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DEPARTMENT OF EDUCATION
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Individual Education Program (IEP)
A Technical Assistance Guide

South Dakota Department of Education
Special Education Programs
800 Governors Drive
Pierre, SD 57501

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The Individuals with Disabilities Education Act (IDEA) was reauthorized in 2004 followed by the publication of the Federal Registers implementing regulations on August 14, 2006. The Office of Special Education Programs included in the *Federal Register the Analysis of Comments and Changes* section in the preamble which provided the rationale for each of the regulatory changes. Federal Register Analysis information included within this document is taken directly from the Federal Register to assist in providing clarification and support to the applicable section of the IEP.

Purpose of the IEP

There are two main parts of the Individual Education Program (IEP) requirement: first, the IEP **meeting**, at which parent/guardians, the student, evaluators, school personnel, and others jointly make decisions about the student's eligibility and the educational program for a student with disabilities who requires special education or special education and related services; second, the IEP **document**, which acts as a written record of the decisions reached at the meeting. The overall IEP requirements have a number of purposes and functions:

1. The IEP meeting serves as a **communication vehicle** between parent/guardians and school personnel. It enables them, as equal participants, to jointly decide what the student's needs are, what services will be provided to meet those needs, and what the anticipated outcomes will be.
2. The IEP process serves as an opportunity to **resolve any differences** between parent/guardians and school personnel, either through the meeting itself, or if necessary, through procedural safeguards available to parent/guardians.
3. The IEP sets forth in writing a **commitment of resources** necessary to enable a student with disabilities to receive needed special education or special education and related services.
4. The IEP is a **management tool** that is used to ensure that each student is provided special education or special education and related services appropriate to individual learning needs.
5. The IEP is a **compliance and monitoring** document that can be used to ensure that students are receiving a "free appropriate public education" (FAPE).
6. The IEP serves as an **evaluation device** for use in determining the extent of student's progress in the general curriculum.

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Completing the IEP

**INDIVIDUAL EDUCATION PROGRAM
ARSD 24:05:27**

STUDENT NAME:		SIMS:
PARENT/GUARDIAN NAME:		PHONE:
ADDRESS:		WK PHONE:
SCHOOL DISTRICT:		SCHOOL:
DOB:	AGE:	GRADE:
GENDER: _____	RACE: _____	

Meeting Date:	Purpose of Meeting <input type="checkbox"/> Initial Eligibility, IEP, Placement <input type="checkbox"/> Annual Review of IEP <input type="checkbox"/> Three Year Reevaluation <input type="checkbox"/> Dismissal from Services - Date Effective: <input type="checkbox"/> Parent Request <input type="checkbox"/> Other:
Date Services Begin:	
Annual Review Date:	
Date of Eligibility Determination:	
Three Year Reevaluation Due By:	

Discussed evaluation results/progress/assessment method <input type="checkbox"/> Yes _____ (Parent/Guardian initial)	Student is eligible for special education or special education and related services as determined by the IEP team <input type="checkbox"/> Yes <input type="checkbox"/> No
Copy of evaluation results received <input type="checkbox"/> Yes _____ (Parent/Guardian initial)	An annual copy of Parent/Guardian Rights was received and reviewed _____ (Date) _____ (Parent/Guardian Initial)
Transition Planning Needed <input type="checkbox"/> No <input type="checkbox"/> Yes (*If yes, attach applicable transition pages.)	A copy of the IEP was provided to parent/guardian <input type="checkbox"/> Yes _____ (Parent/Guardian Initial)

Primary Disability: _____

IEP Team Membership	Signature	Date
Parent/Guardian		
Parent/Guardian		
Student		
School Representative		
General Education Teacher		
Special Education Teacher or Provider		
Speech/Language Pathologist		
Individual who can interpret evaluation results		
Other:		
Other:		

Directions for Completing IEP Cover Page

Student Name	State the full name of the student, including middle name or initial.
Student Information Management System (SIMS)	Write the child's SIMS number in the blank. To obtain the SIMS number log into SIMS or DDN campus. If you do not have access, contact your data entry person or look in student's cumulative folder.
Parent/Guardian Information	<p>ARSD 24:05:13:04. Parent. For the purposes of this article, the term, parent, means.</p> <p>(1) A biological or adoptive parent of a child;</p> <p>(2) A foster parent, unless state law, regulations, or contractual obligations with a state or local entity prohibit a foster parent from acting as a parent;</p> <p>(3) A guardian generally authorized to act as the child's parent, or authorized to make educational decisions for the child, but not the state if the child is a ward of the state;</p> <p>(4) An individual acting in the place of a biological or adoptive parent, including a grandparent, stepparent, or other relative, with whom the child lives, or an individual who is legally responsible for the child's welfare; or</p> <p>(5) A surrogate parent who has been appointed in accordance with § 24:05:30:15.</p> <p>Except as provided below, the biological or adoptive parent, if attempting to act as the parent under this article and if more than one party is qualified under this section to act as a parent, is presumed to be the parent for purposes of this section unless the biological or adoptive parent does not have legal authority to make educational decisions for the child. If a judicial decree or order identifies a specific person or persons under subdivisions 1 to 4, inclusive, of this section to act as the parent of a child or to make educational decisions on behalf of a child, then the person or persons are deemed to be the parent for purposes of this section.</p>
	The name(s) of the child's parent/guardian must be entered here. In order to assure correspondence is sent to the proper mail address, acquire the address from the parents and document it in this section. In the event the district needs to contact parents by telephone, numbers should be documented in this space and re-checked annually.
School District	Identify the child's school district of residence.
School	Identify the school building or center that the child actually attends.
DOB	Indicate the child's full date of birth (month, day, and year).
Age	Fill in the age of the child on the <u>day</u> that the meeting is held.
Grade	Identify the regular classroom grade of the child. If the child is in a non-graded placement, identify the grade the student is enrolled as in the SIMS.
Gender	Indicate whether the child is male or female

Race	<p>Indicate the child's primary race. Hispanic/Latino (H/L), American Indian or Alaska Native (AI/AN), Asian (A), Black or African American (B/AA), Native Hawaiian or Other Pacific Islander (NH/OPI), White (W)</p> <p>For further information, see: http://www.doe.sd.gov/ofm/documents/RaceEthnicityBrochure.pdf</p>
Meeting Date	Identify the date the meeting is held (month, day, and year).
Date Services Begin	<p>Identify the date (month, day, and year) the IEP services will be initiated. This date would typically be five calendar days after the meeting date. However, if parent/guardian signs to waive the five-day waiting period before implementing services, this will be within the next five days.</p> <p>A situation in which the date may be later than the five days is as follows:</p> <ul style="list-style-type: none"> • A child is moving from the Part C program to the Part B program and the IEP is developed within 90 days prior to the child's third birthday. The date services begin would be reflected as the child's third birthday.
Annual Review Date	<p>ARSD 24:05:27:08. Yearly review and revision of individual educational programs. Each school district shall initiate and conduct IEP team meetings to periodically review each child's individual educational program and, if appropriate, revise its provisions. An IEP team meeting must be held for this purpose annually. The review shall be conducted to determine whether the annual goals for the student are being achieved. The individualized education program shall be revised, as appropriate, to address: any lack of expected progress toward the annual goals and in the general curriculum, if appropriate; the results of any reevaluation conducted; information about the student provided to, or by, the parents; the student's anticipated needs; or other matters.</p> <p>Identify the date (month, day, and year) the IEP will be reviewed by the IEP team. The date may be less than one year but cannot exceed 365 days from the <u>current meeting date</u>. This timeline cannot be extended or waived. Begin planning early with parents to establish a mutually agreeable date. If parents cannot attend the meeting within the time line, hold the meeting and reschedule a meeting with the parent to review/revise the IEP developed by the team. It is important to obtain parental input prior to the meeting and include it in the development of the IEP.</p>
Date of Eligibility Determination	<p>ARSD 24:05:24.01:01. Students with disabilities defined. Students with disabilities are students evaluated in accordance with chapter 24:05:25 as having autism, deaf-blindness, deafness, hearing loss, cognitive disability, multiple disabilities, orthopedic impairment, other health impairments, emotional disturbance, specific learning disabilities, speech or language impairments, traumatic brain injury, or vision loss, including blindness, which adversely affects educational performance, and who, because of those disabilities, need special education or special education and related services. If it is determined through an appropriate evaluation, under chapter 24:05:25, that a student has one of the disabilities identified in this chapter, but only needs a related service and not special education, the student is not a student with a disability under this article. If, consistent with this chapter, the related service required by the student is considered</p>

	<p>special education, the student is a student with a disability under this article.</p> <p>* The student must meet SD eligibility requirements for the stated disability as listed in the Administrative Rules of South Dakota.</p> <p>The eligibility date is the date the IEP team determines the student eligible for special education based on an initial evaluation or reevaluation. This date must match the date on the "eligibility document" for the most recent evaluation conducted. For most students this will be the same date as the IEP meeting date.</p> <p>Refer to the "Evaluation Quick Reference Guide" in Appendix: Document #2 (pages 67-71)</p> <p>Refer to Directions for completing the Eligibility Document in Appendix: Document #5 (Pages 96-101)</p> <p>Refer to Eligibility Document examples in Appendix: Document #6 (pages 102-157)</p>
Three Year Reevaluation Due by	This is the month, day, and year of the next three-year evaluation. This date must not exceed three years from the date of the eligibility determination date above. Reevaluation may not occur more than once a year, unless the parent and the district agree otherwise.
Purpose of Meeting	The purpose(s) must correspond with the purpose(s) stated on the meeting notice sent to the parent/guardian.

Discussed evaluation results/progress/assessment method	The parent/guardian must check the box and initial here to document evaluation results and/or progress on goals and objectives were discussed at the meeting.
Copy of evaluation results received	Parent/guardian must check the box and initial here to document a copy of evaluation results were received by the parent. If an evaluation was not conducted put N/A.
Transition Planning Needed	Transition planning needs to begin no later than the first IEP to be in effect prior to the student turning 16, or younger if determined appropriate by the IEP team. If transition is needed please use the Individual Education Plan for Transition.
Student is eligible for special...	Check the appropriate box (Yes/No) indicating the team decision regarding the eligibility status of the student.
Parent/Guardian Rights	<p>ARSD 24:05:30:06.01. Procedural safeguards notice -- Availability. A copy of the procedural safeguards available to the parents of a child with a disability must be given to the parents only one time a school year, except that a copy must also be given to the parent:</p> <ol style="list-style-type: none"> (1) Upon initial referral or parental request for evaluation; (2) Upon request by a parent; (3) In accordance with the discipline procedures in chapters 24:05:26 and 24:05:26.01; and (4) Upon receipt of the first state complaint under chapter 24:05:15 and first due process complaint under this chapter in a school year.

	A district may place a current copy of the procedural safeguards notice on its internet website if a website exists.
	After the initial referral, a copy of parent/guardian rights brochure (procedural safeguards) must be given to parents one time per year. Parent/guardian needs to initial and date this section to verify this has been done. The district should determine when the annual notification of rights will be provided. Options include, sending parent/guardian rights with the meeting notice, giving a copy to the parent/guardian on the day of the annual IEP meeting or sending a copy by mail the beginning of each school year. This date should reflect the date it actually occurs.
IEP provided to parent/guardian	A copy of the IEP must be provided to the parent/guardian at the close of the IEP team meeting. The parent/guardian must initial this section of the form that they have received a copy of the document. The copy of the IEP the parent/guardian leaves with following the meeting is the official copy of the team's decisions. It does not need to be "pretty" but it does need to contain the decisions made by the team during the meeting. The district can re-type the document to improve its appearance and send another copy to the parents after the meeting; however, the content cannot be altered.

Primary Disability	This must match the category marked in the Determination of Eligibility/Continued Eligibility Document for the most recent evaluation conducted.
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Below are the codes for the thirteen disability categories, plus developmental delay.

0500 - Deaf-Blindness 0505 – Emotional Disturbance 0510 - Cognitive Disability 0515 - Hearing Loss 0525 - Specific Learning Disability 0530 - Multiple Disabilities 0535 - Orthopedic Impairment 0540 - Vision Loss 0545 - Deafness 0550 - Speech/Language Impairment 0555 - Other Health Impaired 0560 - Autism 0565 - Traumatic Brain Injury 0570 – Developmental Delay	<p>For explicit definitions and criteria for each of the disability categories, refer to the following technical assistance guides:</p> <ol style="list-style-type: none"> 1. <u>“Determining Eligibility for Special Education in South Dakota”</u> http://doe.sd.gov/oess/documents/SPED_IEP_Directions_%20EligibilityForm.pdf 2. <u>“Special Education Progress – Reported Data Elements SIMS/DDN Campus</u> https://doe.sd.gov/ofm/documents/SIMS_SpedDataManual.pdf 3. <u>“Response to Intervention (Rtl)”</u> See special education web site http://doe.sd.gov/oess/sped_Rtl.aspx
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<p>IEP Team Membership</p>	<p>ARSD 24:05:27:01.01. IEP team. Each school district shall ensure that the IEP team for each student with disabilities include the following members:</p> <ol style="list-style-type: none"> (1) The parents of the student; (2) Not less than one regular education teacher of the student if the student is, or may be, participating in the regular education environment; (3) Not less than one special education teacher of the student or, if appropriate, at least one special education provider of the student; (4) A representative of the school district who: <ol style="list-style-type: none"> (a) Is qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of students with disabilities; (b) Is knowledgeable about the general education curriculum; and (c) Is knowledgeable about the availability of resources of the school district; (5) An individual who can interpret the instructional implications of evaluation results, who may be a member of the team described in subdivisions 2 to 6, inclusive, of this section; (6) At the discretion of the parent or the school district, other individuals who have knowledge or special expertise regarding the student including related services personnel as appropriate; (7) If appropriate, the student; and (8) Transition services participants as described in §§ 24:05:25:16.01 and 24:05:25:16.02. <p>The determination of the knowledge or special education expertise of any individual described in this section shall be made by the party (parents or district) who invited the individual to be a member of the IEP team. A district may designate another district member of the IEP team to also serve as the district representative, if the criteria in this section are satisfied.</p> <p>ARSD 24:05:25:17. Conduct of IEP team without parents. An IEP team meeting may be conducted without a parent in attendance if the district is unable to convince the parents that they should attend. The district must have written documentation of its attempts to arrange a mutually agreed upon time and place, such as the following:</p> <ol style="list-style-type: none"> (1) Detailed records and dates of telephone calls made or attempted to parents and the results of those calls; (2) Detailed copies of dated correspondence sent to the parents and any responses received; and (3) Detailed records and dates of visits made to the parent's home or place of employment and the results of those visits.
<p>NOTE: Signing as an IEP team member does not mean consent or agreement to the information developed in the IEP document. It only means the individual was present at the IEP team meeting.</p> <p>NOTE: Alternative means of meeting participation, such as video conferences and conference calls may be used. If a team member participates through alternative means, the district should document their name and how they participated under the signature section on the IEP. For example: Mary Smith, parent, participated through conference call.</p>	
<p>Parent/Guardian</p>	<p>The persons taking part in the meetings usually are the parents, foster parents, legal guardians or surrogate parents of the child. The district is responsible to make every reasonable effort to ensure one or both parents participate in the meetings for their child.</p>

Student	The student should be encouraged to participate in his/her IEP meeting, whenever appropriate. Parents and the student's IEP team will make this decision. The student <u>must be invited</u> to the IEP meeting if the purpose is the consideration of postsecondary goals and transition services. Evidence of the student invitation must be present in the student's file. If the student does not attend, the district must ensure the student's preferences and interests are considered at the meeting. Though the student's preferences and interests must be considered, only the parent has the authority to make educational decisions for the student until the student has reached the age of majority under State law.
School Representative	<p>The district representative filling this role at the IEP meeting must be:</p> <ul style="list-style-type: none"> • Qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of students with disabilities; • Knowledgeable about the general education curriculum; and • Knowledgeable about the availability of resources of the school district. <p>NOTE: The individual selected to act as the district's administrative designee "MUST" have the authority to allocate district funds and to make those decisions at the time of the IEP meeting. For example: The school counselor was selected to be the administrative designee at Alice's IEP meeting. The team decided that Alice needs a Kurzweil reading program to assist with her reading disability. The counselor stated they would have to check with the Superintendent before agreeing to buy the program. The IEP team would need to reconvene at a later date with the decision.</p> <p>In this scenario, the counselor is not familiar with the availability of district resources and cannot delegate funds. Therefore, he/she does not meet the requirements of the administrative representative.</p>
General Education Teacher	Not less than one regular education teacher of the student must attend the IEP meeting if the student is, or may be, participating in the regular education environment.
Special Education Teacher/Provider	Not less than one special education teacher of the student must attend the meeting or, if appropriate, at least one special education provider of the student.
Speech/Language Pathologist	If speech and language is the primary area of disability, the speech/language pathologist must be at the meeting. They may also be a member of the child's IEP team when speech/language is considered a related service needed by the student.
Individual who can interpret evaluation results	This member of the IEP team is an individual who can interpret the instructional implications of evaluation results. This individual may be one of the IEP team members described above.
Other:	<p>At the discretion of the parent or the district, other individuals who have knowledge or special expertise regarding the student may be invited to participate at the IEP meeting. Other members may include, but are not limited to, a psychologist, physical therapist, occupational therapist, counselor, behavior specialist, etc. Be sure to include the person's title following their name.</p> <p>Transition Requirements: If an agency is likely to be responsible for paying for or providing transition services, a representative from the agency should be invited to the</p>

annual IEP. **Prior to including the agency representative on the meeting notice,** written consent must be received from parent or student who has reached the age of majority to invite the agency to the IEP meeting. This consent must be updated annually

24:05:27:01.05. IEP team attendance. A member of the IEP team described in subdivisions 24:05:27:01.01(1) to (5), inclusive, is not required to attend an IEP team meeting, in whole or in part, if the parent of a student with a disability and the school district agree in writing that the attendance of the member is not necessary because the member's area of the curriculum or related services is not being modified or discussed in the meeting. A member of the IEP team may be excused from attending, in whole or in part, an IEP team meeting that involves a modification to or discussion of the member's area of the curriculum or related services, if:

- (1) The parent and school district consent in writing to the excusal; and
- (2) The member submits, in writing to the parent and the IEP team, input into the development of the IEP before the meeting.

NOTE: IEP team members may be excused from attending the IEP meeting with the consent of the parent and district.

Present Levels of Academic Achievement and Functional Performance

In developing each child's IEP, the IEP Team must consider 1) the strengths of the student; 2) the concerns of the parents for enhancing the education of their student; 3) the results of the initial or most recent evaluation of the student; and 4) the academic, developmental, and functional needs of the student. Provide a statement of the student's present levels of academic achievement and functional performance, including 1) how the student's disability affects the student's involvement and progress in the general education curriculum (i.e., the same curriculum as for nondisabled children); or 2) for preschool students, as appropriate, how the disability affects the student's participation in appropriate activities.

* Remember to address:

- Strengths & needs using academic achievement (skill based assessment) AND functional performance
- Transition strengths and needs including the student's preferences and interests (must be in the student's IEP by age 16)

Directions for Completing Present Levels of Academic Achievement and Functional Performance (PLAAFPs)

ARSD 24:05:25:04. Evaluation procedures -- General. School districts shall ensure, at a minimum, that evaluation procedures include the following:...

(5) A variety of assessment tools and strategies are used to gather relevant functional, developmental, and academic information about the child, including information provided by the parents, that may assist in determining:

- (a) Whether the child is a child with a disability; and
- (b) The content of the child's IEP, including information related to enabling the child:
 - (i) To be involved in and progress in the general education curriculum; or
 - (ii) For a preschool child, to participate in appropriate activities;

ARSD24:05:27:01.03. Content of individualized education program. Each student's individualized education program shall include:

- (1) A statement of the student's present levels of academic achievement and functional performance, including:
 - (a) How the student's disability affects the student's involvement and progress in the general education curriculum (i.e., the same curriculum as for nondisabled students); or
 - (b) For preschool student, as appropriate, how the disability affects the student's participation in appropriate activities;

Federal Register Analysis: It is not necessary to include a definition of “functional” in these regulations because we believe it is a term that is generally understood to refer to skills or activities that are not considered academic or related to a child’s academic achievement. Instead, “functional” is often used in the context of routine activities of everyday living. We do not believe it is necessary to include examples of functional skills in the regulations because the range of functional skills is as varied as the individual needs of children with disabilities. We also decline to include examples of how functional skills are measured because this is a decision that is best left to public agencies, based on the needs of their children. However, it should be noted that the evaluation procedures used to measure a child’s functional skills must meet the same standards as all other evaluation procedures, consistent with §300.304(c)(1).

ARSD 24:05:27:01.02. Development, review, and revision of individualized education program. In developing, reviewing, and revising each student's individualized education program, the team shall consider the strengths of the student and the concerns of the parents for enhancing the education of their student, the results of the initial or most recent evaluation of the student, the academic, developmental, and functional needs of the student.

The Present Levels of Academic Achievement and Functional Performance (PLAAFP) is a summary describing the student's current achievement/performance in the skill areas affected by the disability as determined by a comprehensive evaluation.

Refer to Appendix: Document # 8 (pages 160-170) for examples of PLAAFPs.

