SUSAN MARKS & ADVOCATES, PLLC
A LAW FIRM FOR DISABILITY-RELATED ISSUES

IEP Advocacy

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SUSAN MARKS & ADVOCATES

Laws/Rules that guide the IEP Process

The Individualized Education Program (IEP) 34 CFR §300.320

The Individualized Education Program (IEP) is an important written record of the decisions reached by the team members at the IEP team meeting.

- o Disabilities Education Act (IDEA)
- o The Arizona Revised Statutes (ARS)
- o Arizona Administrative Code (State Board of Education Rules).

Structure of the IEP

1. PLAAFP

2. Goals

3. Special Education Services

4. Related Services

4. Supplementary Aids and Services

5. Program Modifications or Supports for School Personnel

LOCATED IN THE BACK OF IEP- CHECKLIST AREA

- ❖ Behavior—strategies, including positive behavioral interventions and supports to address behavior that interferes with learning.
- ❖ Communication needs having been considered.
- ❖ Assistive technology devices and services (high and/or low tech)

PLAAFP= Foundation…guides goals

o Academic Achievement, Functional Performance

o Progress in General Curriculum

o CONNECTED TO STRENGTHS AND NEEDS

Provides:
◦ Information about present levels that leads to goals.
◦ Information related to the most recent evaluation data as well as current classroom data.
◦ Baseline data for measurable IEP goals. (optional in the PLAAFP—the baseline may be in the PLAAFP or with the goal)

Sample: STRENGTHS and NEEDS

1. X seeks affection and attention from adults.

2. X is deeply affected by other people's emotions and will often cry if another child is crying and displays empathy for both peers and adults.

3. X has a good memory and often memorizes song lyrics.

4. X has acquired some early academic skills such as identifying most, but not all, uppercase letters. Not b and d

5. X can count to 30.- identify numbers 1-10

6. X can seek help and has displayed self advocacy skills. Verbalizes when he needs assistance in opening up foods, controller with the wi, passcode for the ipad, goldfish container, yogurt container.

7. X will tell his brother when he is upset by, "X please stop."

8. X shows flexibility in trying new tasks, but prefer routines.

9. X has made significant improvements in his home ABA (see BCBA for data and comments)

10. X has made great improvements in language and behavior skills in systematic ABA instruction in the home setting. From ipad to verbal language. Beginning of the year 2-3 work sentences, and now he is at 6-7 word sentences. He correctly uses pronouns….

11. X has begun to seek his brother and include him in play activities, such as tag. X will allow his brother and peers into his play.

1. X needs to increase his social skills so that he can initiate interact with his peers and develop friendships.

2. X needs to have typical peers to model behavior skills, language skills, social skills and academic skills.

3. X needs to increase his academic skills, including early literacy, math and writing.

a. Early literacy skills- X needs to understand the letter/sound relationships, be able to isolate letter sounds, in addition to identifying ALL uppercase and lowercase letters.

b. X needs to count to 100 and identify numbers and group numbers together using manipulatives.

c. X need to develop writing skills with use of modified writing materials.

4. X needs to work on skills in a variety of natural settings because generalization is a challenge.

5. X needs an increase in repetition and repeated trials in order to successfully learn academic material.

6. X learning style would benefit from embedded instruction.

7. X needs to practice social skills within the natural setting, with the use of embedded ABA instruction, with typical peers and appropriate language model

Considerations when developing goals

Correlated to STRENGTHS AND NEEDS in PLAAFP

Academic goals : http://www.azed.gov/standards-practices/

Social goals: http://www.ocali.org/up_doc/Autism_Social_Skills_Profile.pdf
- Does district administer the SCERTS or ABLLS-R?

General education curriculum AND "culture"

HOW a child learns. How many trials before a student learns a task.

ADD with typical peers whenever possible

IEP Goal- Overview

Again, there must be a correlation between the goal and the PLAAFP.

Have skills that can be counted or observed.

Have baseline data (if not in the PLAAFP).

A specific skill/behavior to be achieved (do).

When possible- WITH TYPICAL PEERS

A measurement tool or assessment strategy
- -VIDEO PROBE DATA?
- -TASK ANALYSIS DATA

IEP Goal- Criteria

Do (What is the specific skill/behavior to be achieved in this goal?)	To What Extent or Criteria (How will the student show that he/she has mastered the goal?)	As Evaluated (Identify the specific measurement tool or assessment strategy.)	Baseline (What is the present level of the student related to this skill?)	Does this goal make sense?	Is this goal measurable?

Measurable IEP goal language

Measurable or Not Measurable?

Draw	✔️	Understand	❌
Turn in	✔️	State	✔️
Determine	❌	Say	✔️
Appreciate	❌	Develop	🚧
Enhance	❌	Trace	✔️
Read orally	✔️	Improve	❌
Retell	✔️	Maintain	❌
Match	✔️	Feel	🚧
Sequence	✔️	List	✔️
Label	✔️	Participate	❌
Seek	❌	Appropriate	❌

Sample IEP Goal #1

Baseline: Student answers 2/4 who questions correctly.

After reading a first grade passage from X reading series, student will answer 4/5 related "wh-" questions with no prompting.

-4/5 what questions

-4/5 when questions

-4/5 where questions

Baseline: Student asks only "who" questions.

