and other non-academic activities (MUSER IX.3.A.(1)(e)): Lisa attends all specials as well as lunch and recess with her peers but receives specially designed instruction 18 hours/week and speech & language therapy 2 hours/week.		

Tell us in the Chat Box why this is not compliant.

What's wrong?



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8. LEAST RESTRICTIVE ENVIRONMENT

FOR CHILDREN AGES 3-5 ONLY (CDS)			
What percentage of time is this child with non-disabled children?			An explanation of the extent, if any, to which the child will not participate with non-disabled children in the regular class and in extracurricular and other non-academic activities (MUSER IX.3.A.(1)(e)):
General Education Setting		Special Education Setting	
More than or equal to 10 hours <input type="checkbox"/>	Less than 10 hours <input type="checkbox"/>	Total # of hours:	
FOR K-12 ONLY			
What percentage of time is this child with non-disabled children? 33%	An explanation of the extent, if any, to which the child will not participate with non-disabled children in the regular class and in extracurricular and other non-academic activities (MUSER IX.3.A.(1)(e)): Lisa attends all specials as well as lunch and recess with her peers but receives specially designed instruction 18 hours/week and speech & language therapy 2 hours/week.		



- Does not address nature and severity of disability
- Restates service grid

Instead...



8. LEAST RESTRICTIVE ENVIRONMENT

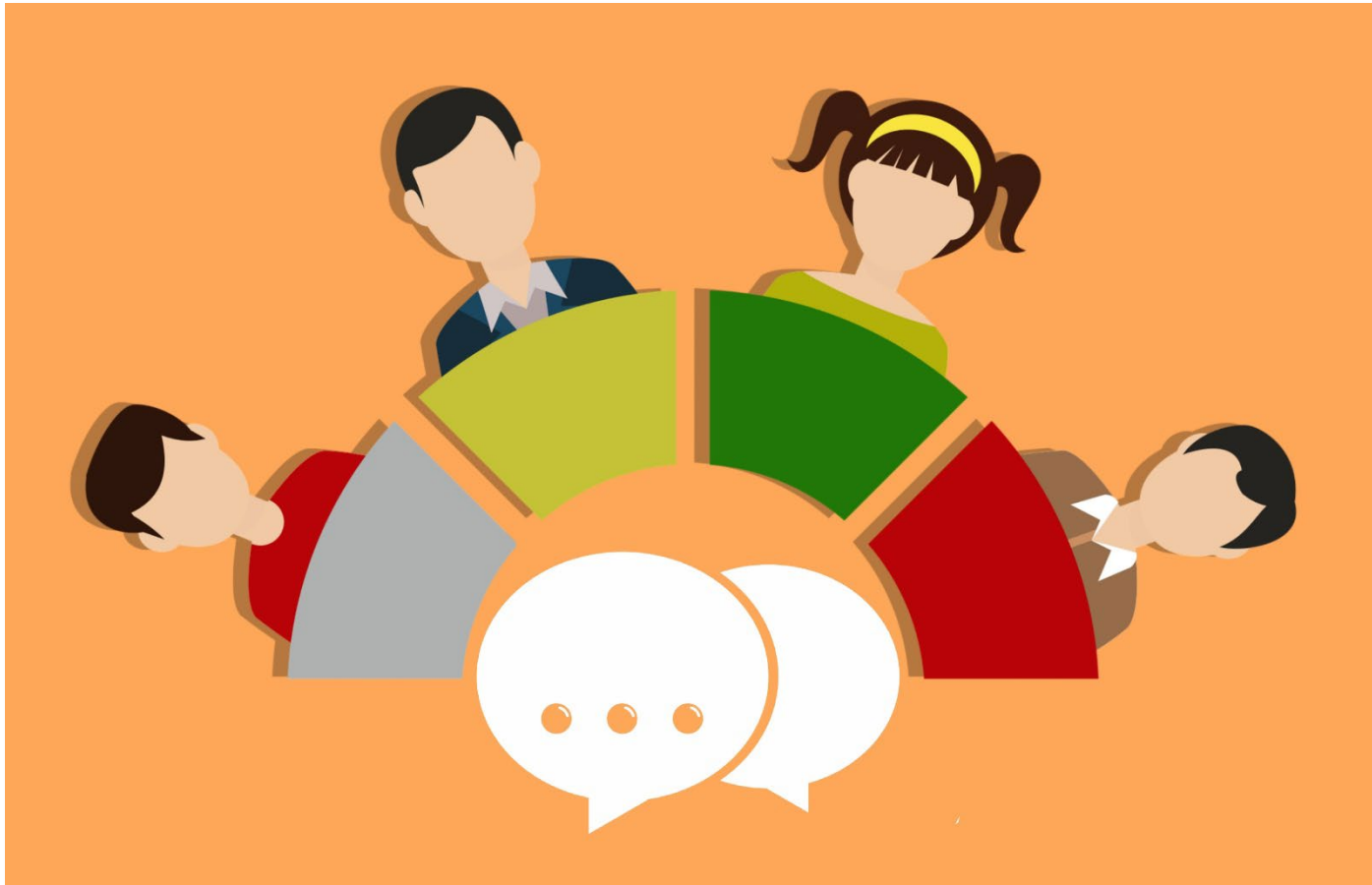
FOR CHILDREN AGES 3-5 ONLY (CDS)			
What percentage of time is this child with non-disabled children?			An explanation of the extent, if any, to which the child will not participate with non-disabled children in the regular class and in extracurricular and other non-academic activities (MUSER IX.3.A.(1)(e)):
General Education Setting		Special Education Setting	
More than or equal to 10 hours <input type="checkbox"/>	Less than 10 hours <input type="checkbox"/>	Total # of hours:	
FOR K-12 ONLY			
What percentage of time is this child with non-disabled children? 33%	An explanation of the extent, if any, to which the child will not participate with non-disabled children in the regular class and in extracurricular and other non-academic activities (MUSER IX.3.A.(1)(e)): Lisa's autism disability and accompanying deficits in academics, executive function, and social skills are such that she requires specially designed instruction in the special education setting to access her programming.		