For students of transition age, the team must identify where the student is functioning in relationship to what he/she plans to do after finishing high school. For details refer to the “Technical Assistance Guide for Transition in The IEP”. <http://www.tslp.org/IEP.htm>

<p>Strengths</p>	<p>For area(s)affected by the disability (i.e. math reasoning, math calculation, reading, behavior, transition, written language, articulation, fine motor etc.), there needs to be a list of <u>specific skills/concepts</u> pinpointing what the student is able to perform in the general education curriculum. These strengths represent the specific skills the student can demonstrate in an academic/ educational setting. This list of skills comes from a variety of skill-based/ developmental assessment information gathered during the initial or reevaluation process. These strengths may be listed in the PLAAFP as bullets or in paragraph form.</p> <p>DO NOT: Put test scores in the PLAAFPs</p>
<p>Needs</p>	<p>For area(s)affected by the disability (i.e. math, reading, behavior, transition, written language, articulation, fine motor etc), there needs to be a list of <u>specific skills</u> or concepts pinpointing what the student is unable to perform in the general education curriculum. These needs represent the specific skills the student cannot demonstrate in an academic/educational setting. This list of skills comes from a variety of skill based/developmental assessment information gathered during the initial or reevaluation process. These needs may be listed in the PLAAFP as bullets or in paragraph form.</p> <p>DO NOT: Put test scores in the PLAAFPs</p>
<p>Effect of the disability on progress/involvement in the general curriculum</p>	<p>The team needs to discuss and document what impact the disability is having on the student’s ability to perform in general education curriculum. This statement must describe what the disability “looks like” as it presents itself in the general education setting.</p> <p>DO NOT: Make or write placement decision, such as, “Student needs assistance from the resource room in order to be successful.”</p>
<p>Parent/Guardian Input</p>	<p>Encourage parent/guardian to be an active part of the IEP process. Their input is a vital component in addressing the student’s needs. Document the parent/guardian concerns or comments regarding the evaluation results, PLAAFPs, etc. If the parent does not have concerns, note that as well.</p>

Consideration of Special Factors

Is the student limited English proficient? Yes No

If the answer to this question is "yes", please explain the language needs of the student as these needs relate to the student's IEP. _____

Are there any special communication needs? Yes No

If the answer to this question is "yes", please explain the communication needs of the child, and in the case of a child who is deaf or hard of hearing, consider the child's language and communication needs, opportunities for direct communications with peers and professional personnel in the child's language and communication mode, academic level, and full range of needs, including opportunities for direct instruction in the child's language and communication mode.

Does the student require Braille? Yes No

If the answer to this question is "yes", what instruction in Braille and use of Braille will be provided?

Does the student's behavior impede his or her learning or that of others? Yes No

If yes, what strategies are required to appropriately address this behavior, including positive behavioral interventions and supports?

Does the student require Assistive Technology Devices and Services? Yes No

If yes, what device or service will be provided?

Physical Education: Regular Not Required Adaptive:

Refer to Goals/Goals & Objectives _____

Hearing Aid Maintenance: Not Applicable Yes: Personnel Responsible for Monitoring: _____

Describe the monitoring process/frequency necessary for maintenance:

Assessment

- Student will be taking state and district-wide assessments with or without accommodations.
- Student will be taking state and district-wide alternate assessment (The alternate assessment is for students working in the alternate achievement standards) (Annual goal and short term objectives required)
 - a. Does the student meet the significant cognitive disability criteria? (If no, student is not eligible to take the alternate assessment) Yes No
 - b. Explain the reason why the student cannot participate in the regular assessment.
 - c. Explain the reason why the alternate assessment selected is appropriate for this student
- No state and/or district-wide assessments are required at this student's grade level during the course of this annual IEP.

Directions for Completing Consideration of Special Factors

<p>ARSD 24:05:27:01.02. Development, review, and revision of individualized education program. In developing, reviewing, and revising each student's individualized education program, the team shall consider the strengths of the student and the concerns of the parents for enhancing the education of their student, the results of the initial or most recent evaluation of the student, the academic, developmental, and functional needs of the student...</p>	
<p>Is the student limited English proficient?</p>	<p>ARSD 24:05:27:01.02. (2) In the case of a student with limited English proficiency, consider the language needs of the student as these needs relate to the student's individualized education program;...</p> <p>ARSD 24:05:25:04.03. Determination of eligibility.... A student may not be determined to be a student with a disability if the determinant factor for that decision is lack of appropriate instruction in reading, including the essential components of reading instruction as defined in ESEA, or lack of appropriate instruction in math or limited English proficiency and if the student does not otherwise meet the eligibility criteria under chapter § 24:05:24.01.</p> <p>Federal Register Analysis: Students who have Limited English Proficiency (LEP) are students whose primary language is something other than English. In order to evaluate a student with limited English proficiency who may have a disability, it is important to first determine the student's primary language and proficiency in English (Ortiz, 1977). The purpose for establishing the student's primary or dominant language is twofold: (1) To determine if the disability is evident in the primary language rather than learning of a second language, English; and (2) If the disability is evident in the student's primary language, then instruction for implementation of the IEP needs to be provided in the student's primary language.</p>
	<p>For example: The student may visit a language tutor or receive extra assistance in the area of his/her second language.</p>
<p>Are there any special communication needs?</p>	<p>ARSD 24:05:27:01.02. (4) Consider the communication needs of the student and, in the case of a student who is deaf or hard of hearing, consider the student's language and communication needs, opportunities for direct communication with peers and professional personnel in the student's language and communication mode, academic level, and full range of needs, including opportunities for direct instruction in the student's language and communication mode...</p> <p>Regardless of a child's disability, IEP teams must consider a child's communication needs to determine what support(s) are needed in order for them to fully participate and progress in the general education curriculum and nonacademic activities. In determining the child's communication needs, the IEP team might ask:</p> <ul style="list-style-type: none"> • Does the child communicate appropriately and effectively, and if not, why not? How would the deficit in communication be described? • What communicative demands and opportunities does the child have? • Does the child have the skills and strategies necessary to meet those communicative demands and take advantage of communicative opportunities?

	<ul style="list-style-type: none"> • Can the child fulfill his or her need to communicate in different settings? • Would/does the student benefit from the use of an alternative means of communication? (Consider the full range from basic to sophisticated, including but not limited to eye gaze, gestures, communication symbols, sign language, augmentative and/or assistive tech devices.) <p>In the case of a child who is deaf or hard of hearing, team members must consider the child's:</p> <ul style="list-style-type: none"> • Language and communication needs; • Opportunities for direct communications with peers and professional personnel in the child's language and communication mode; academic level; and • Full range of needs, including opportunities for direct instruction in the child's language and communication mode. <p>Refer to Appendix: Document #9 (pages 171-175) for additional information.</p>
<p>Does the student require Braille?</p>	<p>ARSD 24:05:27:01.02. (3) In the case of a student who is blind or visually impaired, provide for instruction in Braille and the use of Braille unless the team determines, after an evaluation of the student's reading and writing skills, needs, and appropriate reading and writing media (including an evaluation of the student's future needs for instruction in Braille or the use of Braille), that instruction in Braille or the use of Braille is not appropriate for the student;</p> <p>This may be the appropriate time for the decision to be made between large print or Braille.</p>
<p>Does the student's behavior impede his or her learning or that of others?</p>	<p>ARSD 24:05:27:01.02. (1) In the case of a student whose behavior impedes his or her learning or that of others, consider the use of positive behavioral interventions and supports and other strategies to address that behavior.</p> <p>This section is intended to give the IEP team an opportunity to be proactive in addressing behavior issues for students with disabilities. IDEA focuses on intervention and strategies, not assessment, to address the needs of a child whose behavior impedes his/her learning or that of others. Therefore, formal behavior evaluations are not required in order to address student's minimal behavior issues in this section.</p> <p>However, if the evaluation team has determined that behavior is an area of primary concern and that specific evaluations are necessary for the purpose of determining eligibility or to provide appropriate instruction, skill based assessment as well as formal evaluation would be required.</p> <p>Whether addressing minimal or substantial behavior issues, briefly <u>describe the specific behaviors the student displays</u> and the <u>"positive" intervention strategies</u> all staff will need to know and implement.</p> <p>NOTE: For a student whose behavior is central to his/her disability (Autism, Emotional Disturbance, Other Health Impaired due to attention/ hyperactivity concerns, etc.), IEP goal(s) must be written to address the student's behavioral needs in addition to</p>

	<p>addressing behavior impedes learning An individual behavior intervention plan may also be necessary to meet his/her educational needs.</p> <p>Refer to Appendix: Document #10 (pages 176-180) for more information on addressing student behavior.</p>
<p>Does the student require Assistive Technology Devices and Services?</p>	<p>ARSD 24:05:27:01.02. Development, review, and revision of individualized education program... The individualized education program team also shall: (5) Consider whether the student requires assistive technology devices and services.</p> <p>ARSD 24:05:27:18. Assistive technology device. An assistive technology device is any item, piece of equipment, or product system, whether acquired commercially off the shelf, modified, or customized, that is used to increase, maintain, or improve functional capabilities of children with disabilities. An assistive technology device does not include a medical device that is surgically implanted, or the replacement of the device.</p> <p>ARSD 24:05:27:19. Assistive technology service. An assistive technology service is any service that directly assists a child with a disability in the selection, acquisition, or use of an assistive technology device. The term includes the following:</p> <ul style="list-style-type: none"> (1) The evaluation of the needs of a child with a disability, including a functional evaluation of the child in the child's customary environment; (2) Purchasing, leasing, or otherwise providing for the acquisition of assistive technology devices by children with disabilities; (3) Selecting, designing, fitting, customizing, adapting, applying, maintaining, repairing, or replacing assistive technology devices; (4) Coordinating and using other therapies, interventions, or services with assistive technology devices, such as those associated with existing education and rehabilitation plans and programs; (5) Training or technical assistance for a child with disabilities or, the child's family; and (6) Training or technical assistance for professionals, including individuals providing education and rehabilitation services, for employers, or for other individuals who provide services to, employ, or are otherwise substantially involved in the major life functions of children with disabilities. <p>ARSD 24:05:27:20. Availability of assistive technology. Each school district shall ensure that assistive technology devices or assistive technology services, or both, are made available to a child with a disability if they are required as a part of the child's special education or related services or as supplementary aids and services. On a case-by-case basis, the use of school-purchased assistive technology devices in a child's home or in other settings is required if the student's placement committee determines that the child needs access to those devices in order to receive FAPE.</p> <p>Discuss and describe the assistive technology device or service needed by the student to access the general curriculum. This section is not limited to only technology components, but may include low tech assistive tech options as well.</p>
<p>Physical Education:</p>	<p>ARSD 24:05:28:08. Physical education services. Physical education services, specially designed if necessary, shall be made available to every child in need of special education or special education and related services, unless the public agency enrolls children without disabilities and does not provide physical education to children without disabilities in the same grades. Each child shall be afforded the opportunity to participate</p>

	<p>in the regular physical education program available to children without disabilities unless the child is enrolled full time in a separate facility or the child needs specially designed physical education which cannot be provided in the regular physical education program. If specially designed physical education is prescribed in the child's individual education program, the school district responsible for the education of the child shall provide the services directly or make arrangements for it to be provided through other public or private programs.</p> <p>For children enrolled in separate facilities, the district responsible for the education of the child shall ensure that the child receives appropriate physical education services.</p> <p>Physical education is required for all students at specified grade levels. If a student with disabilities will participate in the regular physical education program, simply check "Regular" in this section. (Some students at the secondary level may be required to take a ½ unit of health or PE.)</p> <p>Students in pre-school programs are not required to take physical education. For those students, mark the box labeled "Not Required".</p> <p>Based upon the needs identified in the present levels of academic achievement and functional performance, if the student requires adaptive physical education, check "Adaptive" and include the necessary motor goals (and objectives if required) when developing the student's program.</p>
<p>Hearing Aid Maintenance:</p>	<p>ARSD 24:05:27:05. Hearing aid. For children with hearing impairments, including deafness, in need of special education who wear hearing aids in school, the IEP team shall include, as a related service, a monitoring schedule in the individual educational program to ensure the proper functioning of these corrective devices.</p> <p>If the student does not have hearing aid(s), mark the box labeled "Not Applicable" in this section.</p> <p>If the student has hearing aid(s), the IEP must include a plan to ensure they are routinely monitored. In this box, identify the <u>title of the personnel</u> responsible for monitoring the hearing aid(s). Specify how often monitoring will take place, and what process will be used to monitor the working condition and repair of the instrument(s). It is not sufficient to list "parent" as the person responsible.</p>
<p>ARSD 24:05:27:01.03.Content of individualized education program. Each student's individualized education program shall include:</p> <p>(5) A statement of any individual appropriate accommodations that are necessary to measure the academic achievement and functional performance of the student on state and district-wide assessments consistent with § 24:05:14:14. If the IEP team determines that the student shall take an alternate assessment instead of a particular regular state or district-wide assessment of student achievement, a statement of why:</p> <ul style="list-style-type: none"> (a) The student cannot participate in the regular assessment; and (b) The particular alternate assessment selected is appropriate for the student; 	
<p>IEP team must select one of the three options regarding the student's need for accommodations on state and district-wide assessments.</p>	
<p>1. Student will be taking state and</p>	<p>If the student will be taking state and district wide assessment with or without accommodations, the team only needs to develop annual goals in the IEP and not short-</p>

<p>district-wide assessments with or without accommodations.</p>	<p>term objectives or benchmarks.</p> <p>Refer to Appendix: Document #12 (pages 185) for Standard Accommodations.</p> <p>Standard accommodations needed during the administration of the assessments are based upon what is needed by the student in his/her individualized program. Therefore, the specific accommodations needed for each assessment to be taken during the course of this IEP will be determined on the IEP based on annual goals. If the accommodation is not “required” by the student in his/her IEP, it cannot be provided during the assessment administration. Accommodations used during the assessment administration should be in place five weeks prior to test administration.</p> <p>Additional information on standard accommodations can be found at: http://doe.sd.gov/oats/documents/SDAccMan1.pdf</p>
<p>2. Student will be taking state and district-wide alternate assessments.</p>	<p>A student taking the alternate assessment must meet the criteria for significant Cognitive Disability. To be identified as having a significant cognitive disability, the student must meet all of the following criteria:</p> <ul style="list-style-type: none"> • The student has an active IEP with annual goals and short term objectives/benchmarks which focus on Alternate Content Standards; and • The student’s cognitive ability is 2.0 standard deviations or more below the mean (<u>inclusive of the standard error of measurement</u>); and • The student primarily requires direct and extensive instruction to acquire, maintain, generalize and transfer skills done in naturally occurring settings of the student’s life. (e.g. school, community, home, vocational/career, and recreation and leisure) <p>For a student taking the alternate assessment, the IEP must include annual goals and short-term objectives or benchmarks.</p> <p>For a student taking the alternate assessment the IEP team must explain the following:</p> <ol style="list-style-type: none"> a. The reason why the student cannot participate in the regular assessment, and; b. The reason why the alternate assessment selected is appropriate for this student.
<p>3. No state and/or district-wide assessments are required at this student’s grade level during the course of this annual IEP.</p>	<p>Be aware of the beginning and ending date of the IEP you are developing. If state or district wide assessments will be conducted during the timeframe of the IEP, be sure to select the appropriate option.</p> <p>For example: The annual IEP meeting is held in May for student in the 10th grade. Testing will occur during the next school year but prior to developing a new IEP.</p>

Measurable Postsecondary Goals (MPSG) Based on Age-Appropriate Assessment

(Required on or before the student's 16th birthday) OSEP guidance requires at least one linked annual goal AND at least one service/activity for each MPSG identified. Assessment results should determine which MPSGs are addressed.

Employment: _____ (see linked annual goal(s) # _____)

Education/Training: _____ (see linked annual goal(s) # _____)

Independent Living (where appropriate): _____ (see linked annual goal(s) # _____)

Transition Course of Study

(Required on or before the student's 16th birthday) (Complete for current school year through the planned exit year)
 (Should relate to and help the student to progress towards achievement of the Measurable Postsecondary Goals above)

Grade	Grade	Grade	Grade	Grade

Comments: _____

Transfer of Parent/Guardian Rights (Must be addressed on or before the 17th birthday).

Student will turn 17 on _____. Student was informed of this transfer of rights on _____ (Date).

Graduation or Completion of an Approved Program (Must be addressed at least one year prior to graduation date.)

Student is to graduate/complete program: _____ (Date)

Individualized district specific requirements and remaining courses needed to complete an approved secondary education program: _____

Summary of Performance – (For students who are graduating with a regular diploma or aging out of special education)
 A summary of the student's academic achievement and functional performance, which shall include recommendations on how to assist the student in meeting the student's postsecondary goals, is required. A suggested form and instructions are available on the Special Education Programs website.

One Year Follow-Up – (For students who are graduating, aging out, or have dropped out)
 Students will be contacted by a contracted agency one year after exiting to determine their status in regards to employment, postsecondary school, and other outcomes.

Directions for Completing Transition Services/ Measurable Post-Secondary Goals

ARSD 24:05:27:01.03. Content of individualized education program. Each student's individualized education program shall include:

(8) Beginning not later than the first IEP to be in effect when the student turns 16, or younger if determined appropriate by the IEP team, and updated annually thereafter, the IEP shall include:

(a) Appropriate measurable postsecondary goals based upon age-appropriate transition assessments related to training, education, employment, and, if appropriate, independent living skills; ...

Measurable Post-Secondary Goals (After High School)

These goals should answer the question “What will the student do after high school?” in the areas of employment, education **OR** training and independent living (where appropriate). **After high school is defined** as when the student is no longer eligible for special education services due to receiving a signed diploma or reaching the age of majority (June 30th following their 21st birthday).

Appropriate measurable postsecondary goals must be based upon age-appropriate transition assessments related to:

- **Employment (required)**
- **Education OR Training (required)**
- **Independent Living Skills (where appropriate)**

To make the goals measurable, use verbs “will work”, “will enroll”, “will live”, etc.

For more information regarding measurable post-secondary goals, see the “Technical Assistance Guide for Transition in the IEP” at <http://www.tslp.org/IEP.htm>

Employment

(Required)

This could include paid employment (competitive, supported, sheltered), unpaid, non-employment, part-time employment, etc.

Examples of employment measureable post-secondary goal:

I will work full-time as a registered nurse in a hospital.

After high school, Luci will work part-time producing Native American artwork.

Education

OR

Training

This could include attendance at a 4 year college, technical school, 2 year college, military, etc.

Examples of education measureable post-secondary goal:

After graduation, I will attend a university in SD for a 4-year nursing program.

John will enroll in Lake Area Tech's Auto Mechanics Program.

This area could include specific vocational or career field, independent living skill training, vocational training program, apprenticeship, on-the-job training, military, Job Corps, etc.

Examples of training measureable post-secondary goal:

After high school, I will receive on-the-job training through VR to be a janitor.

After exiting special education services, John will receive training in self-help skills and social skills training to maintain his job.

<p><u>Independent Living Skills</u> (Where appropriate)</p>	<p>This could address adult living, daily living, independent living, financial, transportation, etc.</p> <p>Examples of independent living measureable post-secondary goal:</p> <p>After high school, I will live in an apartment with supports for budgeting & time management.</p> <p>After exiting special education services, Suzie will live in a 24 hr supervised setting and receive supports in all areas of daily living.</p>
<p>ARSD 24:05:27:01.03. Content of individualized education program. Each student's individualized education program shall include:</p> <p>(8) Beginning not later than the first IEP to be in effect when the student turns 16, or younger if determined appropriate by the IEP team, and updated annually thereafter, the IEP shall include:</p> <p>(b) The transition services (including courses of study) needed to assist the student in reaching those goals; and...</p>	
<p>Course of Study</p> <p>The course of study is a multi-year description of coursework to achieve the student's desired post-school goals from the student's current to anticipated exit year.</p> <p>The courses of study should reflect a direct relationship between the student's educational experiences in high school and the student's desired measurable post-secondary goals. . <i>In South Dakota, all students, beginning in 8th grade must create a Personal Learning Plan (PLP) toward their career goals.</i> This can be developed and accessed through SDMyLife for all students. The course of study and personal learning plan should be similar.</p> <p>When determining a course of study, the IEP team should ask the following question:</p> <ul style="list-style-type: none"> • Is this course of study aligned with the student's postsecondary goals? <p>The course of study should consist of classes and experiences the student will be taking at the time the IEP is being written through the remainder of the years until graduation from high school, or aging out of the school system. The classes listed in the course of study are not 'set-in-stone', but rather a map of what classes and experiences would benefit the student in reaching the stated measurable post-secondary goals in the IEP. The course of study is also dependent on the student's interests, abilities, needs and those courses that can be made available through the student's educational placement so may be amended at the IEP annual review.</p> <p>For more information and examples related to course of study, see the "Technical Assistance Guide for Transition in the IEP" at http://www.tslp.org/IEP.htm</p>	
<p>Transfer of Rights</p>	<p>ARSD 24:05:27:01.03. Content of individualized education program. Each student's individualized education program shall include:</p> <p>(9) Beginning not later than one year before a student reaches the age of majority under state law, the student's individualized education program must include a statement that the student has been informed of his or her rights under Part B of the Individuals with Disabilities Education Act, if any, that will transfer to the student on reaching the age of majority consistent with § 24:05:30:16.01.</p>

By age 17 or earlier, the student's IEP must include a statement that the student has been informed of their educational rights that will transfer to him or her upon reaching age 18. In this section, document the day, month and year the student will turn 17 years old and the day, month and year that the parents and the student were informed of the transfer of rights. This discussion needs to be documented on the parental prior written notice.

Unless parents assume guardianship, all rights previously afforded to parents will transfer when the student turns 18 years of age. **For the list of specific education rights that transfer to the student at age 18, refer to the "Technical Assistance Guide for Transition in the IEP": at <http://www.tslp.org/IEP.htm>.**

For additional information regarding guardianship, refer to the following website: <http://dhs.sd.gov/gdn/>

ARSD 24:05:27:12. Graduation requirements. Completion of an approved secondary special education program with a regular high school diploma signifies that the student no longer requires special education services. A regular high school diploma does not include an alternative degree that is not fully aligned with the state's academic standards, such as a certificate or a general educational development credential (GED). Graduation from high school with a regular high school diploma constitutes a change in placement requiring written prior notice in accordance with this article.

The instructional program shall be specified on the individual educational program. The individual educational program shall state specifically how the student in need of special education or special education and related services will satisfy the district's graduation requirements. The IEP team may modify the specific units of credit described in § 24:43:11:02. Parents must be informed through the individual educational program process at least one year in advance of the intent to graduate their child upon completion of the individual educational program and to terminate services by graduation.