Sample IEP Goal #2- AAC user

IEP Goals	Mastery	WHO
X will make a **request** • Without prompting, instead spontaneous • With gestural prompting/laser • With verbal prompting Using her AAC device.	Upon at a minimum of 10 opportunities per session* 10 consecutive trials with no prompting within *X minutes (X is defined as the baseline time measurement when choosing a preferred item)	Trained AT paraprofessional
X will **identify objects** using her AAC device.	Upon at a minimum of 10 opportunities per session* 8/10 or 4/5 consecutive trials with no prompting within *X minutes (X is defined as the baseline time measurement when choosing a preferred item)	Trained AT paraprofessional
X will **request attention** from a typical peer, or adult. • Without prompting, instead spontaneous • With gestural prompting • With verbal prompting Using her AAC device.	Upon at a minimum of X times per day. X DEPENDS ON THE BASELINE	Trained AT paraprofessional

Sample IEP Goal #3- social goals

GOAL: X WILL Introduce self to others as demonstrated by 4/4 steps in a task analysis without prompting in 3 different settings. Monthly probe data given to parents in the form of video data.

1. Approaches an unfamiliar peer.

2. Orient body towards peer.

3. Says, "Hi my name is X, what's your name?"

4. Tyler will respond only with what is correlated to his question with no time delay or prompting.

GOAL: X will invite peers to join him in activities as demonstrated by 6/6 steps in a task analysis without prompting in 3 different settings. Monthly probe data given to parents in the form of video data.

1. Identify a peer that the child wants to have a conversation with.

2. Walk up to the peer.

3. Gain the peer's attention by eye contact, touching on the shoulder, or standing directly in front of the peer.

4. Ask a variety of peers, "do you want to play bowling with me?" or "do you want to play football with me?" or "do you want to read this book with me?"

5. Peer answers, and Tyler will execute the activity suggested with no time delay and no prompting.

6. If peer says no, maybe another time then Tyler will ask another friend

Sample IEP Goal #4- OT goal- kinder

NOT MEASURABLE

~~Student will cut out a circle correctly on three out of five opportunities.~~

~~Baseline: Student cannot correctly cut out any circles.~~

Student will cut out a circle within 1⁄4 inch of the outline on four out of five attempts as measured by therapy notes and work samples.

Baseline: Student can cut out a circle within one inch of the outline .

Transition Goals

- Transition assessment

- Transition goals

- Make it meaningful

- http://www.azed.gov/special-education/special-projects/secondary-transition/#Secondary%20Transition%20Planning%20Requirements

Goal TIPS & TRICKS

NO PERCENTAGES

SPECIFY "WITHOUT PROMPTING"

NO GOALS ATTACHED TO PLACEMENT

GOALS RELATED TO CLASSROOM BEHAVIORS, NOT DEVELOPMENTALLY BASED.

AGE- APPROPRIATE

SPECIFY MEASUREMENT TOOL

GET A COPY OF DATA SHEET TEMPLATE

INCREASE CRITERIA FOR MASTERY- 80%...REALLY?!

Special Education Services- PLACEMENT

Special Education Services column: It is important to be specific in describing the service to be provided. Words such as "inclusion," "resource," or "self-contained" do not describe services.

Questions: Can the student meet listed IEP goals in gen.ed setting

WHY OR WHY NOT?

HOW DO THEY KNOW?

WHAT DATA HAS BEEN COLLECTED TO SUGGEST STUDENT COULD or COUND NOT ATTAIN MEANINGFUL BENEFIT IN GEN.ED SETTING **WITH supplementary aids and services.**

IDEA '04 states that to the maximum extent appropriate, children with disabilities should be educated with children without disabilities. Schools are required to provide a variety of placement options and IEP Teams must consider all options when determining your child's placement for special education and related services. LRE refers to the educational setting best suited to address your child's learning needs.

Related Services... not just OT, PT, SLP

Inclusion facilitator- WHO will provide modifications

BCBA- Support students who have behaviors that interfere with learning.

Nursing services to oversee health aides...

Reinforcement of therapy goals by para/aide

Program Modifications or Supports for School Personnel

Program modifications refer to changes in the environment or curriculum that allows the student with the disability to be educated with nondisabled peers.

- Trained paraprofessional and general ed. teacher will modify curriculum to meet students academic level, and embed IEP goals when appropriate and fitting to the educational context.

-Student will get an increased amount of trials/ opportunities to practice IEP goals using embedded instruction. Student will need at least X amount of trials per day to work on each IEP goal.

-Breaks as initiated by the students for appropriately 2 minutes, but no more than X minutes out of the general education classroom. Logs will be kept and monitored.

Supports for school personnel include such considerations as additional training for gen.ed teachers, paraprofessionals.

-AMOUNT OF TRAINING FOR TEACHER

-AMOUNT OF TRAINING FOR PARA

-AMOUNT OF TRAINING FOR TEACHER BY RELATED SERVICE STAFF. OT/PT/SPEECH

-AMOUNT OF TRAINING IF A BIP IS INVOLVED

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Think about this…

Length of IEP

IEP preparation

Emotions

Tape record the meeting

"Sloppy copy" of notes

Parent predetermination

Possible Observation prior to IEP

Possibly include DDD or Community Mental Health organization

In IEP meeting get commitments of dates when promised evaluations/ interventions…

Follow-up email for clarification of PWN issues

ALWAYS GET DRAFT IEP AND MET PRIOR TO MEETING

PWN- Prior Written Notice

Prior Written Notice (PWN) is a document the school must give you when they propose or refuse to initiate or change your child's:

The PWN must be written in a language that is understandable to the general public and be provided in your native language or the mode of communication you use, unless it's not realistic to do so. The PWN must:

1. describe the action the school proposes or refuses to take;
2. explain why your school is proposing or refusing to take the action;
3. describe any other options that were considered and the reasons why those options were rejected;
4. describe each evaluation procedure, test and records the school used to make their decision;
5. tell you how you can obtain a description of the procedural safeguards if the action that your school is proposing or refusing is not an initial referral for evaluation;
6. include resources for you to contact for help in understanding the notice; and,
7. provide a description of other reasons why your school proposed or refused the action.

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