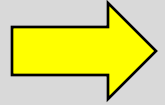
Links to our recorded trainings that will provide you more detail around the previous topics

[IEP Section 6, 7, 8](#)

Chat Box Check In



Other Considerations



As you write IEPs and work to complete other paperwork, please remember the following:



Procedural Manual

- [Written Notice](#)
- [Eligibility Forms](#)
- [Summary of Performance](#)
- [B13-Transition Plans](#)
- [B11-Child Find](#)

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Abbreviated Day

Abbreviated school day means any day that a child eligible under this chapter attends school or receives educational services for less time than age/grade peers without disabilities within the same school and/or school program. (MUSER VI.2.L)

Abbreviated School Day does not apply to change in placement under Section XVII, Discipline of Children with Disabilities

(MUSER VI.2.L)

Abbreviated Day

Questions?



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- Put in chat,
- something that you got clarification around and/or
 - questions answered from today's training related to the IEP?

THINK
ABOUT
THINGS
DIFFERENTLY

Resources



Resources

Procedural Manual



Special Education Required Forms Procedural Manual



Updated 8/1/2020

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The IEP Committee:
Patricia Block, RSU #12
Mary Adley, Maine DOE
Laurie Lemieux, Winthrop School Dept.
Roberta Lucas, Maine DOE
Kris Michael, CDS
Shelby Thibodeau, Augusta School Dept.
Dan Hemdal, Maine DOE
Ryan Meserve, RSU #38
Riley Donovan, RSU #64

2



Resources

Maine Unified Special Education Regulations (MUSER)



05-071 Chapter 101

**Maine Unified Special Education Regulation
Birth to Age Twenty**

Effective Date:

August 25, 2017

Resources

2023-24 Cohort IEP Quick Reference Document

2023-2024 Cohort – Tips and Tricks for Writing a Compliant IEP

[For more information, click here for the Special Education Required Forms Procedural Manual](#)

<u>Finding</u>	<u>Location</u>	<u>MUSER Citation</u>	<u>Criteria</u>
RAE1	Section 4A	Results of initial or most recent evaluations of the child. 34 CFR 300.324(a)(1)(iii) MUSER IX.3.C(1)(c)	<ul style="list-style-type: none"> - Include evaluations that support the eligibility discussion - Include evaluation name - All evaluations must be dated
AFS1	Section 4B	Academic, Functional, and/or Developmental strengths of the child 34 CFR 300.324(a)(1)(i) MUSER IX.3.C(1)(a)	<ul style="list-style-type: none"> - Based on observations - Include areas of strength and relative strengths - NOT a restatement of evaluations
APG2	Section 4C	Academic needs (distinctly measurable and persistent skill gap) of the child. 34 CFR 300.324(a)(1)(iv) MUSER IX.3.C(1)(d)	<ul style="list-style-type: none"> - Academic - Distinctly Measurable and Persistent Skill Gaps - Best documented in a bulleted list - Make sure to include specific skill deficits <ul style="list-style-type: none"> - Fluency, Comprehension, etc. instead of Reading