ARSD 24:05:25:06. Reevaluations...The evaluation procedures described in this chapter are not required before the termination of a child's eligibility under this article due to graduation from secondary school with a regular high school diploma, or exceeding the age eligibility for FAPE.

Parents must be informed through the IEP process at least one year in advance (typically at the 11th Grade IEP meeting) of the intent to graduate their child upon completion of the individual educational program and to terminate services by graduation. The IEP shall state specifically how the student in need of special education will satisfy the district's graduation requirements. In the space provided, document the number of credits needed and **list the specific classes/courses** that the students must complete to meet graduation requirements.

Before a student exits special education and receives a diploma, the IEP team must verify that:

- a. The school district's graduation requirements have been met, or
- b. The student's measurable annual goals will be substantially completed, and
- c. New measurable annual goals or additional transitional goals or services are not needed for the coming school year.

For additional information regarding graduation requirements, refer to the following website: <http://doe.sd.gov/octe/documents/GraduationQandAFinal.pdf> and the "**Technical Assistance Guide for Transition in the IEP**" at <http://www.tslp.org/IEP.htm>

<p>Summary of Performance</p>	<p>ARSD 24:05:27:12. Graduation requirements For a student whose eligibility terminates under the above graduation provisions, or due to exceeding the age eligibility for a free appropriate public education, a school district shall provide the student with a summary of the student's academic achievement and functional performance, which shall include recommendations on how to assist the student in meeting the student's postsecondary goals.</p> <p>While the SOP is very closely tied to information contained in the IEP, it should be a separate document which condenses and organizes the key information that should follow the student. This Summary will typically be discussed and given to the student at the exit IEP meeting.</p> <p>For a recommended form and examples to use when developing a summary of performance, refer to the “Technical Assistance Guide for Transition in the IEP” at http://tslp.org/IEP.htm</p>
<p>State Performance Plan Indicator 14</p>	<p>Indicator 14, mandated by IDEA 2004, involves tracking post school outcomes for students with disabilities. District outcome data should be reviewed and used to improve transition programs. Information can be found at: http://www.sdposthighsurvey.org/</p> <p>Exit Surveys: Districts are required to complete and submit exit surveys (Appendix A) for all special education students who have dropped out, will be aging out of special education, or graduating with a regular diploma during the current school year. Up-to-date contact information should be gathered at senior and exit IEPs.</p> <p>One Year Follow-Up: For students who graduated, aged out, or dropped out. Students will be contacted one year after exiting, by a contract agency, to determine their status in regards to employment, postsecondary school, and other outcomes. For additional information regarding the One Year Follow-Up, please see the SD-DOE State Performance Plan.</p>

Transition Services / Coordinated Set of Activities

Transition Services must be a coordinated set of activities/strategies designed within a results oriented process. This means that the activities are those steps or things that need to happen that will lead to post-school results and help the student achieve his/her desired post-secondary goals. All of the activities that will need to happen to help students achieve their post-secondary goals cannot be done by the school alone. Thus, the activities should include those things that others (student, families, and appropriate adult services, agencies or programs) will need to do. When viewed as a whole, the activities should demonstrate involvement and coordination between the student, families, and school as well as the appropriate adult services, agencies or programs.

Instruction:

<u>Activity Recommendations</u>	<u>Personnel/Agency/Person Responsible</u>	<u>Date Initiated</u>	<u>Date Completed</u>
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Employment:

<u>Activity Recommendations</u>	<u>Personnel/Agency/Person Responsible</u>	<u>Date Initiated</u>	<u>Date Completed</u>
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Community Experiences:

<u>Activity Recommendations</u>	<u>Personnel/Agency/Person Responsible</u>	<u>Date Initiated</u>	<u>Date Completed</u>
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Related Services:

<u>Activity Recommendations</u>	<u>Personnel/Agency/Person Responsible</u>	<u>Date Initiated</u>	<u>Date Completed</u>
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Other Post-School Adult Living Objectives

<u>Activity Recommendations</u>	<u>Personnel/Agency/Person Responsible</u>	<u>Date Initiated</u>	<u>Date Completed</u>
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Acquisition of Daily Living Skills (when appropriate)

<u>Activity Recommendations</u>	<u>Personnel/Agency/Person Responsible</u>	<u>Date Initiated</u>	<u>Date Completed</u>
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Functional Vocational Evaluation (when appropriate)

<u>Activity Recommendations</u>	<u>Personnel/Agency/Person Responsible</u>	<u>Date Initiated</u>	<u>Date Completed</u>
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Directions for Completing Transition Services / Coordinated Set of Activities

ARSD 24:05:27:13.02. Transition services. Transition services are a coordinated set of activities for a student with a disability, designed to be within a results-oriented process, that is focused on improving the academic and functional achievement of the student with a disability to facilitate the student's movement from school to post-school activities, including postsecondary education, vocational education, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation. The coordinated set of activities shall be based on the individual student's needs, taking into account the student's strengths, preferences and interests, and shall include instruction, related services, community experiences, the development of employment and other post-school adult living objectives, and, if appropriate, acquisition of daily living skills and provision of a functional \vocational evaluation.

Transition Services / Coordinated Set of Activities

The transition services are a coordinated set of activities that promotes movement from school to the post school activities. Appropriate transition services help drive the student's course of study and address the post-school goals. These activities/strategies are those things that need to happen that will lead to post-school results and help the student to achieve the desired measurable post-secondary goals.

All of the things that will need to happen to help students achieve these goals cannot be done by the school alone. Thus include those things that others (student, families, and appropriate adult services, agencies or programs) will need to do. When viewed as a whole, the activities should demonstrate involvement and coordination between all of the individuals and organizations mentioned previously.

For each postsecondary goal, transition services may include:

- Instruction
- Related Services
- Community Experience
- Development of Employment and Post-School Objectives
- Acquisition of Daily Living Skills (if appropriate)
- Functional Vocational Evaluation (if appropriate)

Although the regulations state that "the coordinated set of activities must...include instruction, community experiences, and the development of employment and other adult living objectives" there may be occasions when certain of these services are not provided to a student.

If transition assessments and PLAAFPs show no needs in one or more of the seven transition service areas, then simply indicate Not Applicable (N/A) or leave the item blank.

At a bare minimum, **at least one activity/service must be listed which ties back to each of the student's Measurable Post-Secondary Goals.** Typically, many services/activities may be needed to help students reach their postsecondary goals.

The person/agency responsible (which could include student, family, school, adult agency, etc.) needs to be listed, along with the initiation and completion dates.

For examples of transition activities and services in the 7 transition areas, please refer to the "Technical Assistance Guide for Transition in the IEP" at: <http://tslp.org/IEP.htm>

Educational Goals and Objectives/Benchmarks

Provide a statement of measurable annual goals, including academic and functional goals designed to 1) meet the child's needs that result from the child's disability, 2) enable the child to be involved in and make progress in the general education curriculum, and 3) meet each of the child's other educational needs that result from the child's disability.

Measurable Annual Goal # _____				
	Proc. Code/s	Date	Prog. Code	Comments:
Measurable Annual Goal # _____				
Measurable Annual Goal # _____				
Measurable Annual Goal # _____				
Procedure Codes (Complete at IEP meeting) 1. Teacher-made tests 6. Work Samples 2. Observations 7. Portfolios 3. Weekly tests 8. Oral Tests 4. Unit tests 9. Data Response 5. Student Conferences 10. Other:		Progress Codes P= Progress being made I= Insufficient Progress to meet goal X= Not addressed this Reporting Period M=Met goal		Reporting Frequency to Parents <input type="checkbox"/> Quarterly Reports <input type="checkbox"/> Trimester Reports <input type="checkbox"/> Other: Reporting Method to Parents <input type="checkbox"/> Conferences <input type="checkbox"/> Report Card <input type="checkbox"/> Goal Page Copy <input type="checkbox"/> Other:

Educational Goals and Objectives/Benchmarks

Provide a statement of measurable annual goals, including academic and functional goals designed to 1) meet the child's needs that result from the child's disability, 2) enable the child to be involved in and make progress in the general education curriculum, and 3) meet each of the child's other educational needs that result from the child's disability.

Measurable Annual Goal # _____				
	Proc. Code/s	Date	Prog. Code	Comments:
Short Term Instructional Objectives or Benchmarks (Required for students who take alternate assessment.)	Proc. Code/s	Date	Prog. Code	Comments:
<u>Procedure Codes (Complete at IEP meeting)</u> 1. Teacher-made tests 6. Work Samples 2. Observations 7. Portfolios 3. Weekly tests 8. Oral Tests 4. Unit tests 9. Data Response 5. Student Conferences 10. Other:	<u>Progress Codes</u> P= Progress being made I= Insufficient Progress to meet goal X= Not addressed this Reporting Period M=Met goal	<u>Reporting Frequency to Parents</u> <input type="checkbox"/> Quarterly Reports <input type="checkbox"/> Trimester Reports <input type="checkbox"/> Other: <u>Reporting Method to Parents</u> <input type="checkbox"/> Conferences <input type="checkbox"/> Report Card <input type="checkbox"/> Goal Page Copy <input type="checkbox"/> Other:		

Directions for Completing Educational Goals

<p>Measurable Annual Goals</p>	<p>ARSD 24:05:27:01.03. Content of individualized education program. Each student's individualized education program shall include:</p> <p>(2) A statement of measurable annual goals, including academic and functional goals, designed to:</p> <p style="padding-left: 40px;">(a) Meet the student's needs that result from the student's disability to enable the student to be involved in and progress in the general education curriculum; and</p> <p style="padding-left: 40px;">(b) Meet each of the student's other educational needs that result from the student's disability;</p> <p>For students with disabilities who take alternate assessments aligned to alternate achievement standards, each student's IEP shall provide a description of benchmarks or short-term objectives;</p> <hr/> <p>Annual goals must include the condition, performance and criteria specific to the student's strengths and needs identified in the Present Levels of Academic Achievement and Functional Performance (PLAAFPs). The goal is what the student can be expected to accomplish within one year (12 months). An annual goal does not have to be developed for every need listed in the PLAAFP. <u>A goal must be written in each area affected by the disability.</u> The IEP team will continue to draw from the needs addressed in the PLAAFPs to develop new annual goals as the student masters each individual skill listed.</p> <p>Condition: The condition segment of an annual goal represents the circumstances under which information or material will be presented to the student so the skill they are to perform can be measured or observed. It is sometimes referred to as the "when given" statement.</p> <p>Performance: The performance segment of the annual goal represents the specific skill, concept or observable behavior the student will be expected to perform when the condition presents itself. These skills are identified on an individual basis through developmental or skill based assessment. The skills identified should link to the district's general curriculum and content standards beginning at the student's current level of performance working towards grade level content.</p> <p>Criteria: The criteria segment of the annual goal represents how the skill or behavior will be measured. The criteria must include how well (accuracy) and how often (consistency) the student must perform the skill or behavior in order to consider it mastered.</p> <p>Refer to Appendix: Document #11 (pages 181-184) for annual goal examples.</p>
<p>Short Term Instructional Objectives</p> <p>OR</p> <p>Benchmarks</p>	<p>Can be used for any student to more clearly define the goals but are required for all students working in alternate content standards and taking the alternate assessment.</p> <p>Short-term objectives are measurable, intermediate steps between a student's present level of educational performance and the annual goals established for the student. Their development is based on a logical breakdown of the major components of the annual goals and they measure progress toward meeting the goals. They set the general direction to be taken by those who will implement the IEP and are the basis for developing a detailed instructional plan for the student.</p>

	<p>OR</p> <p>Benchmarks represent the actual content or performance the student is to accomplish at a specific interval or grade level. The IEP Team should evaluate skills and performance levels to meet goals and select those for possible benchmarks in the IEP.</p> <p>A district may choose to use either a short-term objective or benchmark format; however, there must be more than one short-term objective or benchmark for each annual goal.</p> <p><u>NOTE:</u> Short-term objectives/benchmarks are required in the IEP <u>only</u> during school years during which the student will be taking State/District assessments.</p>
Procedure Codes	<p>ARSD 24:05:27:01.03. Content of individualized education program. Each student's individualized education program shall include:</p> <p>(7) A description of how the student's progress toward the annual goals described in this section will be measured and when periodic reports on the progress the student is making toward meeting the annual goals (such as through the use of quarterly or other periodic reports, concurrent with the issuance of report cards) will be provided;</p> <p>The procedure code indicates the assessment method(s) that will be used to measure progress. From the list below, select the assessment method(s) that match the criteria written in the annual goal or the objective/benchmark. More than one procedure code may be selected to measure progress (i.e. weekly test and work samples).</p>
Date	Indicate the date (month, day, and year) that the progress report is written.
Progress Codes	The progress code listed in sections will represent the level of progress made by the student on each annual goal or the short-term objective/benchmark during the reporting period.
Comments	<p>Additional space is provided to make personal comments to parent/guardian regarding the student's progress toward the annual goal.</p> <p>Note: If progress reports are written on a copy of the goal pages and not on the original, be sure to place the document containing the yearly progress information in the student's file when the new IEP is written.</p>
Reporting Frequency to Parents	Check the box that represents the frequency the parent/guardian will receive progress reports. This should, at a minimum, coincide with the frequency that general education students receive report cards.
Reporting Method to Parents	Check the box(es) that indicate(s) how progress toward the annual goal will be reported to the parent/guardian. More than one box may be checked.

Accommodations and Modifications

Accommodations/Modifications/Supplementary Aides and Services	Frequency	Location	Duration
1. _____	_____	_____	_____
2. _____	_____	_____	_____
3. _____	_____	_____	_____
4. _____	_____	_____	_____
5. _____	_____	_____	_____

Statement of the program modifications or supports for school personnel (as appropriate):	Frequency	Location	Duration
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Directions for Completing Accommodations and Modifications

<p>Accommodations -- Modifications – Supplementary Aides and Services</p>	<p>ARSD 24:05:27:01.03. Content of individualized education program. Each student's individualized education program shall include:</p> <p>(3) A statement of the special education and related services and supplementary aids and services, based on peer-reviewed research to the extent practicable, to be provided to the student, or on behalf of the student, and a statement of the program modifications or supports for school personnel that will be provided to enable the student:</p> <ul style="list-style-type: none"> (a) To advance appropriately toward attaining the annual goals; (b) To be involved and make progress in the general education curriculum in accordance with this section and to participate in extracurricular and other nonacademic activities; and (c) To be educated and participate with other students with disabilities and nondisabled students in the activities described in this section; <p>(6) The projected date for the beginning of the services and modification described in this section and the anticipated frequency, location, and duration of those services and modifications;</p> <p>Federal Register Analysis: There is nothing in the Act that requires an IEP to include specific instructional methodologies. Therefore, consistent with section 614(d)(1)(A)(ii)(I) of the Act, we cannot interpret section 614 of the Act to require that all elements of a program provided to a child be included in an IEP. The Office of Special Education Programs (OSEP) longstanding position on including instructional methodologies in a child's IEP is that it is an IEP Team's decision. Therefore, if an IEP Team determines that specific instructional methods are necessary for the child to receive FAPE, the instructional methods may be addressed in the IEP.</p>
	<p>An accommodation is a change in <u>how</u> the student accesses and demonstrates learning, but does not change what the student is expected to learn or demonstrate. A Modification, on the other hand, changes <u>what</u> a student is expected to learn and demonstrate by changing the level, priority or content).</p> <p>The IEP team needs to consider the skill area affected by the disability in the annual goal and determine if accommodations/modifications need to be made for the student to be successful in his or her program. Include only the accommodations/modifications the student "MUST" have during instruction in order to benefit from the educational program. The accommodations/ modifications MUST be provided at the frequency, duration and location specified in the IEP. These are not optional or delivered at the discretion of the teacher. Accommodations/modifications must be written "specific" enough so that everyone responsible for implementing the student's program will know exactly what and how to implement them.</p> <p>Do not include instructional practices that a teacher provides for the entire class or accommodations/modifications needed because of a one-time lesson or activity. These types of accommodations/modifications are provided to any student when appropriate just because you are a good teacher.</p>

<p>Statement of the program modifications or supports for school personnel (as appropriate)</p>	<p>Write a description of any program modifications or supports for school personnel necessary for the student to advance appropriately toward the annual goals, to progress in the general curriculum, and to be educated and participate with other children both with and without disabilities.</p> <p>Examples:</p> <ul style="list-style-type: none"> • FM system will be installed in the general education classroom. • General education teacher will receive training in sign language to facilitate communication with student during class time.
<p>Frequency</p>	<p>Specify the frequency the accommodations/modifications will need to be provided. (i.e. daily, weekly, monthly etc.)</p> <p>Examples:</p> <ul style="list-style-type: none"> • Student to read-aloud to a staff member for <u>“all testing occurrences”</u>. • An alternative environment will be provided <u>“whenever the student is required to complete tests”</u>. <p>Do not write “as needed” or “at the discretion of the teacher”.</p>
<p>Location</p>	<p>For each modification/accommodation listed, the team must specify the location (curriculum area) in which it will need to be provided. (i.e. art, geography, math, consumer science etc.) All teachers must be informed of the accommodations/modifications they are required to implement in their class. The student’s teachers must have access to copies of the IEP.</p> <p>Examples:</p> <ul style="list-style-type: none"> • Student will be allowed to retake tests for all testing occurrences in <u>“Science and Geography class”</u> if he/she receives a 75% or below. • A scribe will be provided whenever the student is required to complete short-answer and essay tasks in <u>“Literature class”</u>. <p>Do not write “as needed” or “at the discretion of the teacher”.</p>
<p>Duration</p>	<p>Federal Register Analysis: The meaning of the term “duration” will vary, depending on such things as the needs of the child, the service being provided, the particular format used in an IEP, and how the child’s day and IEP are structured. What is required is that the IEP include information about the amount of services that will be provided to the child, so that the level of the agency’s commitment of resources will be clear to parents and other IEP team members. The amount of time to be committed to each of the various services to be provided must be appropriate to the specific service, and clearly stated in the IEP in a manner that can be understood by all involved in the development and implementation of the IEP.</p> <p>Generally, this timeline will be the duration of the IEP (one year from the meeting date). However, this timeline must be considered individually by the IEP team for each accommodation/modification.</p>

State/District-wide Assessment Accommodations

- Student will be taking the assessment without accommodations.
- Student will be taking the assessment with the accommodations.

***Teams must consider if the accommodations are approved for the applicable test administration.**

***List the accommodations the student will be taking for each test/test area.**

(Only those accommodations identified for instruction on the goal pages can be considered for state and district-wide testing. The accommodations selected for use must relate to the student's disability.)

State Assessment Accommodations

Reading (Gr 3-8 & 11):

Math (Gr 3-8 & 11):

Science (Gr 5, 8 & 11):

Write to Learn
(Gr 5, 7 & 10):

Test: _____

Test: _____

*** Dakota STEP- A**

All accommodations documented in the IEP are allowed to be used for students taking the alternate assessment.

District-wide Assessment Accommodations

Test: _____

Test: _____

Test: _____

Directions for Completing State/District-wide Assessment Accommodations

<p>ARSD 24:05:27:01.03. Content of individualized education program. Each student's individualized education program shall include: (5) A statement of any individual appropriate accommodations that are necessary to measure the academic achievement and functional performance of the student on state and district-wide assessments consistent with § 24:05:14:14. If the IEP team determines that the student shall take an alternate assessment instead of a particular regular state or district-wide assessment of student achievement, a statement of why: (a) The student cannot participate in the regular assessment; and (b) The particular alternate assessment selected is appropriate for the student;</p>	
<p>State/District Assessment Accommodations: The Individuals with Disabilities Education Act requires that all special education students will fully participate in all district-wide assessments in the same manner as their non-disabled peers unless the IEP team determines that: (1) such participation is not appropriate without reasonable accommodations or (2) such assessment is not appropriate and identifies an alternate form of assessment.</p> <p>For more information, refer to South Dakota Accommodations Manual: http://doe.sd.gov/oats/documents/SDAccManl.pdf</p>	
<p>Taking assessments without accommodations</p>	<p>Student will be taking the assessment without accommodations. If this option is selected nothing else needs to be completed on this page</p>
<p>Taking assessments with accommodations</p>	<p>Teams must consider if the accommodations are approved for the applicable test administration. In order for an accommodation to be considered for statewide assessment, it must first be an accommodation identified as an instructional accommodation in the IEP that has been used regularly by the student for at least five weeks. Accommodations that are not approved for test administration cannot be provided as they invalidate the test results. <u>Additional information is located in the Test Coordinator's Handbook</u></p> <p>Refer to Appendix: Document #12 (page 185) for a list of approved standard accommodations.</p>
<p>Alternate Assessment</p>	<p>Unlike the D-STEP which has allowable accommodations that may not include all accommodations identified on the IEP, the alternate (D-STEP-A) allows any accommodations that a student may need that are identified as accommodations on the student's IEP. Another difference is that on the D-STEP all accommodations identified on the IEP for statewide testing must be provided, on the D-STEP-A the teacher can determine what accommodations need to be used during the testing window. Just as providing accommodations on the D-STEP "levels the playing field" allowing students to access the assessment, accommodations provided on the D-STEP-A may actually hinder a student's equal access to the assessment. Judgments based on the student's independence level, setting, and frequency are made based on the student's performance during the testing window. It is possible that a teacher may want to see how a student performs with fewer or less restrictive accommodations during the testing window in order to provide an accurate picture of the student's performance level. Therefore, specific accommodations do not need to be identified strictly for testing purposes, rather any accommodations that have been identified on the student's IEP are allowed.</p>

Special Education Services

<u>Description of services</u>	<u>Frequency</u>	<u>Location</u>	<u>Duration</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Related Service to be Provided	Frequency	Location	Duration
<input type="checkbox"/> Speech/Language Therapy			
<input type="checkbox"/> Occupational Therapy			
<input type="checkbox"/> Physical Therapy			
<input type="checkbox"/> Transportation (Specify when, how often, where, distance, costs, etc.)			
<input type="checkbox"/> Counseling Services (Including rehabilitation counseling)			
<input type="checkbox"/> Audiological Services			
<input type="checkbox"/> Interpreting Services			
<input type="checkbox"/> Medical Services (Diagnostic Services only)			
<input type="checkbox"/> Orientation and Mobility			
<input type="checkbox"/> Parent Counseling/Training			
<input type="checkbox"/> Psychological Services			
<input type="checkbox"/> Recreation Therapy			
<input type="checkbox"/> School Nurse/Health Services			
<input type="checkbox"/> Social Work Services (in schools)			
<input type="checkbox"/> Other			

Directions for Completing Description of Services

<p>Special Education to be Provided</p>	<p>ARSD 24:05:27:01.03. Content of individualized education program. Each student's individualized education program shall include:</p> <p>(3) A statement of the special education and related services and supplementary aids and services, based on peer-reviewed research to the extent practicable, to be provided to the student, or on behalf of the student, and a statement of the program modifications or supports for school personnel that will be provided to enable the student:</p> <p style="padding-left: 40px;">(a) To advance appropriately toward attaining the annual goals;</p> <p style="padding-left: 40px;">(b) To be involved and make progress in the general education curriculum in accordance with this section and to participate in extracurricular and other nonacademic activities; and</p> <p style="padding-left: 40px;">(c) To be educated and participate with other students with disabilities and nondisabled students in the activities described in this section:</p> <p>§300.320 (a)(7) Comment Initiation, Frequency, Location and Duration of Services What is required is that the IEP include information about the amount of services that will be provided to the child, so that the level of the agency's commitment of resources will be clear to parents and other IEP Team members. The amount of time to be committed to each the various services to be provided must be appropriate to the specific service and clearly state in the IEP in a manner that can be understood by all involved into the development and implementation the IEP.</p> <p>This section must describe the “specialized instruction” the student will receive. The configuration of services represents the district’s commitment of services to the student/family.</p> <p>The service area, amount of service, and location of service to be provided must be documented for the total amount of time a student is <u>removed</u> from their typical peer group to receive specialized instruction and for “<u>specialized instruction</u>” that will be provided to the student <u>in the regular classroom setting</u>. If all services are provided in the general education setting, write a statement indicating such.</p> <p>Example: Articulation – 30 minutes weekly – Speech therapy room. Written Language – 10 minutes daily – General Education classroom Fine Motor – 20 minutes weekly – Head Start therapy room</p> <p>Example: Math/paraprofessional assistance – 15 minutes daily – General math classroom</p> <p>Refer to Appendix: Document #13 (pages 186-191) for additional Special Education Services examples.</p>
<p>Description of Services</p>	<p>The description of services must reflect each of the skill areas affected by the disability in which the student was determined to be eligible. Areas of eligibility include basic reading, math, behavior, listening comprehension, reading fluency, reading comprehension, fine motor, gross motor, language, articulation, etc. Each area listed under “Description of Services” should be linked to a goal based on individual needs identified through</p>

	<p>evaluation. "Study hall" and "Social Studies" are not skill areas affected by the disability and should not be used as a description of service. If services are needed during a particular class, document the eligible skill area being addressed (i.e., basic reading, behavior, etc.)</p> <p>For younger students determined eligible under the category of developmental delay, the areas affected by the disability would include cognitive, adaptive, social/behavior, fine motor, gross motor, articulation and/or language. If cognitive is too general of a term, then consider using such terms as pre-reading or literacy, pre-math etc.</p>
Frequency	The amount of service must include the number of minutes that will be provided to the student on a daily, weekly or monthly basis.
Location	The location of service needs to describe specifically the location where the student will be receiving the service. (resource room, general classroom, gym, etc.)
Duration	<p>Duration reflects the length of time to be committed to each of the various services and must be clearly stated in the IEP.</p> <p>Generally, the duration will be the duration of the IEP (one year from the meeting date). However, this timeline must be considered individually by the IEP team for each service. For example, services provided for basic reading during science in 9th grade may not be required in 10th grade because the student will not be taking a science course.</p>
<p>ARSD 24:05:27:03. IEP team to determine related services. In developing a child's individual educational program, the members of the IEP team shall determine whether any developmental, corrective, or other supportive services, including transportation, are required to assist a child to benefit from special education. These services must be written into the individual educational program as related services.</p> <p>ARSD 24:05:27:04. Determination of related services. In deciding whether a particular developmental, corrective, or other supportive service is a related service, the members of the IEP team shall review the results of the individual evaluations used to determine the child's need for special education. Based on the specific special education services to be provided, the team shall determine whether or not related services are required in order to assist the child to benefit from the special education program.</p> <p>ARSD 24:05:24.01:01. Students with disabilities defined. Students with disabilities are students evaluated in accordance with chapter 24:05:25 as having autism, deaf-blindness, deafness, hearing loss, cognitive disability, multiple disabilities, orthopedic impairment, other health impairments, emotional disturbance, specific learning disabilities, speech or language impairments, traumatic brain injury, or vision loss including blindness, which adversely affects educational performance, and who, because of those disabilities, need special education or special education and related services. If it is determined through an appropriate evaluation, under chapter 24:05:25, that a student has one of the disabilities identified in this chapter, but only needs a related service and not special education, the student is not a student with a disability under this article. If, consistent with this chapter, the related service required by the student is considered special education, the student is a student with a disability under this article.</p>	

Related services are those services required by the individual student in order to benefit from his/her special education program. The IEP team will determine what related services are needed, the title of the person responsible, the amount, location, and duration of the service. The need for a related service is based upon the program (annual goals) already developed by the IEP team.

For example:

- Due to a student’s behavior, the team assessed, developed PLAAFPs and wrote a behavior goal as part of the student’s program. In determining “what related service was needed for the student to benefit from the program”, the team indicated the student would benefit from the related service of counseling. The counseling services would target skills connected to the behavior goal.
- A student was determined eligible as developmentally delayed in the areas of fine motor and gross motor. The IEP team developed PLAAFPs and wrote a fine and gross motor goal as part of the child’s program of specialized instruction. The preschool special education teacher is assigned as the person responsible for carrying out the program. In determining “what related service was needed for the student to benefit from the program”, the team indicated the child would benefit from the related service of Occupational Therapy. The occupational therapist would target fine motor deficits.

NOTE: If a district will be using a parent’s private or public benefits (Medicaid) you need to very carefully document the amount of services and duration of services. Parental consent is required each time a public agency accesses a parent’s private or public benefits. Parents need to know how many times you will be accessing their insurance.

<p>Speech Therapy Services</p>	<p>§300.34 Related services (15) Speech-language pathology services includes-- (i) Identification of children with speech or language impairments; (ii) Diagnosis and appraisal of specific speech or language impairments; (iii) Referral for medical or other professional attention necessary for the habilitation of speech or language impairments; (iv) Provision of speech and language services for the habilitation or prevention of communicative impairments; and (v) Counseling and guidance of parents, children, and teachers regarding speech and language impairments.</p>
<p>Occupational Therapy</p>	<p>ARSD 24:05:27:22. Occupational therapy defined. Occupational therapy, as a related service, includes: (1) Improving, developing, or restoring functions impaired or lost through illness, injury, or deprivation; (2) Improving ability to perform tasks for independent functioning if functions are impaired or lost; and (3) Preventing, through early intervention, initial or further impairment or loss of function.</p> <p>Refer to “<u>Determining Eligibility for Special Education in South Dakota</u>” pages 176-180 for eligibility criteria for OT services. http://doe.sd.gov/oess/documents/Eligibilt.pdf</p>

<p>Physical Therapy</p>	<p>ARSD 24:05:27:24. Physical therapy defined. Physical therapy, as a related service, includes gross motor development; mobility; use of adaptive equipment; and consultation and training in handling, positioning, and transferring students with physical impairments.</p> <p>Refer to “<u>Determining Eligibility for Special Education in South Dakota</u>” pages 176-180 for eligibility criteria for PT services. http://doe.sd.gov/oess/documents/Eligibilt.pdf</p>
<p>Transportation</p>	<p>§300.34 Related services</p> <p>(16) Transportation includes--</p> <ul style="list-style-type: none"> (i) Travel to and from school and between schools; (ii) Travel in and around school buildings; and (iii) Specialized equipment (such as special or adapted buses, lifts, and ramps), if required to provide special transportation for a child with a disability. <p>Transportation services should be clearly described in this section. Identify who will provide the transportation, special equipment and personnel (if any) to assure safety of the child, cost, responsible party to pay for transportation, and schedule of transportation services (days of the week, times of the day).</p>
<p>Counseling Services (Including Rehabilitation Counseling)</p>	<p>§300.34 Related services</p> <p>(2) Counseling services means services provided by qualified social workers, psychologists, guidance counselors, or other qualified personnel.</p> <p>(12) Rehabilitation counseling services means services provided by qualified personnel in individual or group sessions that focus specifically on career development, employment preparation, achieving independence, and integration in the workplace and community of a student with a disability. The term also includes vocational rehabilitation services provided to a student with a disability by vocational rehabilitation programs funded under the Rehabilitation Act of 1973, as amended, 29 U.S.C. 701 et seq.</p>
<p>Audiological Services</p>	<p>§300.34 Related services.</p> <p>(1) Audiology includes--</p> <ul style="list-style-type: none"> (i) Identification of children with hearing loss; (ii) Determination of the range, nature, and degree of hearing loss, including referral for medical or other professional attention for the habilitation of hearing; (iii) Provision of habilitative activities, such as language habilitation, auditory training, speech reading (lip-reading), hearing evaluation, and speech conservation; (iv) Creation and administration of programs for prevention of hearing loss; (v) Counseling and guidance of children, parents, and teachers regarding hearing loss; and (vi) Determination of children's needs for group and individual amplification, selecting and fitting an appropriate aid, and evaluating the effectiveness of amplification.
<p>Interpreting Services</p>	<p>§300.34 Related services</p> <p>(4) Interpreting services includes--</p> <ul style="list-style-type: none"> (i) The following, when used with respect to children who are deaf or hard of hearing: Oral transliteration services, cued language transliteration services, sign language

	<p>transliteration and interpreting services, and transcription services, such as communication access real-time translation (CART), C-Print, and Type Well; and</p> <p>(ii) Special interpreting services for children who are deaf-blind.</p>
<p>Medical Services (Diagnostic Services only)</p>	<p>ARSD 24:05:27:06. Medical services. Medical services, as a related service, may only be authorized by an IEP team for diagnostic or evaluation purposes. Medical services mean services provided by a licensed physician to determine a child's medically related disability that results in the child's need for special education and related services.</p> <p>Medical services are provided as a related service only in the cases where a medical diagnosis is needed to assure the proper identification of the child's educational needs. For example, the school district may provide a physician review to assure that attention deficits are not related to hearing or other physical problems of the child.</p>
<p>Orientation and Mobility</p>	<p>§300.34 Related services</p> <p>(7) Orientation and mobility services-- (i) Means services provided to blind or visually impaired children by qualified personnel to enable those students to attain systematic orientation to and safe movement within their environments in school, home, and community; and</p> <p>(ii) Includes teaching children the following, as appropriate:</p> <p>(A) Spatial and environmental concepts and use of information received by the senses (such as sound, temperature and vibrations) to establish, maintain, or regain orientation and line of travel (e.g., using sound at a traffic light to cross the street);</p> <p>(B) To use the long cane or a service animal to supplement visual travel skills or as a tool for safely negotiating the environment for children with no available travel vision;</p> <p>(C) To understand and use remaining vision and distance low vision aids; and</p> <p>(D) Other concepts, techniques, and tools.</p>
<p>Parent Counseling/Training</p>	<p>§300.34 Related services</p> <p>(8)(i) Parent counseling and training means assisting parents in understanding the special needs of their child;</p> <p>(ii) Providing parents with information about child development; and</p> <p>(iii) Helping parents to acquire the necessary skills that will allow them to support the implementation of their child's IEP or IFSP.</p>
<p>Psychological Services</p>	<p>§300.34 Related services.</p> <p>(10) Psychological services includes—</p> <p>(i) Administering psychological and educational tests, and other assessment procedures;</p> <p>(ii) Interpreting assessment results;</p> <p>(iii) Obtaining, integrating, and interpreting information about child behavior and conditions relating to learning;</p> <p>(iv) Consulting with other staff members in planning school programs to meet the special educational needs of children as indicated by psychological tests, interviews, direct observation, and behavioral evaluations;</p> <p>(v) Planning and managing a program of psychological services, including psychological counseling for children and parents; and</p>

	(vi) Assisting in developing positive behavioral intervention strategies.
Recreation Therapy	<p>§300.34 Related services.</p> <p>(11) Recreation includes--</p> <ul style="list-style-type: none"> (i) Assessment of leisure function; (ii) Therapeutic recreation services; (iii) Recreation programs in schools and community agencies; and (iv) Leisure education.
School Nurse/Health Services	<p>§300.34 Related services.</p> <p>(13) School health services and school nurse services means health services that are designed to enable a child with a disability to receive FAPE as described in the child's IEP. School nurse services are services provided by a qualified school nurse. School health services are services that may be provided by either a qualified school nurse or other qualified person.</p>
Social Work Services (in schools)	<p>§300.34 Related services.</p> <p>(14) Social work services in schools includes--</p> <ul style="list-style-type: none"> (i) Preparing a social or developmental history on a child with a disability; (ii) Group and individual counseling with the child and family; (iii) Working in partnership with parents and others on those problems in a child's living situation (home, school, and community) that affect the child's adjustment in school; (iv) Mobilizing school and community resources to enable the child to learn as effectively as possible in his or her educational program; and (v) Assisting in developing positive behavioral intervention strategies.
Other	<p>This section of the form is provided to include related services not included in any of the other general categories listed.</p> <p>For Example:</p> <p>Personal Assistant - Paraprofessional – 7:45 am to 3:30 pm M-W-F – Transport to and from School/Student Class Schedule – 2014-15 School Year</p> <p>NOTE: If a paraprofessional is assigned to a classroom and not the student, it does not need to be documented in this section.</p>

Least Restrictive Environment

The IEP Team must ensure that, to the maximum extent appropriate, students with disabilities are educated with nondisabled peers, including extracurricular services and activities.

Continuum of Alternative Placements	Continuum of Alternative Placements (Ages 3-5)
<input type="checkbox"/> 0100 General Classroom with Modifications 80-100% <input type="checkbox"/> 0110 Resource Room 40-79% <input type="checkbox"/> 0120 Self-Contained Classroom 0-39% <input type="checkbox"/> 0130 Separate Day School <input type="checkbox"/> 0140 Residential Facility <input type="checkbox"/> 0150 Home/Hospital	<input type="checkbox"/> 0310 Early Childhood Setting-10 hrs./week A1-services in EC program <input type="checkbox"/> 0315 Early Childhood Setting-10hrs/week A2-services in other location <input type="checkbox"/> 0325 Early Childhood Setting-Less than 10hrs/wk. B1 – services in EC program <input type="checkbox"/> 0330 Early Childhood Setting-Less than 10hrs/wk. B2 – services in other location <input type="checkbox"/> 0335 Separate Class <input type="checkbox"/> 0345 Separate School <input type="checkbox"/> 0355 Residential Facility <input type="checkbox"/> 0365 Home <input type="checkbox"/> 0375 Service Provider Location

Participation with Non-Disabled Peers

Program Options	Non-Academic	Extracurricular
<input type="checkbox"/> Art	<input type="checkbox"/> Counseling	<input type="checkbox"/> Athletics
<input type="checkbox"/> Industrial Technology	<input type="checkbox"/> Meals	<input type="checkbox"/> Clubs
<input type="checkbox"/> Music	<input type="checkbox"/> Employment Referrals	<input type="checkbox"/> Groups
<input type="checkbox"/> Vocational Education	<input type="checkbox"/> Recess	<input type="checkbox"/> Recreation
<input type="checkbox"/> Family & Consumer Science	<input type="checkbox"/> Health Services	<input type="checkbox"/> Other
<input type="checkbox"/> Other _____	<input type="checkbox"/> Other _____	
Comments: _____		

Justification for Placement--An explanation of the extent, if any, to which the student will not participate with non-disabled students in regular classes and non-academic activities.
 (Please use accept/reject format for each alternative placement considered.)

The team addressed the potential harmful effects of the special education placement.

Directions for Completing LRE and Justification for Placement

ARSD 24:05:28:01. Least restrictive program to be provided. Children in need of special education or special education and related services, to the maximum extent appropriate, shall be educated with children who are not disabled and shall be provided special programs and services to meet their individual needs which are coordinated with the regular educational program. Special classes, separate schooling, or other removal of children with disabilities from the regular educational classroom may occur only when the nature or severity of the child's needs is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

ARSD 24:05:28:02. Continuum of alternative placements. Alternative placements which must be made available include the following:

- (1) Regular educational programs with modification;
- (2) Resource rooms;
- (3) Self-contained programs;
- (4) Separate day school programs;
- (5) Residential school programs;
- (6) Home and hospital programs; and
- (7) Other settings.

For each of the programs listed in this section, the IEP team shall determine the extent to which related services are required in order for the child to benefit from the program. The length of the school day must be equal in duration to that of a regular public school day unless an adjusted school day is required to meet the individual needs of the child. The IEP team shall provide for supplementary services, such as resource room or itinerant instruction, to be provided in conjunction with regular class placement, as applicable.

In those cases where placement is made in a separate day school program or residential school program, the district may abide by the school term of the facility in which the child is placed based on the individual needs of the child.

ARSD 24:05:28:03. Factors in determining placements. Each school district shall establish and implement procedures which ensure that the following factors are addressed in determining placements:

- (1) Each child's educational placement must be individually determined at least annually and must be based on the child's individual education program;
- (2) Provisions are made for appropriate classroom or alternative settings necessary to implement a child's individual education program;
- (3) Unless a child's IEP requires some other arrangement, the child shall be educated in the school which that child would normally attend if not disabled. Other placement shall be as close as possible to the child's home;
- (4) Placement in the least restrictive environment will not produce a harmful effect on the child or reduce the quality of services which that child needs; and
- (5) A child with a disability is not removed from education in age-appropriate regular classrooms solely because of needed modifications in the general education curriculum.

Only the amount of time the student is **removed** from his/her peer group is calculated to determine the placement category. To determine how much time a student is with his/her peer group, complete the following formula:

Total number of hours per week spent in the general classroom:	_____	Total from previous column:
Total number of hours spent in recess with typical peers:	_____	_____
Total number of hours the student spends per week in lunch and lunch-time recess with typical peers:	_____	divided by:
Total number of hours spent per week in art, music, and physical education with typical peers:	_____	Total number of hours in the District's typical week:
Total number of hours spent per week passing between classes with typical peers:	_____	_____
Total:	_____	Equals _____% of time in General Education

Placement Codes Students Ages 6-21	Description of Placement Setting Refer to Appendix: Document #14 (pages 192-199) for Continuum of Alternative Placement examples.
0100 Regular Classroom with Modification	Inside the regular class 80 percent or more of the day. <i>Unduplicated</i> total that were inside the regular classroom for 80 percent or more of the school day. (These are children who received special education and related services outside the regular classroom for less than 21 percent of the school day.) This may include children with disabilities placed in: -regular class with special education/related services provided within regular classes; -regular class with special education/related services provided outside regular classes; or --regular class with special education services provided in resource rooms.
0110 Resource Room	Inside regular class no more than 79% of day and no less than 40% percent of the day. <i>Unduplicated</i> total that were inside the regular classroom between 40 and 79% of the day. (These are children who received special education and related services outside the regular classroom for at least 21 percent but no more than 60 percent of the school day.) Do not include children who are reported as receiving education programs in public or private separate school or residential facilities. This may include children placed in: -- resource rooms with special education/related services provided within the resource room; or --resource rooms with part-time instruction in a regular class.

<p>0120 Self-Contained Classroom</p>	<p>Inside regular class less than 40 percent of the day. <i>Unduplicated</i> total that were inside the regular classroom less than 40 percent of the day. (These are children who received special education and related services outside the regular classroom for more than 60 percent of the school day.) Do not include children who are reported as receiving education programs in public or private separate school or residential facilities. This category may include children placed in:</p> <ul style="list-style-type: none"> --self-contained special classrooms with part-time instruction in a regular class; or --self-contained special classrooms with full-time special education instruction on a regular school campus.
<p>0130 Separate Day School</p>	<p><i>Unduplicated</i> total who received education programs in public or private separate day school facilities. This includes children with disabilities receiving special education and related services, at public expense, for greater than 50 percent of the school day in public or private separate schools. This may include children placed in:</p> <ul style="list-style-type: none"> --public and private day schools for students with disabilities; --public and private day schools for students with disabilities for a portion of the school day (greater than 50 percent) and in regular school buildings for the remainder of the school day; or --public and private residential facilities if the student does not live at the facility.
<p>0140 Residential Facility</p>	<p><i>Unduplicated</i> total that received education programs and lived in public or private residential facilities during the school week. This includes children with disabilities receiving special education and related services, at public expense, for greater than 50 percent of the school day in public or private residential facilities. This may include children placed in:</p> <ul style="list-style-type: none"> --public and private residential schools for students with disabilities; or --public and private residential schools for students with disabilities for a portion of the school day (greater than 50 percent) and in separate day schools or regular school buildings for the remainder of the school day. <p>Do not include students who received education programs at the facility, but do not live there.</p>
<p>0150 Home/Hospital</p>	<p><i>Unduplicated</i> total who received education programs in homebound/hospital environment includes children with disabilities placed in and receiving special education and related services in:</p> <ul style="list-style-type: none"> --hospital programs, or --homebound programs. <p>Do not include children with disabilities whose parents have opted to home-school them and who receive special education at the public expense.</p>

Placement Codes Students ages 3-5	Description of Placement Setting Refer to “ Decision Tree for Coding Educational Environments ” for additional assistance: https://doe.sd.gov/oess/documents/CodingLRE.pdf	
0310 Early Childhood Setting	A student is in this category if he/she attends an Early Childhood Program 10 hrs/week that includes at least 50% non-disabled children ; receives special education services and related services in ECH program .	
0315 Early Childhood Setting	A student is in this category if he/she attends an Early Childhood Program 10 hrs/week that includes at least 50% non-disabled children ; receives special education and related services in other location .	
0325 Early Childhood Setting	A student is in this category if he/she attends an Early Childhood Program less than 10 hrs/week that includes at least 50% non-disabled children ; receives special education and related services in ECH program .	
0330 Early Childhood Setting	A student is in this category if he/she attends an Early Childhood Program less than 10 hrs/week that includes at least 50% non-disabled children ; receives special education and related services in other location .	
Examples of an Early Childhood Program:	Calculating Percentage of time spent in a regular early childhood program:	
--Head Start --Kindergarten --Reverse inclusion classroom --Preschool classes offered to an eligible pre-kindergarten population by the public school system	--Group child care --Private preschools	Numerator = # hours per week spent in a regular early childhood program Denominator = # hours spent in a regular early childhood program PLUS # hours spent receiving special education and related services outside the regular early childhood program
0335 Separate Class	A student is in this category if he/she attends special education program. A program that includes less than 50% non-disabled children.	
0345 Separate School	A student is in this category if he/she attends a special education program in public or private day schools designed specifically for children with disabilities.	
0355 Residential Facility	A student is in this category if he/she attends education programs in publicly or privately operated residential schools or residential medical facilities on an inpatient basis.	
0365 Home	A student is in this category if he/she receives special education and related services in the principal residence of the child’s family or caregivers, and who did not attend an early childhood program or a special education program provided in a separate class, separate school or residential facility.	
0375 Service Provider Location	A student is in this category if he/she receives special education and related services from a service provider, and who did not attend an early childhood program or a special education program provided in a separate class, separate school, or residential facility.	