Resources



[Professional Development Calendar](#)

[Link for Recordings and Power Points](#)



[Special Education Resources](#)

[Special Education Laws and Regulations](#)



[Special Education Forms and Reporting](#)



2023-24 Professional Development

<u>DATE</u>	<u>TOPIC/DESCRIPTION</u>
Wednesday 9/13/23	Resources
Wednesday 9/27/23	Transition from CDS to Public School
Friday 9/29/23	Q&A Session
Wednesday 10/11/23	Abbreviated Day
Tuesday 10/24/23	Fall All District IEP Training
Tuesday 10/24/23	Fall All District B-13 Training
Wednesday 10/25/23	Discipline & Manifestation Determination
Friday 10/27/23	Q&A Session
<i>*Wednesday 11/8/23*</i>	*Alignment and DIB1 (Disability Alignment)*
Wednesday 12/13/23	Orientation and Mobility
Wednesday 12/20/23	Compliant Transition Plans
Tuesday 1/9/24	Winter All District B-13 Training
Tuesday 1/9/24	Winter All District IEP Training
Wednesday 1/10/24	Advanced Written Notice & Written Notice

2023-24 Professional Development (cont.)

<u>DATE</u>	<u>TOPIC/DESCRIPTION</u>	<u>REGISTRATION LINK</u>
Wednesday 1/24/24	Present Level of Performance	
Friday 1/26/24	<u>Q&A Session</u>	
Wednesday 2/14/24	Writing Measurable Functional Goals and Avoiding Outcomes	
Wednesday 2/28/24	Transition from CDS to Public School	
<i>*Wednesday 3/13/24*</i>	<i>*Least Restrictive Environment*</i>	
Wednesday 3/27/24	Forms – (AE attached to WN)	
Friday 3/29/24	<u>Q&A Session</u>	
Wednesday 4/10/24	Special Education Law for General Education Teachers	
Wednesday 4/24/24	IEP Essentials	
Friday 4/26/24	<u>Q&A Session</u>	
Thursday 5/2/24	Spring All District IEP Training	
Thursday 5/2/24	Spring All District B-13 Training	B-13 Training Registration Link (5/2/24)
Wednesday 5/8/24	Consultation/Related Service Goals	Consultation/Related Service Goals Registration Link
Wednesday 5/22/24	Data Collection	Data Collection Registration Link
Friday 5/24/24	<u>Q&A Session</u>	Q & A Registration Link

Please consider sharing the links to these PD opportunities with general education teachers:

Wednesday 10/25/23 - [Discipline & Manifestation Determination](#)

Wednesday 4/10/24 - Special Education Law for General Education Teachers

Please consider sharing the links to these PD opportunities with related service providers:

Wednesday 2/14/24 - Writing Measurable Functional Goals and Avoiding Outcomes

Wednesday 5/8/24 - Consultation/Related Service Goals



Professional Learning Feedback and Contact Hour Form.

Use the link to complete the form on your computer

OR

Use the QR code to complete the form on your mobile device



Feedback and Contact Hours

Complete this form to provide us with feedback and receive your contact hour certificate. Your feedback matters to us!

* Required

1

Did the training content meet your expectations? *

Yes

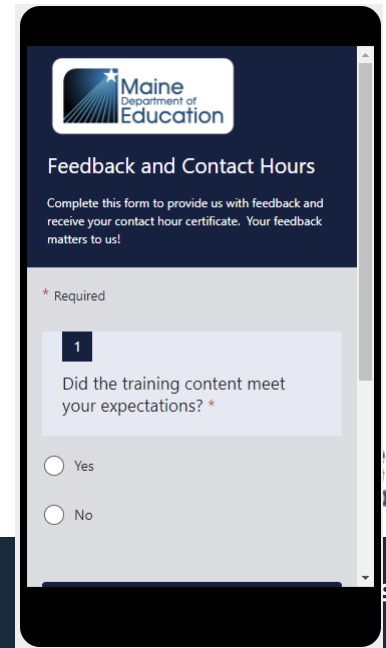
No

Next

<https://forms.office.com/g/by472QQLDJ>

**YOUR
VOICE
MATTERS.**

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Maine Department of Education

Feedback and Contact Hours

Complete this form to provide us with feedback and receive your contact hour certificate. Your feedback matters to us!

* Required

1

Did the training content meet your expectations? *

Yes

No



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This Training was Recorded.

Please contact Julie Pelletier at
julie.pelletier@maine.gov for the recording.