	<p>Examples: Specialized instruction provided in the service provider’s office, in school buildings, on an outpatient basis in hospital facilities, libraries and other public locations.</p>
<p>Participation with Non-disabled Peers</p>	<p>ARSD 24:05:28:05. Nonacademic and extracurricular services. Each school district shall take steps, including the provision of supplementary aids and services determined appropriate and necessary by the child's IEP team, to provide nonacademic and extracurricular services and activities in the manner necessary to afford children in need of special education or special education and related services an equal opportunity for participation in those activities. Nonacademic and extracurricular services and activities may include counseling services, athletics, transportation, health services, recreational activities, special interest groups or clubs sponsored by the district, referrals to agencies which provide assistance to persons with disabilities, and employment of students, including both employment by the district and assistance in making outside employment available.</p> <p>When the IEP team decides to remove a student from his/her non-disabled peers, the team must discuss all of the other opportunities available for the student to participate with his/her typical peer group. Check all of the boxes that apply to times the student will participate with his/her peers. In the comment section, the team should list other situations in which the student would be able to participate with non-disabled peers.</p>
<p>Justification for Placement</p>	<p>ARSD 24:05:27:01.03. Content of individualized education program. Each student's individualized education program shall include:</p> <p>(4) An explanation of the extent, if any, to which the student will not participate with nondisabled students in the regular class and in activities described in this section;</p> <p>The IEP team must provide a written justification regarding their decision to place a student in any setting outside the regular classroom to receive instruction. Removal from the regular educational classroom shall occur only when the nature or severity of the child's needs is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.</p> <p>Accept/Reject Format:</p> <p>The IEP team must provide a written description of the options considered and the reasons why those options were rejected for <u>EACH</u> option on the <u>continuum of alternative placements</u> from least restrictive to most restrictive down to the option chosen. Then describe the student’s <u>instructional needs</u> that resulted in the IEP team’s decision to remove the student from their peers to receive instruction. Written descriptions are <u>NOT</u> required for options on the continuum that are <u>more restrictive</u> than the one accepted by the IEP team.</p> <p><u>For Example:</u></p> <p>General classroom with modifications: Rejected – Describe why Resource room: Rejected – Describe why Self-contained classroom: Accepted – Describe why STOP</p>

Acceptable justifications may include a combination of the following:

- Clearly outlines the group's discussion and serious consideration
- Goes beyond description of a preferred option such as "student needs better ratio than this option can provide" and tells why this is essential to student's unique learning needs and describes those needs

Unacceptable Justifications:

- Reflect nonacademic reason
- Reflect non-individualized reason
- Reflect administrative convenience
- Reflect decision based on disability category
- Are identical to all other students in that placement
- Are based on availability of related services
- Are based on availability of services
- Are based on availability of space

Refer to Appendix: Document #15 (pages 201-208) for Justification for Placement examples

Potential Harmful Effects: In addition, the team must discuss the *potential harmful effects* of the accepted special education placement. If the team's discussion addressed the potential harmful effects of the special education placement, check the box.

Extended School Year

Extended School Year Services: needed not needed to be determined by (Date) _____

Goal(s) #	*Type of Service	Beginning Date mm/dd/yy	Ending Date mm/dd/yy	Minutes Per Week	**Based on
* Instruction, related services (specify), other (list) ** Regression/Recoupment, Emerging Skills, or Maintenance of Critical Life Skills					

Directions for Completing ESY

ARSD 24:05:25:26. Extended school year authorized. The district shall provide extended school year services to eligible children if the IEP team determines on an individual basis that such services are necessary for the provision of FAPE.

An IEP pursuant to chapter 24:05:27 shall be developed and implemented by the IEP team that addresses the need for extended school year services. The IEP team shall determine the length of the school day and duration of extended school year services based on the individual child's needs.

In implementing the requirements of this section, a district may not;

- (1) Limit extended school year services to particular categories of disability;
- (2) Unilaterally limit the type, amount, or duration of those services; or
- (3) Apply a regression/recoupment criterion to children in need of prolonged assistance.

As used in this section, the term, extended school year services, means special education and related services that meet the standards of the state and are provided to a student with a disability beyond the normal school year of the district, in accordance with the student's IEP and at no cost to the parents of the student.

ESY services are not intended to advance skills but are provided to students that 1) experience significant regression/recoupment of previously learned skills without the provision of such services, 2) need to maintain critical life skills or 3) to support the establishment of emerging skills.

The IEP team must consider the following elements when determining the need for ESY services:

- The likelihood of significant regression and the rate of probable recoupment of skills,
- If the lack of services over breaks in service will halt a student's progress toward developing critical life skills;
- If the break in service will interrupt a student with a disability at a critical breakthrough period of learning a skill;
- If the break in service will intensify "interfering behavior" such as aggression and self-injury.

NOTE: The need for extended school year services must be addressed each year for all students. For additional information, refer to "Primer on the Provision of Extended School Year Service" at:

http://doe.sd.gov/oess/documents/SE_ExtScYr.pdf

<p>ESY Services Needed</p>	<p>Check this box if the IEP team determines that ESY service is needed. The program must be developed.</p> <p>Document the following information when planning the ESY services for a student:</p> <ul style="list-style-type: none"> • The number of each goal that will be reinforced during ESY services; • The type of service—instruction, specific related services that will be provided, or other; • The beginning date of services (<i>Estimate the start of services by month, date, and year</i>); • The ending date of services (<i>Estimate the end of services by month, date, and year</i>);
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	<ul style="list-style-type: none"> • The minutes per week of each service listed; and; • The reason that the service is needed (regression/recoupment, emerging skills, or maintenance of critical life skills)
<p>ESY Services Not Needed</p>	<p>If data collected indicates a student does not regress over periods when school is not in session, extended school year services are not indicated. If no extended school year services are needed, mark "no" on this section of the form.</p> <p><u>NOTE:</u> A review of data may be necessary before school is out to be sure circumstances have not changed resulting in the need for ESY services. For example, after 4 months of service, the student initiates the "r" sound. The team may want to consider ESY service to maintain the productions of this sound.</p>
<p>ESY Services to be Determined by (Date)</p>	<p>If it is not known at the time the IEP is developed whether extended school year services will be needed, the IEP team will specify a date by which the team will reconvene to discuss and determine if ESY services will be provided. There will need to be documentation in the file that the team met on or before the date indicated to make the determination if services need to be provided. Documentation should include:</p> <ul style="list-style-type: none"> • Meeting notice • Amendment regarding the IEP team's decision • Parental prior written notice summarizing the IEP team's actions • If it is determined ESY services are needed, complete the ESY page in the IEP. <p>In making changes to a student's IEP after the annual IEP meeting for a school year, the parent of a student with a disability and the school district may agree not to convene an IEP meeting for the purposes of making the changes, and instead may develop a written document to amend or modify the student's current IEP. If changes are made to the student's IEP in accordance with this section, the district shall ensure that the student's IEP team is informed of the changes.</p>

INDIVIDUAL EDUCATION PROGRAM AMENDMENT
ARSD 24:05:27:08.01 & 24:05:27:08.02

STUDENT NAME:		SIMS:
PARENT/GUARDIAN NAME:		DATE SENT:
SCHOOL DISTRICT:	SCHOOL:	
DOB:	AGE:	GRADE:

Meeting Date:	A copy of this IEP amendment was provided to Parent/Guardian: <input type="checkbox"/> Yes (Parent/Guardian Initial) _____ <input type="checkbox"/> Date copy sent: _____
Purpose of Meeting (Agenda Items):	

	Signature	Date
IEP Team Membership		
Parent/Guardian		
Parent/Guardian		
Student		
School Representative		
General Education Teacher		
Special Education Teacher or Provider		
Speech/Language Pathologist		
Individual who can interpret evaluation results		
Other:		
Other:		
Other:		

Directions for Completing an Amendment

ARSD 24:05:27:08.01. Agreement to change IEP. In making changes to a student's IEP after the annual IEP meeting for a school year, the parent of a student with a disability and the school district may agree not to convene an IEP meeting for the purposes of making the changes, and instead may develop a written document to amend or modify the student's current IEP. If changes are made to the student's IEP in accordance with this section, the district shall ensure that the student's IEP team is informed of the changes.

ARSD 24:05:27:08.02. Amendments to IEP. Changes to the IEP may be made either by the entire IEP team at an IEP team meeting or, as provided in § 24:05:27:08.01, by amending the IEP rather than by redrafting the entire IEP. Upon request, a parent shall be provided with a revised copy of the IEP with the amendments incorporated. A change to an IEP for a student with disabilities does not give rise to the due process requirements of article 24:07, unless the superintendent recommends long-term suspension or expulsion for the student.

An amendment can be made by documenting the changes directly on the IEP with the date the change was made or by using an amendment form.

An amendment to the IEP can be made **at any time that the team agrees a change is appropriate or necessary**. Some of the most common reasons to draw the IEP team together for IEP amendment include:

1. There is change in the health status of a student;
2. The student has met goals and objectives at a faster (slower) rate than anticipated, requiring new/different goals and objectives to be written;
3. An IEP team meeting may be necessary if the student is making insufficient progress toward his/her annual goals.
4. A member of the team feels a change of placement should be considered by the team;
5. A member of the team feels additional (fewer) related services are needed and should be considered by the team;
6. Extended school year services are potentially needed, requiring the team to reconvene for determination of need and the development of an Extended School Year IEP;
7. New evaluation findings are brought to the attention of a member of the team that require the committee to reconsider placement, goals and objectives, related services, or other portions of the IEP.
8. The team needs to discuss if the student has met their graduation requirements.

The Amendment form **may not be used, however, to extend an IEP beyond the 365-day timeline**. This timeline cannot be extended.

NOTE: Districts must provide *Parental Prior Written Notice* following an amendment agreement.

Demographics- Top Section	For instructions on completing this section, see directions for the cover page of the IEP on page 8 of this guide.
Meeting Date	Indicate the date (month/day/year) the amendment meeting/discussion takes place
A copy of this IEP...	Parent must receive a copy and provide initials and date here to verify receipt of the amendment.

Purpose of the Meeting	Briefly specify the purpose of the Amendment. (ex., change service minutes, change placement, etc.)
Signatures	The signature lines on the cover sheet of the amendment form provide space for all IEP team members to sign the amendment. One's signature implies "participation" and not agreement or consent.
Meeting Notes	This section of the amendment form allows the IEP team to write any information they wish to add or change on the current IEP document. If the IEP team is modifying or adding to the goals and objectives of the IEP, simply make a statement to that effect on the amendment form and attach the updated goal and objective sheets to the IEP amendment.

Examples of situations when an IEP amendment would be appropriate.

- A parent calls the district and would like to discuss a change to their child's IEP. The district and the parent agree to make a change to the IEP. The district completes a parental prior written notice that states when the parent called, what was discussed and the agreed upon change. The amendment is completed and attached to the prior notice and sent to the parent. The parental prior written notice states the amendment will go into effect on XXXX date, which is after the 5 days waiting period.
- A parent is visiting the school and the district and the parent are discussing a change to the child's IEP. The parent and the district agree to a change. While the parent is at the school, the district completes the amendment and has the parent sign. The district also completes the parental prior written notice, which states what they just agreed to. The district explains that the change will go into effect after the 5 days prior notice unless the parent wishes to waive the 5 days waiting period. The parent signs the waiver right away and the change can go into effect immediately.

The IEP Process – What you need to know.

The following information is taken from the August 14, 2006 Federal Register IDEA Comment Section of the regulations. The comment sections are guidance given by the Office of Special Education Programs.

Federal Register Analysis: Referral

Since not all child find and referral processes in States and LEAs would necessarily meet the requirement in section 615(k)(5)(B)(iii) of the Act that the teacher of the child, or other personnel of the LEA, must express specific concerns about a pattern of behavior demonstrated by the child “directly to the director of special education of such agency or to other supervisory personnel of the agency,” we are removing from §300.534(b)(3) the requirement that concerns be expressed in accordance with the agency’s established child find or special education referral system.

We continue to believe the child find and special education referral system is an important function of schools, LEAs, and States. School personnel should refer children for evaluation through the agency’s child or special education referral system when the child’s behavior or performance indicates that they may have a disability covered under the Act. Having the teacher of a child (or other personnel) express his or her concerns regarding a child in accordance with the agency’s established child find or referral system helps ensure that the concerns expressed are specific, rather than casual comments, regarding the behaviors demonstrated by the child and indicate that the child may be a child with a disability under the Act. **For these reasons, we would encourage those States and LEAs whose child find or referral processes do not permit teachers to express specific concerns directly to the director of special education of such agency or to other supervisory personnel of the agency, to change these processes to meet this requirement.**

Changes: In light of some State child find procedures, we have removed from §300.534(b)(3) the requirement that the teacher or other LEA personnel must express concerns regarding a child’s pattern of behavior in accordance with the agency’s established child find or special education referral system.

Federal Register Analysis: Draft IEP

As noted in §300.306(a)(2), the public agency must provide a copy of an evaluation report and the documentation of determination of eligibility at no cost to the parent. Whether parents receive all evaluation reports before an IEP Team meeting, however, is a decision that is best left to State and local officials to determine.

With respect to a draft IEP, we encourage public agency staff to come to an IEP Team meeting prepared to discuss evaluation findings and preliminary recommendations. Likewise, parents have the right to bring questions, concerns, and preliminary recommendations to the IEP Team meeting as part of a full discussion of the child’s needs and the services to be provided to meet those needs. We do not encourage public agencies to prepare a draft IEP prior to the IEP Team meeting, particularly if doing so would inhibit a full discussion of the child’s needs. However, if a public agency develops a draft IEP prior to the IEP Team meeting, the agency should make it clear to the parents at the outset of the meeting that the services proposed by the agency are preliminary recommendations for review and discussion with the parents. The public agency also should provide the parents with a copy of its draft proposals, if the agency has developed them, prior to the IEP Team meeting so as to give the parents an opportunity to review the recommendations of the public agency prior to the IEP Team meeting, and be better able to engage in a full discussion of the proposals for the IEP. It is not permissible for an agency to have the final IEP completed before an IEP Team meeting begins

Dismissal Procedures

Question:

What is the process for dismissing a student from special education and/or a related service?

Answer:

ARSD 24:05:25:06. Reevaluations. A school district shall ensure that a reevaluation of each child with a disability is conducted in accordance with this chapter if the school district determines that the educational or related service needs, including improved academic achievement and functional performance, of the child warrant a reevaluation or if the child's parents or teacher requests a reevaluation...the school district shall follow the procedures in this chapter before determining that the child is no longer a child with a disability. The evaluation procedures described in this chapter are not required before the termination of a child's eligibility under this article due to graduation from secondary school with a regular high school diploma, or exceeding the age eligibility for FAPE.

ARSD 24:05:25:04. Evaluation procedures. The district must implement the same evaluation procedures used to determine continued eligibility. The evaluation team must determine what evaluations are needed, including parent input, to determine if the student continues to need special education and related services. Written notice in accordance with ARSD 24:05:30:05 (Prior notice by the public agency; content of notice) must be provided to the parents that describes any evaluation procedures the district intends to conduct. A variety of assessment tools and strategies to gather relevant functional, developmental, and academic information about the student is to be used. No single measure or assessment can be used as sole criterion for determining eligibility. The district must ensure all other evaluation procedures are followed.

ARSD 24:05:25:04.03. Determination of eligibility. If the IEP Team and other qualified professionals, as appropriate, determine that no additional data are needed to determine whether the child continues to be a child with a disability, and to determine the child's educational needs, the public agency must notify the child's parents of:

- That determination and the reasons for the determination;
- and The right of the parents to request an assessment to determine whether the child continues to be a child with a disability, and to determine the child's educational needs.

ARSD 24:05:25:04.03. Determination of eligibility. Based upon the relevant functional, developmental and academic information gathered, a group of qualified professionals and the parents of the child determine whether the child is a child with a disability. A copy of the evaluation report and the documentation of determination of eligibility are to be provided to the parents.

Additional procedures for identifying children with specific learning disabilities apply when determining if a child continues to be child with a disability.

ARSD 24:05:25:07. Additional procedures for evaluating specific learning disabilities.

ARSD 24:05:25:08. Additional group members for specific learning disabilities.

ARSD 24:05:25:11. Observation for specific learning disabilities.

ARSD 24:05:25:12. Documentation of eligibility for specific learning disabilities.

The same process and requirements used for initial evaluation and/or reevaluation apply before determining that the child is no longer a child's with a disability.

To dismiss a student from special education or special education and related services the district would precede as follows:

1. The district evaluation team would review the student's information and decide what evaluation information is necessary before determining the child is no longer a child with disability.
2. Once the district has decided what evaluations are necessary, contact the parent/guardian, review the district's evaluation plan with the parent/guardian and ask them if they agree or if they recommend any changes to the district's evaluation plan.
3. The district must complete the parental prior written notice/consent for evaluation, listing the test/evaluations, records, and reports that will be used to determine if the child continues to be eligible for services.
4. When documenting previous evaluation information to be used on the parental prior written notice/consent for evaluation, indicate the area or name of the evaluation and the date it was administered. This also holds true with any information to be used that was not administered during the 25 school day evaluation timeline. This will let the parent/guardian know that previous information will be used and that a new evaluation will not be administered.
5. Parent/guardians must be informed of their right to request an assessment to determine whether the child continues to be a child with a disability, and to determine the child's educational needs in the parental prior written notice.
6. All the evaluation procedures stated in ARSD 24:05:25:04 Evaluation procedures apply.
7. Copies of all evaluation reports/documentation used by the team to determine if the child continues to be a child with a disability must be provided to parent/guardians.
8. Meeting notice is sent to parent/guardian setting up a meeting at a mutually agreeable time at which time the IEP team will review the evaluation data and determine if the child continues to be eligible for services.
9. The team will complete the evaluation report and the determination of eligibility (content required for students identified with specific learning disabilities) reporting the team's decision regarding the child's eligibility for services. A copy of this document with the team's decision must be given to parents/guardians.

Student Transfer Process

ARSD 24:05:27:15.01. IEPs for student transfers within state. If a student with a disability, who had an IEP that was in effect in a previous school district in the state, transfers to a new school district in the state, and enrolls in a new school within the same school year, the new school district, in consultation with the parents, shall provide FAPE to the student, including services comparable to those described in the student's IEP from the previous school district, until the new school district either:

- (1) Adopts the student's IEP from the previous school district; or
- (2) Develops, adopts, and implements a new IEP that meets the applicable requirements in this chapter.

Type 1: Student transfers in from another In-State school district

1. Request the following documents from the previous district:
 - Referral document (if initial evaluation)
 - Parental prior written notice/consent for the most recent evaluation
 - All evaluation reports
 - Medical diagnostic reports of chronic/acute health issues
 - Any other evaluation report pertinent to the student's disability.
 - Eligibility document
 - Meeting notice
 - Current IEP
 - All applicable amendments to the IEP
 - Behavior improvement plan (if applicable)
2. If documents are not received within one week of requesting records from the previous district, the receiving district administrator should make a second contact to the previous districts administrator to expedite the transfer of records. In the event records are not received, the receiving district administrator should contact the South Dakota Department of Education, Special Education Programs (SEP) and request an intervention to acquire the above documents.
3. The receiving district "review team" will examine the documents to determine:
 - If the IEP can be implemented (comparable services) as written
 - If evaluation/eligibility documents accurately support eligibility
4. No amendment required:
 - District (staff title) will contact the parent by phone or in person and discuss the results of the review teams finding.
 - Following the contact/discussion, parental prior written notice will be sent to the parents summarizing the IEP implementation discussion by (staff title).

- (Staff title) will inform all district staff responsible for implementing the IEP of their responsibilities. Services will be implemented to avoid any undue interruption in the provision of special education and related services.

5. Amendment required:

- District (staff title) will send meeting notice to the parents setting up an IEP team meeting to discuss possible amendments recommended by the district review team.
- Amendment decisions will be documented, parental prior written notice sent/given to parent and IEP implemented.
- (Staff title) will inform all district staff responsible for implementing the IEP of their responsibilities. Services will be implemented to avoid any undue interruption in the provision of special education and related services.
- If additional evaluation is needed to determine eligibility and educational need, prior notice/consent for evaluation will be completed at the time of the meeting.
- Evaluation procedures, Eligibility determination and IEP meeting will be held following completion of evaluation.
- Parental prior written notice is sent 5 days (unless waived) prior to implementing the new IEP.

Type 2: Student transfer in from an Out-of State school district.

ARSD 24:05:27:15.02. IEPs for student transfers from another state. If a student with a disability, who had an IEP that was in effect in a previous school district in another state, transfers to a school district in South Dakota, and enrolls in a new school within the same school year, the new school district, in consultation with the parents, shall provide the child with FAPE, including services comparable to those described in the student's IEP from the previous school district, until the new school district:

- (1) Conducts an evaluation pursuant to chapter 24:05:25, if determined to be necessary by the new school district; and
- (2) Develops, adopts, and implements a new IEP, if appropriate, that meets the applicable requirements in this chapter.

1. Request the following documents from the previous district:

- Referral document (if initial evaluation)
- Parental prior written notice/consent for the most recent evaluation
- All evaluation reports
- Medical diagnostic reports of chronic/acute health issues
- Any other evaluation report pertinent to the student's disability.
- Eligibility document
- Meeting notice
- Current IEP
- All applicable amendments to the IEP
- Behavior improvement plan (if applicable)

2. If documents are not received within one week of requesting records from the previous district, the receiving district administrator should make a second contact to the previous districts administrator to expedite the transfer of records. In the event records are not received, the receiving district administrator should contact the South Dakota Department of Education, Special Education Programs (SEP) and request an intervention to acquire the above documents.
3. The district “review team” will examine the documents to determine:
 - If the IEP can be implemented (comparable services) as written
 - If evaluation/eligibility documents accurately supports South Dakota eligibility criteria
4. District (staff title) will send meeting notice to the parents setting up an IEP team meeting to review the IEP and establish the students eligibility in South Dakota
 - Team will review current IEP and agree to implement OR amend the IEP as necessary.
 - (Staff title) will inform all district staff responsible for implementing the IEP of their responsibilities.
 - Services will be implemented to avoid any undue interruption in the provision of special education and related services.
 - Team will determine if appropriate evaluation information is available supporting South Dakota eligibility criteria. If so, complete the Eligibility Determination Document for the purpose of verifying the appropriate disability category for child count.
 - If additional evaluation is needed to determine eligibility and educational need, prior notice/consent for evaluation will be completed at the time of the meeting. This will be considered an **“initial” evaluation**.
 - Evaluation procedures, Eligibility determination and IEP meeting will be held following completion of the initial evaluation.
 - Parental prior written notice is sent 5 days (unless waived) prior to implementing the new IEP.

QUESTIONS AND ANSWERS ON INDIVIDUALIZED EDUCATION PROGRAMS (IEPS), EVALUATIONS, AND REEVALUATIONS

REVISED JUNE 2010

OSERS issues this Q&A document to provide States, State educational agencies (SEAs), local educational agencies (LEAs), parents, and other stakeholders with information regarding the *IDEA* requirements relating to individualized education programs (IEPs), evaluations, and reevaluations.

Question A-5: What happens if a child with a disability who has an IEP in effect transfers to a new public agency or LEA in a different State and the parent refuses to give consent for a new evaluation?

Answer: Under 34 CFR §300.323(f), if a child with a disability (who has an IEP in effect) transfers to a public agency in a new State, and enrolls in a new school within the same school year, the new public agency (in consultation with the parents) must provide the child with FAPE (including services comparable to those described in the child's IEP from the previous public agency), until the new public agency (1) conducts an evaluation pursuant to §§300.304 through 300.306 (if determined to be necessary by the new public agency); and (2) develops and implements a new IEP, if appropriate, that meets the applicable requirements in §§300.320 through 300.324. Nothing in 34 CFR §300.323(f) would preclude the new public agency in the new State from adopting the IEP developed for the child by the previous public agency in another State. If the new public agency determines that it is necessary to conduct a new evaluation, that evaluation would be considered an initial evaluation because the purpose of that evaluation is to determine whether the child qualifies as a child with a disability and to determine the educational needs of the child. 71 FR 46540, 46682 (Aug 14, 2006). The public agency must obtain parental consent for such an evaluation in accordance with 34 CFR §300.300(a). However, 34 CFR §300.300(a)(3)(i) provides that if a parent does not provide consent for an initial evaluation, or fails to respond to a request to provide consent, the new public agency may, but is not required to, pursue the initial evaluation by utilizing the Act's consent override procedures, if permissible under State law. The Act's consent override procedures are the procedural safeguards in subpart E of 34 CFR Part 300 and include the mediation procedures under 34 CFR §300.506 or the due process procedures under 34 CFR §§300.507 through 300.516.

Because the child's evaluation in this situation is considered an initial evaluation, and not a reevaluation, the stay-put provision in 34 CFR §300.518(a) does not apply. The new public agency would treat the student as a general education student and would not be required to provide the child with comparable services if a due process complaint is initiated to resolve the dispute over whether the evaluation should be conducted. 71 FR 46682. Also, 34 CFR §300.300(a)(3)(ii) is clear that the public agency does not violate its obligation under 34 CFR §§300.111 and 300.301 through 300.311 (to identify, locate, and evaluate a child suspected of having a disability and needing special education and related services) if it declines to pursue the evaluation. Similarly, if the parent does not provide consent for the new evaluation and the new public agency does not seek to override the parental refusal to consent to the new evaluation, the new public agency would treat the student as a general education student.

Appendix: Document #1

Individual Education Program Forms:

All forms listed below can be accessed at: https://doe.sd.gov/oess/sped_IEP.aspx

IEP

Individual Education Plan (IEP)

Individual Education Plan for Transition

IEP Amendment

Referral/Eligibility

Referral for Special Education

Determination Of Eligibility/Continued Eligibility

Notices/Consent

Meeting Notice

Request To Excuse Required IEP Team Members

Parental Prior Written Notice/ Consent for Evaluation

Parent Prior Written Notice

Consent for Initial Provision of Special Education

Revocation of Consent for Special Education

Parent Prior Written Notice Following Revocation of Consent

Transition

Summary of Performance

Consent To Invite Outside Agency For Postsecondary Transition Services- -

Medicaid

Medicaid Annual Notification

Medicaid Information Form

Private Health Insurance Authorization

Appendix: Document #2

Evaluation Quick Reference Guide:

- **REMINDERS:**
Transition evaluations will need to be conducted and services included in the IEP prior to age 16, or at a younger age as determined by the IEP team.
- Evaluations must be based upon the child’s needs as determined by the IEP team. The purpose of conducting evaluations is to generate information in order to make decisions about eligibility, educational strategies and placement options.
- The team should take into account any exceptionality of the individual in the choice of assessment procedures.
- When a child has a previous diagnosis, such as autism, ADHD, TBI, etc., best practice would be to pull forward that previous diagnosis on the Parental Prior Written Notice/Consent for Evaluation.

(500) Deaf-Blindness

- Ophthalmological or Optometric
- Audiological
- Ability
- Academic Achievement
- Language
- Adaptive behavior
- Braille assessment (the team shall consider based upon age-appropriateness)
- Orientation and mobility
- If the team decides there are other areas of suspected disability, other evaluations must be given, such as if appropriate, speech, motor, hearing, etc.

NOTE: Skill based assessment information is to be gathered for each skill area affected by the disability.

(505) Emotional Disturbance

- Ability
- Academic achievement
- Observations
- Behavior – (To support educational impact a Standardized Rating Scale must be completed individually, at a minimum, by two teachers, a parent/guardian and if appropriate, the student).
- If the team decides there are other areas of suspected disability, other evaluations must be given, such as adaptive behavior (to include social skills), speech or language.

NOTE: Skill based assessment information is to be gathered for each skill area affected by the disability.

(510) Cognitive Disability

- Ability
- Academic achievement
- Adaptive behavior
- If the team decides there are other areas of suspected disability, other evaluations must be given, such as motor, speech or language.

NOTE: Skill based assessment information is to be gathered for each skill area affected by the disability.

(515) Hearing Loss

- Audiological
- Ability
- Academic achievement
- Language
- If the team decides there are other areas of suspected disability, other evaluations must be given, such as adaptive behavior or speech.

NOTE: Skill based assessment information is to be gathered for each skill area affected by the disability.

(525) Specific Learning Disability

Eligibility using the discrepancy model will be determined through a comprehensive individual evaluation process which will include:

- Ability
- Academic achievement
- Observation
- If the team decides there are other areas of suspected disability, other evaluations must be given, such as adaptive behavior, speech or language.

Eligibility using Rtl will be determined through a comprehensive individual evaluation process which will include:

- Academic achievement (1.5 standard deviations from the mean);
- Evaluation of student growth relative to benchmark utilizing CBM data taking into account both level and rate of learning; and
- Direct observation to assess student performance in the classroom;
- If the team decides there are other areas of suspected disability, other evaluations must be given, such as adaptive behavior, speech or language.

NOTE: Skill based assessment information is to be gathered for each skill area affected by the disability.

(530) Multiple Disabilities

Evaluations must be conducted within the two (or more) disability areas, which the student is suspected of having.

- A child with multiple disabilities shall be evaluated by the procedures for each disability; and shall meet the criteria for two or more disabilities. The IEP team determines whether the criteria have been met.
- Evaluation data shall be gathered from those persons designated for each disability in the evaluation of multiple disabilities.

NOTE: Skill based assessment information is to be gathered for each skill area affected by the disability.

(535) Orthopedic Impairment

- Ability
- Academic achievement
- Gross and/or fine motor
- Adaptive Behavior
- Current medical data from a qualified medical examiner.
- Documentation including observation of classroom performance and evaluation of how orthopedic impairments adversely affect education performance in the general education classroom or learning environment.
- If the team decides there are other areas of suspected disability, other evaluation must be given, such as speech or language.

NOTE: Skill based assessment information is to be gathered for each skill area affected by the disability.

(540) Vision Loss

- Ophthalmological or Optometric
- Ability
- Academic achievement
- Adaptive Behavior
- Braille assessment (the team shall consider based upon age-appropriateness).
- If the team decides there are other areas of suspected disability, other evaluations must be given, such as speech, language, or orientation and mobility.

NOTE: Skill based assessment information is to be gathered for each skill area affected by the disability.

(545) Deafness

- Audiological
- Ability
- Academic achievement
- Language
- If the team decides there are other areas of suspected disability, other evaluations must be given, such as adaptive behavior, or speech.

NOTE: Skill based assessment information is to be gathered for each skill area affected by the disability.

(550) Speech/Language Impairment

- Articulation: a standardized articulation test and observation
- Fluency: as determined by the speech/language pathologist
- Voice: as determined by the speech/language pathologist, medical evaluation may be necessary
- Language: standardized language assessments, checklists, language samples
- If the team decides there are other areas of suspected disability, other evaluations must be given, such as adaptive behavior.

NOTE: Skill based assessment information is to be gathered for each skill area affected by the disability.

(555) Other Health Impaired

- Ability
- Academic achievement
- **Documentation of a chronic or acute health problem**
- If ADHD (Attention Deficit Hyperactivity Disorder) is the impairment, behavioral evaluations must be administered. To support educational impact a Standardized Rating Scale must be completed individually, at a minimum, by two teachers, a parent/guardian and if appropriate, the student).
- If the team decides there are other areas of suspected disability, other evaluations must be given, such as adaptive behavior, speech or language.

NOTE: Skill based assessment information is to be gathered for each skill area affected by the disability.

(560) Autism

NOTE: School districts shall refer students suspected as having autism for a diagnostic evaluation to an agency specializing in the diagnostic and educational evaluation of autism or to another multidisciplinary team or group of persons who are trained and experienced in the diagnosis and educational evaluation of persons with autism.

- Ability
- Academic achievement
- Language
- Adaptive Behavior to include social skills
- Behavior - (To support educational impact a Standardized Rating Scale must be completed individually, at a minimum, by two teachers, a parent/guardian and if appropriate, the student).
- Autism Specific Instrument
- Observation
- If the team decides there are other areas of suspected disability, other evaluations must be given, such as motor, speech, health, vision or hearing.

NOTE: Skill based assessment and/or early development information is to be gathered for each skill area affected by the disability.

(565) Traumatic Brain Injury

- Ability
- Medical records of documentation of brain injury
- Academic achievement
- Adaptive Behavior to include social skills
- If the team decides there are other areas of suspected disability, other evaluations must be given, such as speech, language, gross motor, fine motor or attention

NOTE: Skill based assessment information is to be gathered for each skill area affected by the disability.

(570) Developmental Delay

- Standardized developmental assessment which evaluates skills in all development areas:
 - Cognitive,
 - Physical/Motor (gross and fine)
 - Communication
 - Social/Emotional
 - Adaptive
- If the team decides there are other areas of suspected disability, other evaluations must be given, such as speech.

NOTE: Skill based assessment information is to be gathered for each skill area affected by the disability.

Prior Notice Examples

Meeting Notice –

ARSD 24:05:27:02. IEP team meeting date. Initial IEP team meetings must be held consistent with § 24:05:25:03. IEP team meetings following reevaluations must be held consistent with § 24:05:25:06. As soon as possible following development of the IEP, special education and related services are made available to the child in accordance with an IEP.

ARSD 24:05:25:16. Parent participation. Each district shall take steps to ensure that one or both parents of the child are present at each IEP team meeting or are afforded the opportunity to participate. The district shall notify parents of the meeting early enough to ensure that they will have an opportunity to attend, scheduling the meeting at a mutually agreed-upon time and place. The notice to the parents shall state the purpose, time, and location of the IEP team meeting and who will be in attendance and inform the parents of the provisions relating to the participation of other individuals on the IEP team who have knowledge or special expertise about the child, including information related to the participation of the Part C service coordinator or other representatives of the Part C system at the initial IEP Team meeting for a child previously served under Part C of the IDEA.

If a purpose of the IEP team meeting is the consideration of postsecondary goals and transition services for a student, the notice must also address the provisions of § 24:05:25:16.01.

If parents cannot attend, the district shall use other methods to ensure participation, including individual or conference telephone calls consistent with § 24:05:27:08.04.

Meeting Notice –This notice is required prior to scheduling a meeting.

Content of meeting notice-requires meeting date, time, location, purpose, attendees and contact information.

Parental Prior Written Notice

ARSD 24:05:30:04. Prior notice. Written notice which meets the requirements of § 24:05:30:05 must be given to the parents five days before the district proposes or refuses to initiate or change the identification, evaluation, or educational placement of the child or the provision of a free appropriate public education to the child. The five-day notice requirement may be waived by the parents.

ARSD 24:05:30:05. Content of notice. The notice must include the following:

- (1) A description of the action proposed or refused by the district, an explanation of why the district proposes or refuses to take the action, and a description of any other options the IEP team considered and the reasons why those options were rejected;
- (2) A description of each evaluation procedure, assessment, record, or report that the district uses as a basis for the proposal or refusal;
- (3) A description of any other factors which are relevant to the district's proposal or refusal;
- (4) A statement that the parents of a child with a disability have protection under the procedural safeguards of this article and, if this notice is not an initial referral for evaluation, the means by which a copy of a description of the procedural safeguards can be obtained; and
- (5) Sources for parents to contact to obtain assistance in understanding the provisions of this article.

Parental Prior Written Notice/Consent for Evaluation –This notice/consent is required prior to initiating or refusing evaluation procedures.

Example #1: (initial evaluation following academic interventions)

a. Explanation of why the district proposed or refused to take the action.

Data indicates the reading interventions implemented during the response to intervention (RtI) process have not resulted in sufficient progress to prevent (student) from continuing to fall behind in the general curriculum. Since reading is so important in all core subjects (student) may require specialized instruction in order to stay on track and acquire the skill necessary at (his/her) age and grade level. Therefore, we are recommending a comprehensive evaluation to be conducted. The evaluation process is required to determine if (student) is an individual with a disability requiring special education services.

b. Description of other options that the IEP team considered and the reasons why those options were rejected:

The district considered not completing a comprehensive evaluation. However, the district feels current interventions are not sufficient to meet his needs.

c. Description of each evaluation procedure, assessment record or report the district used as a basis for the proposed or refused action:

Intervention progress monitoring data, DIBELS benchmark assessments, Reading Recovery running records, attendance record, optometric evaluation report from Dr. Brown dated January 4, 20--, and parent, classroom teacher, and tutor input.

d. Description of other factors that are relevant to district's proposal or refusal:

During grade-level screening, (student's) vision and hearing were determined adequate.

Example #2: (initial evaluation for an out of state transfer)

a. Explanation of why the district proposed or refused to take the action.

After reviewing the evaluation data received from the previous school district (student) attended the team has determined it does not support eligibility in South Dakota. Therefore, additional evaluation data is necessary. Prior Written Notice/consent for evaluation was sent to you by the district on (date) and again on (date). The notice requires your signature (consent) to initiate evaluation procedures for (student).

b. Description of other options that the IEP team considered and the reasons why those options were rejected:

Without the additional evaluation information the district will be unable to support continued eligibility for special education and would need to consider dismissal from services.

c. Description of each evaluation procedure, assessment record or report the district used as a basis for the proposed or refused action:

The district reviewed all educational records received from (name of the out of state school district) to include (student's) evaluation reports, eligibility document and current IEP. Based upon a review of this data, the district must initiate an evaluation to determine if (student) meets the South Dakota eligibility criteria and need for special education services.

d. Description of other factors that are relevant to district's proposal or refusal:

After evaluations are completed and reports have been received, the district will contact you to schedule a meeting to discuss the evaluation results, determine eligibility and if eligible, an IEP would be written. Please bring any concerns and/or ideas you may have for your child's education to the meeting.

Example #3 (initial evaluation following screening)

a. Explanation of why the district proposed or refused to take the action.

(Student) was part of the district's free developmental screening. At that time, his/her overall scores in the major areas of Motor, Concepts, and Language were in potential delay. We are requesting your permission to conduct an initial evaluation of (student's) developmental functioning in order to determine if he/she is a child with a disability.

b. Description of other options that the IEP team considered and the reasons why those options were rejected:

We considered waiting with the evaluation until he/she starts kindergarten but feel it would be more beneficial to identify a potential disability at this time in order to pursue early intervention of specialized instruction, as soon as the school year begins.

c. Description of each evaluation procedure, assessment record or report the district used as a basis for the proposed or refused action:

DIAL-4 screening scores, preschool teacher and parent input

d. Description of other factors that are relevant to district's proposal or refusal:

You indicated that you have not decided whether to send (student) to kindergarten or junior kindergarten in August. The evaluation data may assist with making that decision.

Example #4 (reevaluation)

a. Explanation of why the district proposed or refused to take the action.

After reviewing data regarding (student's) IEP goals and his/her performance in the general classroom the district has determined (Student) has been making steady progress over the past two and a half years. It is now time to look at the skills he has learned in the general curriculum and set new target skills for him to obtain. Therefore, the district is proposing a reevaluation.

b. Description of other options that the IEP team considered and the reasons why those options were rejected:

The IEP team considered bringing forward student's previous ability score. However, the IEP team feels a reevaluation of his ability is necessary in order to obtain a valid and reliable representation of his current cognitive skills.

c. *Description of each evaluation procedure, assessment record or report the district used as a basis for the proposed or refused action:*

Previous 3-year-comprehensive evaluation reports, current academic performance, current IEP and progress reports

d. *Description of other factors that are relevant to district's proposal or refusal:*

This evaluation will help determine if he/she continues to be a child with a disability in need of specialized instruction to benefit from his/her education. Evaluation results will also provide strengths and needs of (student) to assist with designing an appropriate educational program.

Example #5 (Parent/guardian referral and district refusal)

a. *Explanation of why the district proposed or refused to take the action.*

The district has considered your request to evaluate (student). After a review of (student's) educational performance, the district has decided not to evaluate him/her at this time.

b. *Description of other options that the IEP team considered and the reasons why those options were rejected:*

The district considered the ADHD diagnosis you presented on 2-13-13 and your physician's report stating that (student) needs to be on an IEP. However, there is no evidence his/her ADHD is adversely affecting (student) within the school setting at this time.

c. *Description of each evaluation procedure, assessment record or report the district used as a basis for the proposed or refused action:*

District reviewed grades, attendance records, behavior records and interviewed each of his/her current teachers

d. *Description of other factors that are relevant to district's proposal or refusal:*

The district reviewed his/her academic standing within each current class; he/she is submitting work in a timely manner; and his/her grades are satisfactory. He/she has not had any referrals to the principal's office due to inappropriate behaviors in the last 5 months. Teachers have also reported they have no concerns within the classroom as his/her behaviors are commensurate with his/her peers.

Parental Prior Written Notice: The notice is required "prior to implementing" any change in identification, evaluation, placement or the provision of FAPE, regardless of whether an IEP meeting was held or not. The Parental Prior Written Notice must clearly reflect a comprehensive

overview of the proposal(s) agreed to and/or refused. The notice provides the parent/guardian a comprehensive overview of the changes and affords them time and opportunity to express additional questions and/or concerns, or seek resolution before any action is taken.

Example #1: (Student graduating)

a. Explanation of why the district proposed or refused to take the action.

(Student) is on track to graduate with a signed diploma. The IEP team met and developed a summary of performance that (student) will have for future use. He/she is scheduled to graduate on (date) at which time the district will no longer be responsible for (student's) educational program.

b. Description of other options that the IEP team considered and the reasons why those options were rejected:

The IEP team considered continuing services for (student). After discussing the district's graduation requirements and (student's) current functioning, it was agreed that all requirements have been met, the mandatory number of credits received, and transition skills mastered.

c. Description of each evaluation procedure, assessment record or report the district used as a basis for the proposed or refused action:

The IEP team reviewed (student's) existing data to include the current status/progress on the IEP goals, transition services, activities, grades, transcripts and daily work.

d. Description of other factors that are relevant to district's proposal or refusal:

On (date) you were informed that all rights would transfer to (student) when (he/she) turns age 18 in the next two weeks. We discussed at the meeting, as of (birthday) all rights will transfer. Special education notices will be provided to (student). They will continue to be provided to you as the parent as well.

Example #2: (Development of IEP following reevaluation)

a. Explanation of why the district proposed or refused to take the action.

Reevaluation data was reviewed and a new IEP with updated goals and target skills was developed.

b. Description of other options that the IEP team considered and the reasons why those options were rejected:

We discussed parent request of removing (student) from the math classroom to the resource room for the entire period rather than the current removal time of 15 minutes at the end of the math period. Due to the progress (student) is making in the current placement, the district refused to place (student) in a more restrictive placement at this time.

c. Description of each evaluation procedure, assessment record or report the district used as a basis for the proposed or refused action:

The IEP team reviewed all existing data to include current and previous evaluation reports, current grades, progress on annual goals, along with parent and teacher input, to develop (student's) current IEP.

d. Description of other factors that are relevant to district's proposal or refusal:

As new concepts in math are introduced, the general education teacher will review (student's) progress and call a team meeting if additional pull out time needs to be reconsidered.

Example #3 (Amendment meeting to change placement due to behavior)

a. Explanation of why the district proposed or refused to take the action.

During (student's) amendment meeting held on (date) the team decided to change (student's) placement to a more restrictive environment until the (student's) behavioral data shows he/she is ready to return. Rather than his/her current placement of resource room, the team decided a residential placement would better meet his/her behavioral needs.

b. Description of other options that the IEP team considered and the reasons why those options were rejected:

The team considered providing all services in a self-contained classroom within the school setting, but the team agreed that due to (student's) emotional and behavioral needs the school does not have the expertise to provide the level of interventions, counseling, and behavior management techniques necessary to meet his/her educational needs.

c. Description of each evaluation procedure, assessment record or report the district used as a basis for the proposed or refused action:

The primary basis for this change of placement is (student's) disruptive and self-destructive behaviors, which have increased in frequency and intensity within the school and home setting over the past 3 months. The increased counseling time, increased academic assistance in the resource room and the behavior plan have not been effective in teaching (student) appropriate techniques in dealing with his/her frustration.

d. Description of other factors that are relevant to district's proposal or refusal:

Until which time the placement to the residential placement is finalized, the district will provide services to (student) within the self-contained classroom. A one-on-one teacher assistant will accompany (student) any time the student leaves the self-contained classroom (lunch, bathroom, bus).

The district will also ensure (student) continues to receive instruction in the general curriculum via the resource room staff, who will confer with general education teachers on a daily basis.

Example #4 (Dismissal from services due to student no longer meeting eligibility criteria)

a. Explanation of why the district proposed or refused to take the action.

The district will no longer be providing speech services for (student) as he/she no longer meets SD eligibility criteria as a child with a disability. (Student's) current reevaluation results indicate that his/her articulation skills are age-appropriate..

b. Description of other options that the IEP team considered and the reasons why those options were rejected:

Although (student) did show some articulation errors with s-blends (spl-spr-str-skr), these sounds are typically developed at a later age. The team discussed the evaluation results and determined (student) is right on track in his/her articulation development. Because (student) is only 5 years old at this time the team decided to allow him/her time to develop these sounds in a natural progression.

c. Description of each evaluation procedure, assessment record or report the district used as a basis for the proposed or refused action:

The team used the articulation scores from the (date testing), parent and early childhood teacher input and the skill based assessment to make this decision.

d. Description of other factors that are relevant to district's proposal or refusal:

Both parent and school district indicated that (student) is communicating well with others in all settings.

Example #5: (Amendment for met goals)

a. Explanation of why the district proposed or refused to take the action.

You and (district personnel) talked via telephone on (date) and agreed that changes to (student's) IEP were appropriate and necessary and accepted the option to implement these changes without conducting a meeting. The proposed changes include targeting new skills in basic reading and reading fluency to replace the annual goals he/she has met.

b. Description of other options that the IEP team considered and the reasons why those options were rejected:

We considered reducing (student's) service time but decided against that option because he/she is making progress with the current amount of service time but continues to demonstrate skill deficits in reading.

c. Description of each evaluation procedure, assessment record or report the district used as a basis for the proposed or refused action:

The IEP team reviewed all existing data to include PLAAFP from current IEP, grades, progress on annual goals, along with parent and teacher input, to develop (student's) new goals.

d. Description of other factors that are relevant to district's proposal or refusal:

The annual IEP meeting was held on (date) and is still current. The due date for the child's annual review is (date-one year from date of current IEP not from amendment date). The person responsible for informing the IEP team and those responsible for implementing the IEP changes is (district personnel).

Example 6: (After a routine IEP meeting)

a. Explanation of why the district proposed or refused to take the action:

- Team discussed the following—
 - Goal progress—He/She is making slow, steady progress on most of his/her goals.
 - Social skills continues to be primary focus—continue the use of social thinking vocabulary in all settings as it has been effective
- OT and Special Ed. Staff will be working on some of the same goals. Discussion was held regarding the reduction of the OT service time. At this time, the team agreed to keep the services at 30 minutes 2 times per week.
- Many accommodation/modifications are being implemented to ensure (student) can be a part of general education as much as possible.
- Many different interventions to aide in academic success:
 - 1) Tutoring after school 2-3 times per week for 1 hour needed for the completion of homework. This will help reduce the level of stress at home as too much homework causes (student) to act out more at home, according to parents.
 - 2) Modifications to social studies and science tests that are read to her and taken in resource room.
 - 3) Organization assistance daily.
- The following areas will continue to be addressed in the IEP: Reading Fluency, Reading Comprehension, Language, Social Skills, Behavior (dealing with frustration) and Sensory.
- ESY is needed based on regression/ recoupment:

All goals will be addressed during the two-hour ESY session for 30 sessions.

b. Description of other options that the IEP team considered and the reasons why those options were rejected:

- The team considered pull-out services for language arts class for the next school year. (Student) has difficulty with language arts skills. The team decided it would be beneficial for (student) to work on his/her reading goals in the resource room during the language arts period.
- Behavior has much improved this past year. He/she is on medication for his/her diagnoses. The team feels that the behavior plan is not necessary now that (student) is taking medication that allows him/her to focus and do satisfactory work at his/her level and with modifications.

The team has decided to discontinue the behavior plan for the remainder of this year. The team is going to use social thinking vocabulary along with all of the other positive intervention strategies listed on page 3 of the IEP to address his/her behavior.

c. Description of each evaluation procedure, assessment record or report the district used as a basis for the proposed or refused action:

- The decisions were made based on the data gathered through weekly observations, classroom performance, input from parents, teachers and the autism specialist, and progress on annual goals

d. Description of other factors that are relevant to district's proposal or refusal:

- The educational team is planning to meet after the first quarter next school year to discuss (student's) academic and behavioral performance.
- Parent and Staff Training will be scheduled for next August with Autism Specialist
- (Student) has expressed an interest in playing volleyball next year. Parents are concerned about homework completion. District indicated that it is a decision that needs to be made by (student) and parent.

Appendix: Document #4

Sources of Skill-Based Assessment

The sources of skill-based assessment will vary from student to student. No one source may be sufficient to gather all the information needed to develop the student's program. More likely, several sources will be used to gather the information (work samples, teacher reports, Curriculum Based Measurements [CBMs], informal checklists, etc.).

Information gathered must be:

1. Summarized into a written report, which includes:
 - a. the assessment date(s),
 - b. name of the evaluator(s), and
 - c. sources from which the information was gathered
2. Shared with the IEP team and provided to parent/guardians.

The list provided includes examples of skill-based assessment, but is not all-inclusive. Some assessments listed may be standardized, and if being used to determine eligibility, should not be used to provide skill-based information.

Oral Expression

Informal Checklists/Teacher-made Materials

Speech Sample

Assessment of Children's Language Comprehension (1983)

Bracken Basic Concept Scale – 3rd Edition: Receptive (BBCS-3:R) (2006)

Bracken Basic Concept Scale – 3rd Edition: Expressive (BBCS-3:E) (2006)

Bracken Basic Concept Scale – Revised (Spanish) (1998)

Brigance:

- Comprehensive Inventory of Basic Skills–II (CIBS–II) Grades Pre-K–9
- Inventory of Early Development–II Birth–developmental age 7
- Assessment of Basic Skills–Revised (ABS–R)—*New!* Spanish Edition, Pre-K–9

Clinical Evaluation of Language Functions – 4 (CELF-4) (2003)

- Observational Rating Scales

Contextual Test of Articulation (2000)

Consortium of Reading Excellence (CORE) Reading Assessment: 2nd Edition (2008)

- Critchlow Verbal Language Scale
- CORE Vocabulary Screening

Dos Amigos Verbal Language Scales – Revised (1996)

Functional Communication Profile-Revised (2003)

Rosetti Infant-Toddler Language Scale (2006)

Test of Pragmatic Language – 2nd Edition (TOPL-2) (2007)

Listening Comprehension

Informal Checklists/Teacher-made Materials

Bader Reading & Language Inventory – 6th Edition (2008)

Brigance:

- Comprehensive Inventory of Basic Skills–Revised (CIBS–R) Grades Pre-K–9
- Inventory of Early Development–II Birth–developmental age 7
- Assessment of Basic Skills–Revised (ABS–R)—*New!* Spanish Edition, Pre-K–9

Informal Reading Inventory by Burns and Roe – 6th Edition (2001)

- Listening Comprehension Segment

Written Expression

Informal Checklists/Teacher-made Materials

- Journals
- Story starters
- Work samples
- Writing samples

AIMSweb – Written Language Curriculum-Based Assessment

Brigance:

- Comprehensive Inventory of Basic Skills–II (CIBS–II) Grades Pre-K–9
- Inventory of Early Development–II Birth–developmental age 7
- Assessment of Basic Skills–Revised (ABS–R)—*New!* Spanish Edition, Pre-K–9

Diagnostic Assessment of Reading: 2nd Edition (DAR-2) (2005)

Process Assessment for the Learner – II (PAL-II) Reading and Writing Test Battery (2007)

Scaled Curriculum Achievement Levels Test (SCALE) (1992)

Six Traits of Writing—Northwest Educational Laboratories

Written Language Assessment (1989)

Basic Reading

Informal Checklists/Teacher-made Materials

- Work samples
- Dolch Sight Word List
- Fry Sight Word List

Assessment of Literacy and Language (ALL) (2005)

AIMSweb (English and Spanish)

- Test of Early Literacy Curriculum-Based Measurement (CBM)

Bader Reading and Language Inventory – 6th Edition (2001)

Basic Early Assessment of Reading (BEAR) (2002)

Brigance:

- Comprehensive Inventory of Basic Skills–II (CIBS–II) Grades Pre-K–9
- Inventory of Early Development–II Birth–developmental age 7
- Assessment of Basic Skills–Revised (ABS–R)—*New!* Spanish Edition, Pre-K–9

Comprehensive Test of Phonological Processing (CTOPP) (1999)

Consortium of Reading Excellence (CORE) Reading Assessment: 2nd Edition (2008)

- Phonological Awareness Screening Test
- Phoneme Deletion Test
- Phonological Segmentation Test
- Phoneme Segmentation Test
- Phonics Survey
- San Diego Quick Assessment

Developmental Reading Assessment- 2nd Edition (DRA-2) (2006)

Diagnostic Assessment of Reading – 2nd Edition (DAR-2) (2005)

Dynamic Indicators of Basic Early Literacy Skills (DIBELS)

- Initial Sound Fluency
- Phoneme Segmentation Fluency
- Nonsense Words Fluency
- Oral Reading Fluency

Early Reading Diagnostic Assessment – 2nd Edition (ERDA-2) (2003)

Eckwall/Shanker Reading Inventory – 5th Edition (2009)

Gray Diagnostic Reading Test- 2 (GDRT-2) (2004)

Lindamood Auditory Conceptualization Test: Third Edition (LAC-3) (2004)

Pre-Reading Inventory of Phonological Awareness (PIPA) (2003)

Process Assessment for the Learner – II (PAL-II) Reading and Writing Test Battery (2007)

Phonological Awareness Literacy Screening (PALS) (PreK, K, 1-3)

Phonological Awareness Test – 2 (2007)

Qualitative Reading Inventory-5th Edition (2010)

Reading Skills Competencies Test (Leveled) (1999)

SRA Diagnosis Instructional Aid – Reading A & B

Stanford Reading First

Woodcock Reading Mastery Test-Revised/Normative Update (WRMT-R/NU) (1998)

Reading Fluency

Informal Checklists/Teacher-made Materials

- Selected reading samples—using a science/social studies textbook and having the student read orally from a selection presented earlier in the year
- Timed oral reading sample

AIMSweb (English and Spanish)

- Reading Curriculum-Based Measurement (CBM)

Analytical Reading Inventory – 8th Edition (2007)

Basic Early Assessment of Reading (BEAR) (2002)

Brigance:

- Comprehensive Inventory of Basic Skills–II (CIBS–II) Grades Pre-K–9
- Inventory of Early Development–II Birth–developmental age 7
- Assessment of Basic Skills–Revised (ABS–R)—*New!* Spanish Edition, Pre-K–9

Informal Reading Inventory by Burns and Roe – 6th Edition (2001)

- Oral Reading Section

Consortium of Reading Excellence (CORE) Reading Assessment: 2nd Edition (2008)

- Graded High-Frequency Word Survey
- MASI-R Oral Reading Fluency Measures

Developmental Reading Assessment- 2nd Edition (DRA-2) (2006)

Diagnostic Assessment of Reading – 2nd Edition (DAR-2) (2005)

Dynamic Indicators of Basic Early Literacy Skills (DIBELS)

- Oral Reading Fluency

Eckwall/Shanker Reading Inventory 5th Edition

Gray Oral Reading Test – 4th Edition (GORT-4) (2001)

Reading Fluency Indicator (2004)

Qualitative Reading Inventory-5th Edition (2010)

Reading Comprehension

Informal Checklists/Teacher-made Materials

- Work samples

AIMSweb (English and Spanish)

- Maze Curriculum-Based Measurement (CBM)

Analytical Reading Inventory – 8th Edition (2007)

Basic Early Assessment of Reading (BEAR) (2002)

Bader Reading & Language Inventory – 6th Edition (2001)

Brigance:

- Comprehensive Inventory of Basic Skills–II (CIBS–II) Grades Pre-K–9
- Inventory of Early Development–II Birth–developmental age 7
- Assessment of Basic Skills–Revised (ABS–R)—*New!* Spanish Edition, Pre-K–9

Informal Reading Inventory by Burns and Roe – 6th Edition (2001)

- Oral and Silent Reading Sections

Developmental Reading Assessment- 2nd Edition (DRA-2) (2006)

Diagnostic Assessment of Reading – 2nd Edition (DAR-2) (2005)

Eckwall/Shanker Reading Inventory – 5th Edition (2009)

Gray Oral Reading Test – 4th Edition (GORT-4) (2004)

Qualitative Reading Inventory-5th Edition (2010)

SRA Diagnosis Instructional Aid – Reading A&B

Woodcock Reading Mastery Test-Revised/Normative Update (WRMT-R/NU) (1998)

Math Calculation/Math Problem Solving

Informal Checklists/Teacher-made Materials

- Work samples

AIMSweb (English and Spanish)

- Math Curriculum-Based Measurements (CBM)
- Mathematics Concepts and Applications (M-CAP)
- Curriculum-Based Measurement (CBM)

Brigance:

- Comprehensive Inventory of Basic Skills–II (CIBS–II) Grades Pre-K–9
- Inventory of Early Development–II Birth–developmental age 7
- Assessment of Basic Skills–Revised (ABS–R)—*New!* Spanish Edition, Pre-K–9

Early Math Diagnostic Assessment (EMDA) (2003)

Key Math 3 Diagnostic Assessment (2007)

Transition

Informal Checklists/Teacher-made Materials

- Employer-completed work evaluations
- Situational assessment—takes a student on the job to find out what he or she can or cannot do
- Supported employment skill-based assessment from job coach
- Transition checklists—informal questionnaires given to the student
- Transition Tackle Box

Brigance:

- Transition Skills Inventory (TSI)
- Inventory of Essential Skills Remedial–Grade 6+, Adult Ed

Street Survival Skills Questionnaire (SSSQ) (1993)

Enderle-Severson Transition Rating Scales – Revised (ESTRS-R) (Transition assessment for learners with mild disabilities)

Enderle-Severson Transition Rating Scales – Third Edition (ESTR-III) (Transition assessment for learners with moderate to severe disabilities)

Transition Planning Inventory: Updated Version (TPI-UV) (2006)

Behavior (Emotional, Social, and Adaptive)

Informal checklists/Teacher Made Materials

- Observation
- On-task classroom monitoring checklist
- Teacher/parent interviews

Behavior Rating Scales

- Attention Deficit Disorders Evaluation Scale – 3rd Edition (ADDES-3) (2004)
- Behavior Assessment System for Children – 2nd Edition (BASC-2) (2004)
 - Student Observation System (SOS)
 - Structured Developmental History (SDH)
 - Monitor for ADHD
- Brown ADD Scales: Diagnostic Form (2001)
- Conners 3 (2008)
 - ADHD Index (Conners 3 AI)
 - Global Index (Conners 3 GI)
- Social Skills Improvement System (SSIS) (2008)

Functional Behavioral Analysis (problem-solving process for addressing student problem behavior)

- <http://cecp.air.org/fba/>
- <http://www.specialedconnection.com>

School-Wide Information System (SWIS) (for schools implementing Positive Behavior Intervention Systems {PBIS})

Speech (Articulation, Voice, Fluency)

Informal Checklists/Teacher Made Materials

- Speech sample

Brigance:

- Comprehensive Inventory of Basic Skills–II (CIBS–II) Grades Pre-K–9
- Inventory of Early Development–II Birth–developmental age 7
- Assessment of Basic Skills–Revised (ABS–R)—*New!* Spanish Edition, Pre-K–9

Children’s Speech Intelligibility Measure (CSIM) (1999)

Contextual Test of Articulation (2000)

Functional Communication Profile-Revised (2003)

Hodson Assessment of Phonological Patterns – 3rd Edition (HAPP-3) (2004)

Lindamood Auditory Conceptualization Test: Third Edition (LAC-3) (2004)

Voice Assessment Protocol for Children and Adults (1987)

Language

Informal Checklists/Teacher-made Materials

- Language Sample

Auditory Skills Assessment (ASA) (2010)

Bracken Basic Concept Scale – 3rd Edition: Receptive (BBCS-3:R) (2006)

Bracken Basic Concept Scale – 3rd Edition: Expressive (BBCS-3:E) (2006)

Bracken Basic Concept Scale – Revised (Spanish) (1998)

Brigance:

- Comprehensive Inventory of Basic Skills–II (CIBS–II) Grades Pre-K–9
- Inventory of Early Development–II Birth–developmental age 7
- Assessment of Basic Skills–Revised (ABS–R)—*New!* Spanish Edition, Pre-K–9

Clinical Evaluation of Language Functions – 4 (CELF-4) (2003)

- Observational Rating Scales

CORE Reading Assessment:

- Critchlow Verbal Language Scale (1st Edition – 2000)
- Vocabulary Screening (2nd Edition – 2008)

Dos Amigos Verbal Language Scales – Revised (1996)

Functional Communication Profile-Revised (2003)

Rosetti Infant-Toddler Language Scale (2006)

Fine Motor:

Informal Checklists/Teacher Made Materials

- Occupational Therapist's observation in classroom, PE and unstructured settings (playtime/recess, lunchroom)

Brigance:

- Comprehensive Inventory of Basic Skills–II (CIBS–II) Grades Pre-K–9
- Inventory of Early Development–II Birth–developmental age 7
- Assessment of Basic Skills–Revised (ABS–R)—*New!* Spanish Edition, Pre-K–9

Gross Motor:

Informal Checklists/Teacher Made Materials

- Physical Therapist's observation in classroom, PE and unstructured settings (playtime/recess, lunchroom)

Brigance:

- Comprehensive Inventory of Basic Skills–II (CIBS–II) Grades Pre-K–9
- Inventory of Early Development–II Birth–developmental age 7
- Assessment of Basic Skills–Revised (ABS–R)—*New!* Spanish Edition, Pre-K–9

Early Development:

Informal Checklists/Teacher-Made Materials

Hawaii Early Learning Profile (HELP) (2006)

Brigance:

- Inventory of Early Development–II Birth–developmental age 7
- Early Childhood Developmental Inventory
- Head Start Developmental Inventory

Developmental Tasks for Kindergarten Readiness II (1994)

HighScope Child Observation Record (COR) for Infants and Toddlers (2003)

Phonological Awareness Literacy Screening (PALS) (PreK)

Rosetti Infant-Toddler Language Scale (2006)

Examples of Skill-Based Assessment Data

The following examples may be only a portion of a child's skill-based assessment. Skill-based assessment is necessary in all areas of suspected disability. These examples represent individual segments of a student's comprehensive evaluation report. Specific skills identified in the examples may be appropriate to be included in the Present Levels of Academic and Functional Performance of a student's IEP.

Example 1: A three-year old child with concerns in communication (language), social behavior, and cognitive skills

Brigance Diagnostic Inventory and Informal Checklist:

Areas of Strength:

GENERAL KNOWLEDGE (Cognitive)/PREACADEMIC SKILLS:

- Is able to point to eyes, nose, hair, head
- Is able to identify nose, eyes, ears, feet
- Understands directional/positional concepts-close/open, front/back, in/out, on/off
- Turns individual pages in a book
- Is able to randomly point to objects in a book

PERSONAL-SOCIAL:

- Plays cooperatively with others
- Allows others to play with him
- Imitates the play of others
- Is proud of himself

COMMUNICATION (Language):

- Answers "who, what, where" questions
- Asks "where" questions
- Uses the pronouns "he", "me", and "my"
- Uses some three-word utterances

Areas of Need:

GENERAL KNOWLEDGE (Cognitive)/PREACADEMIC SKILLS:

- Is unable to identify mouth, legs, arms, fingers, thumb, neck
- Is unable to match or point to basic colors-red, orange, green, blue, yellow, purple
- Is unable to match or point to basic shapes-circle, square, triangle
- Is unable to identify use of objects-chair, cars, beds, house, pencil
- Is unable to classify objects-animals, toys, things you ride in
- Is unable to count past 2
- Is unable to give objects upon request
- Is unable to identify any letters of his name
- Is unable to attend to story being read
- Does not know any of the alphabet song or other nursery rhymes

PERSONAL-SOCIAL:

- Is unwilling to take turns or share
- Is unable to engage in one activity for more than a couple minutes
- Is unable to initiate social contact with other children and adults

COMMUNICATION (Language):

- Does not use “s” on the ends of words to mark possession and plurals
- Does not use “ing” on words such as “crying” in daily speech
- Does not ask “why” questions, or simple questions such as, “can he come?”
- Does not use pronouns “she/her, they/them”

Example 2: An eight-year-old student with concerns in all areas of reading and listening comprehension

Benchmark Level: Meets grade level expectations and occasionally may need differentiated instruction

Strategic Level: Below grade-level expectations and requires targeted assistance for progress

Intensive Level: Significantly below grade level expectation and requires substantial intensive instruction

Basic Reading Skills

CORE Phoneme Deletion Test:

For this portion of the assessment, the student is asked to identify and delete the initial sound in a word (ex., (c)old, old; (c)at., at), identify and delete the final sound in a word (ex., droo(p), drew sea(t), sea), identify and delete the first sound in a consonant blend (ex., (f)reight, (p)layer), and identify and delete an embedded sound of a consonant blend (ex., b(l)end, t(w)in). This assessment helps determine whether there are deficits in phonemic (sound) awareness.

CORE Phonological Segmentation Test:

For this portion of the assessment, the student is asked to break sentences into words, break words into syllables, and break words into phonemes. This assessment helps determine whether there are deficits in phonemic (sound) awareness.

CORE Phonics Survey:

Students are asked to identify letters, sounds, and read words and nonsense words to assess the student’s ability to use phonics to decode words. This assessment points to areas in which the student is likely to benefit most from systematic, explicit phonics instruction.

Strengths in Basic Reading:

- Phoneme Deletion: Deleting final sound – 5/5 (Benchmark)
- Phonological Segmentation: Breaking Sentences into Words – 5/5 (Benchmark)
- Phonological Segmentation: Breaking Words into Syllables – 8/8 (Benchmark)
- Phonological Segmentation: Breaking Words into Phonemes – 9/10 (Benchmark)
- Reading short vowels in consonant-vowel-consonant words (ex., sip, let, cat) – 14/15 (Benchmark)
- Reading Consonant blends with short vowels words (ex., stop, trap, quit) – 15/15 (Benchmark)
- Reading Short vowels, digraphs and –tch trigraphs words (ex., when, chop, rich) – 14/15 (Benchmark)

Needs in Basic Reading:

- Phoneme Deletion: Deleting first sound of a consonant blend (ex, sport becomes port; black becomes lack)– 2/5 (Intensive)
- Phoneme Deletion: Deleting embedded sound of a consonant blend (ex, sport becomes sort; black becomes back) – 3/5 (Intensive)
- Phoneme Deletion: Deleting the initial sound in a word (ex, pan becomes an; cup becomes up) 4/5 (Strategic)
- Reading R-controlled vowel words (ex, harm, dirt, form) – 6/15 (Intensive)
- Reading Variant vowels words (ex., few, down, toy) – 9/15 (Intensive)
- Reading Long vowel words (ex., tape, key, lute) – 12/15 (Strategic)

Reading Fluency

Informal Reading Inventory, 6th Edition:

The student reads passages at various grade levels while word accuracy and rate are calculated.

Strengths in Reading Fluency:

- Reading rate (words per minute) – Pre-Primer level - 78 wpm (Below Benchmark);
- Word Recognition – PrePrimer Level 91%

Needs in Reading Fluency:

- Reading rate (words per minute) – Primer-level 68 wpm (Below Benchmark); 1st-grade level 49 wpm (Below Benchmark) .
- Word Recognition – Primer 79%; 1st-grade level 74%

Reading Comprehension

Informal Reading Inventory, 6th Edition:

Oral Reading Comprehension: The student reads passages aloud and then answers comprehension questions asked by the teacher.

Silent Reading Comprehension: The student reads passages silently, and then answers comprehension questions asked by the teacher.

Strengths in Reading Comprehension:

Oral Reading Comprehension:

- Pre-Primer Level Passage – Overall Oral Reading Comprehension- 100%
 - o Oral Reading Detail Comprehension Questions – 88%
 - o Oral Reading Sequence Comprehension Questions – 100%
 - o Oral Reading Vocabulary Comprehension Questions – 100%

Silent Reading Comprehension:

- Pre-Primer Level Passage – Overall Silent Reading Comprehension- 100%
- Primer Level Passage – Overall Silent Reading Comprehension- 90%
- 1st Grade Level Passage – Overall Silent Reading Comprehension- 88%

- Silent Reading Main Idea Comprehension Questions– 100%
- Silent Reading Detail Comprehension Questions – 100%
- Silent Reading Vocabulary Comprehension Questions – 100%
- Silent Reading Inference Comprehension Questions – 88%

Needs in Reading Comprehension:

Oral Reading Comprehension:

- Primer Level Passage – Overall Oral Reading Comprehension- 77%
- 1st-grade Level Passage – Overall Oral Reading Comprehension- 44%
 - Oral Reading Main Idea Comprehension Questions– 66%
 - Oral Reading Cause and Effect Comprehension Questions – 66%
 - Oral Reading Inference Comprehension Questions – 33%

Silent Reading Comprehension:

- Silent Reading Sequence Comprehension Questions – 66%
- Silent Reading Cause and Effect Comprehension Questions – 75%

Listening Comprehension

Informal Reading Inventory, 6th Edition:

Listening Comprehension: The teacher reads passages aloud to the student, who then answers comprehension questions.

Strengths in Listening Comprehension:

- Pre-Primer Grade Level Passage – Listening Comprehension- 80%
 - Listening Main Idea Comprehension Questions– 100%
 - Listening Sequence Comprehension Questions – 100%

Needs in Listening Comprehension:

- Primer Level Passage – Listening Comprehension- 44%
- 1st Grade Level Passage – Listening Comprehension- 33%
 - Listening Detail Comprehension Questions – 33%
 - Listening Cause and Effect Comprehension Questions – 25%
 - Listening Vocabulary Comprehension Questions – 0%
 - Listening Inference Comprehension Questions – 33%

Example 3: A five-year-old student with articulation concerns.

Speech Sample

Strengths:

- Produces the following age appropriate sounds: /p, m, n w, h, b, d, g, k, ing, y/ in conversation.
- Student is able to produce /s, z, ch, sh, l, j/ in isolation

Weaknesses:

- Student tends to distort the sounds by lateralizing the sounds (airflow through the sides of the mouth as opposed to the middle).
- Difficulty producing the, /t, j, f/ sounds in words, sentences and in conversation.
- Even though, the sounds /sh, ch/, and blend sounds in words are developmental in nature, Student is making progress with these sounds so they will be addressed.

Example 4: 12-year-old student with Asperger's Syndrome with concerns in language

CELF-4 Pragmatics Profile

Language Observation

Strengths

- Student can understand and use age-appropriate spoken language vocabulary in day-to-day speech.
- He/she is able to form simple, compound, and complex sentences with correct grammar usage in his/her conversational speech.
- He/she is able to understand and recall information presented in order to participate in discussions in the classroom.
- Student demonstrates turn-taking skills by initiating, responding, maintaining, and terminating a conversation appropriately.
- He/she utilizes relevant and appropriate language for the situation with the use of eye contact.

Needs

- Student struggles with communication rituals and communication skills, such as asking for, giving, and responding to information; and making and responding to greetings and farewells in social situations.
- Does not have age-appropriate skills in interpreting and demonstrating nonverbal communication, such as facial cues, body language, and the tone of voice pertaining to social situations and school rules.
- He/she has difficulty reading social situations (scripts) and showing appropriate sense of humor during communication situations.

Example 5: A thirteen-year-old student with social behavior concerns.

Behavior Checklist

Student's teachers completed a checklist regarding behaviors he/she displays in class. The following behavior **strengths** were noted:

- Likes to share joke book and coin collection (Teacher B)
- Like to help with little jobs (Teacher B)
- He/she uses humor appropriately and can tell all kinds of interesting stories (Teacher C)
- Student seems to be a very kind student who can make good choices when he/she wants to earn a reward (Teacher C)

The following behaviors were noted as being observed *frequently*:

Hyperactive:

- Constant movement in desk (Teacher B)
- Constant verbal behavior (Teacher B, Teacher C)
- Has nervous muscle twitches, eye-blinking, nail-biting, etc.(Teacher B)

Withdrawn

- Seems generally unhappy (Teacher A, Teacher B)
- Stares blankly into space (Teacher A)
- Rarely asks for assistance even when work is too difficult (Teacher A, Teacher B, Teacher C)
- Does not attempt work (Teacher B, Teacher C)
- Apprehensive about committing self to a response (Teacher A, Teacher B)

Poor Attention/Concentration

- Does not follow oral lessons (Teacher B)
- Does not follow lessons on board or visual materials (Teacher B)
- Rarely completes any assignments (Teacher B)
- Easily distracted from task by ordinary classroom stimuli (minor movement, noises) (Teacher C)

Aggressive

- Verbally attacks and provokes other children (Teacher B, Teacher C)
- Steals (Teacher B, Teacher C)
- Explosive or angry when things do not go own way (Teacher B, Teacher C)
- Argues with the teacher over behavior (Teacher B, Teacher C)
- Destructive of others' belongings and schoolwork (Teacher B)

Disruptive

- Doesn't follow class or school rules (quiet, on time, etc.) (Teacher B)
- Interrupts lessons by antics (verbal or physical) (Teacher B)
- Does not conform to limits on own without control from others (Teacher B)

Uncooperative

- Blames other for own mistakes (Teacher A, Teacher B)
- Defiant of teacher's requests (Teacher B)
- Argues with peers over minor situations (Teacher B)
- Must have last word in arguments (Teacher A, Teacher B, Teacher C)

Manipulative

- Wants excessive visits to the bathroom (Teacher A)
- Works only when given individual help (Teacher A, Teacher B)
- Blames mistakes on anything but self (size of book, your directions, etc) (Teacher B)

Inappropriate Social Behavior

- Has no friends at school (Teacher B)
- Does not initiate play or talk with peers (Teacher B)
- Is avoided by peers at school (Teacher B)
- Does not function in group or class discussions (Teacher A, Teacher B)
- Ridicules peers, torments younger or smaller students (Teacher B)
- Teacher B further notes that Student is very disrespectful and defiant towards authority. He/she mumbles to himself/herself and makes rude comments to classmates under his/her breath.

Example 6: A fifteen-year-old student with a cognitive disability:

Adaptive Behavior - Parent and Teacher Input and Interview:

Strengths:

Daily Living

Domestic Skills:

- Cleans up work area at the end of an activity (teacher)
- Puts away personal belongings, such as coat and books (teacher)

Social Skills

Coping Skills:

- Responds appropriately to correction (teacher)
- Understands good-natured teasing (teacher)

Needs:

Daily Living

Personal Skills:

- Using utensils to feed self (parent, teacher)
- Putting on clothing with zippers (parent, teacher)

Domestic Skills:

- Using caution around dangerous items, such as a stove or knives (parent, teacher)
- Assisting in daily chores, such as dusting or picking up his room (parent, teacher)

Community:

- Using a telephone (parent, teacher)
- Counting individual items one-by-one (parent, teacher)

Social Skills

Interpersonal Relationships:

- Sharing personal belongings with others (parent)
- Using language to express feelings (parent, teacher)

Play and Leisure Time:

- Playing simple games with peers (parent)
- Relating to peers with minimal supervision (parent, teacher)

Coping Skills:

- Transitioning appropriately from one activity to another (parent)
- Using manners, such as saying "please" and "thank you" (parent, teacher)

Example 7: A sixteen-year-old student with a transition evaluation

Employment:

Strengths:

- Demonstrates good attendance
- Is punctual
- Recognizes the need to eventually support self
- Responds appropriately to authority figures
- Understands different jobs require varying levels of training
- Demonstrates necessary interpersonal skills to work with others

- Has had community-based work experience

Needs:

- Does not demonstrate proper hygiene and grooming
- Does not understand the factors that influence job retention, promotion and dismissal
- Is unable to access various resources for assistance in job searching
- Does not demonstrate the skills necessary to perform successfully in a job interview
- Does not demonstrate the skills necessary to accurately complete a job application
- Does not have a realistic expectation of vocational potential

Education:

Strengths:

- Identifies a variety of post secondary options
- Demonstrates self awareness
- Demonstrates self confidence

Needs:

- Relevant supports have not been identified and included in the student's transition plan
- Has not undergone vocational assessment
- No plans have been made for post secondary housing
- Application for post secondary training/learning has not been made
- Application has not been made for financial assistance to access post secondary training/learning

Independent Living:

Strengths:

- Chooses appropriate free-time activities
- Acts appropriately in public
- Initiates and participates in a variety of recreational activities with friends outside the home
- Effectively communicates with others

Needs:

- None noted

Home Living:

Strengths:

- Demonstrates the ability to use the telephone
- Dresses appropriately for specific situations
- Performs household cleaning/laundry
- Is able to safely perform light household maintenance
- Treats minor medical problems, performs basic first aid, and knows when to seek medical assistance
- Practices preventative health care
- Knows how to respond to household emergencies
- Understands nutrition and is able to plan balanced meals
- Manages own money responsibly
- Demonstrates an understanding of basic parenting skills
- Is able to prepare and serve foods that require a variety of cooking procedures

Needs:

- Does not demonstrate the qualities of a good citizen
- Does not have an acceptable understanding of concepts related to sexual awareness
- Does not understand checking and savings accounts
- Does not have the skills necessary to perform written correspondence

Community Participation:**Strengths:**

- Can use relevant community resources
- Can get around in the community
- Demonstrates an understanding of basic insurance needs

Needs:

- Does not demonstrate appropriate social behavior in the community
- Does not understand cost saving techniques
- Does not have a realistic plan to address post secondary housing needs
- Is unable to understand purchasing options and pay for large purchases

Appendix: Document #5

Directions for Completing the Determination for Eligibility Document

Complete after an initial evaluation, reevaluation, or review of an independent or outside evaluation. After reviewing and analyzing the evaluation data, the team must determine if the child is eligible for special education services under IDEA.

Page 1		
	Student Name	Insert Student Name
	Date	Date (month/day/year) the IEP team meets to determine student's eligibility.
	<p>Summary of Evaluation Reports (First Prong of Eligibility)</p> <p><i>(Initial and Reevaluation)</i></p> <p><i>(Required for Rtl and Discrepancy)</i></p>	<p>Think of this section as a look-at-a-glance. List the name of the test (acronym), date the test was administered, and the standard scores that will be used in determining eligibility. Each area required for evaluation (see "Evaluation Quick Reference Guide-Appendix #1) should be represented with assessment data in this area.</p> <p>Example 1: For a student suspected of having a Specific Learning Disability, document the ability score and achievement score(s) and the discrepancy score needed for eligibility based on the regression chart.</p> <p>Example 2: Other Health Impaired due to ADD/ADHD, document the ability score, achievement score(s), clinically significant score(s) from behavior checklists completed, and diagnosis from a school psychologist or medical doctor.</p>

Pages 2, 3, 4, and 5 are required documentation for students evaluated for a Specific Learning Disability (SLD) only.

Page 2		
	Criteria used to determine eligibility	Check the appropriate box to indicate whether using Response to Intervention (Rtl) criteria or discrepancy criteria.
	<p>Student does or does not achieve adequately</p> <p><i>(Initial and Reevaluation)</i></p> <p><i>(Required for Rtl and Discrepancy)</i></p>	Based upon the data documented on the front page, check whether the child does or does not achieve adequately for each of the skill areas listed.
	Criteria chose by the IEP team to determine eligibility	If the student meets criteria in any of the areas of SLD, the IEP team will check the box by the applicable summary statement depending on which criteria the team is choosing to use for eligibility.

	<i>(Initial and Reevaluation)</i> <i>(Required for Rtl and Discrepancy)</i>	
	Documentation of data <i>(Initial only)</i> <i>(Required for Rtl and Discrepancy)</i>	For Rtl and Discrepancy , include a statement addressing the pre-referral interventions implemented by highly-qualified staff. For example, “(Student) participated in a pre-referral process for a period of six weeks where four interventions were implemented by highly-qualified staff.” In addition, explain whether the student’s general education teacher is highly qualified.
	Tier I, II, III information <i>(Initial only)</i> <i>(Required for Rtl only)</i>	For Rtl , provide the name(s) of the individual(s) responsible for working with the student during each intervention phase, (Tier I, II, III,) and whether or not they meet the requirements of a highly qualified teacher.

Page 3	Data-Based Documentation <i>(Initial only)</i> <i>(Required for Rtl and Discrepancy)</i>	<p>A student’s progress should be documented by using an objective and systematic process administered at reasonable intervals.</p> <p>In other words, information such as teacher reports and teacher-made tests, while helpful, are not adequate for this determination.</p> <p>Data should be used to determine the effectiveness of a particular instructional strategy or program and should be provided to parent/guardians in order to keep them informed of their child’s progress, so that they can support instruction and learning at home.</p> <p>If a team charged with determining whether a student has an SLD decides that this documentation is not adequate, a decision may be made to conduct additional evaluation and/or collect additional data to determine eligibility.</p> <p>For Rtl Interventions: Provide weekly progress monitoring scores for the student in the area(s) of suspected disability.</p>
	Attendance Record <i>(Initial only)</i> <i>(Required for Rtl and Discrepancy)</i>	<p>Document the total number of days in the school year, days the student was in attendance, and the days absent. May also included class periods missed.</p> <p>Example 1: Student missed 24 school days in Quarter 1, and 6 in Quarter 2. We are currently in the middle of the 3rd quarter.</p> <p>Example 2: Student missed 1st hour class 32 times and 4th hour class 7 times in 1st Quarter, we are currently in the middle of 2nd Quarter and the student has five full day absences.</p>

	<p>Decision of Lack of Instruction in Reading or Math <i>(Initial only)</i> <i>(Required for Rtl and Discrepancy)</i></p>	<p>Students whose lack of achievement can be attributed to a lack of appropriate instruction in reading and math should not be determined to have a SLD.</p> <p>Appropriate instruction in reading and math should include explicit and systematic instruction in the following:</p> <ul style="list-style-type: none"> • Phonemic Awareness; • Phonics; • Vocabulary Development; • Reading Fluency, including oral reading skills; and • Reading Comprehension Strategies; • Mathematic Calculation; and • Mathematic Problem Solving. <p>Check the appropriate box as determined by the final decision of the eligibility team.</p>
<p>Page 3</p>	<p>Observation <i>(Initial and Reevaluation)</i> <i>(Required for Rtl and Discrepancy)</i></p>	<p>The school district shall ensure the child is observed in the child's routine/ day-to-day learning environment (the general classroom setting or other classroom if appropriate) to document the child's academic performance and behavior in the area(s) of difficulty.</p> <p>In the case of a child of less than school age or out of school, a team member must observe the child in an environment appropriate for a child of that age.</p> <p>The information should include:</p> <ul style="list-style-type: none"> • The name of the observer; • The dates of the observation; • The location of the observation; • The summary of relevant behaviors, if any, noted during the observation of the child and relationship of the behaviors to academic functioning. <p>For Rtl: If determining eligibility using Rtl, the documented observation could be conducted during the Rtl process.</p> <p>For Discrepancy: Observe the child in the regular classroom after the child has been referred.</p>

<p>Page 4</p>	<p>Medical Findings <i>(Initial and Reevaluation)</i> <i>(Required for Rtl and Discrepancy)</i></p>	<p>The team must document any medical information including any medical diagnoses, health conditions or medications that may impact the child's education.</p>
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	<p>Exclusionary Criteria <i>(Initial and Reevaluation)</i> <i>(Required for Rtl and Discrepancy)</i></p>	<p>If the evaluation team determines the child's lack of achievement can be attributed primarily to any of these factors, the child <u>should not</u> be identified as having an SLD. Such students may be served under other appropriate disability category (s).</p>										
	<p>Additional Rtl Documentation <i>(Initial Only)</i> <i>(Required for Rtl Only)</i></p>	<p>To use Rtl criteria to determine eligibility the school district must apply and be approved by the state of SD.</p> <p>This section illustrates what has been done beyond the core curriculum, perhaps in Tier II or III. Summarize the research-based interventions attempted (instructional strategies, not names of programs); including time spent each day in each tier.</p> <p>Information that should also be documented includes Universal Screening scores and the student's predicted rate of progress.</p> <p style="text-align: center;">Rate of Progress</p> <p>Desired Rate of Progress:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%; text-align: right;">End of the Year Benchmark Score) – (Initial Universal Screening Score)</td> <td style="width: 20%; text-align: center;">90 wpm – 9 wpm</td> </tr> <tr> <td style="text-align: right;">Number of weeks from initial benchmark to final benchmark)</td> <td style="text-align: center;">32 weeks</td> </tr> </table> <p>A second grade student read 9 words per minute (wpm) at the <i>initial universal screening</i>. By the end of the year, the student would need to be reading 90 wpm to meet <i>end of the year standards</i>. The intervention period was calculated as 32 weeks. Therefore, the student's desired rate of progress = 2.53 wpm/week</p> <p>Actual Rate of Progress:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%; text-align: right;">(Most recent progress monitoring score) – (Initial Universal Screening Score)</td> <td style="width: 20%; text-align: center;">31 wpm – 9 wpm</td> </tr> <tr> <td style="text-align: right;">(Number of weeks from initial benchmark to final benchmark)</td> <td style="text-align: center;">25 weeks</td> </tr> </table> <p>The same student received interventions for 25 weeks and had a most recent progress monitoring score of 31 wpm during progress monitoring. The student's actual rate of progress = .88 wpm/week</p> <p>Predicted Score Based on Current Rate of Progress:</p> <p style="text-align: center;">(Actual Rate of Progress X Number of remaining weeks to final benchmark) + (Current Progress Monitoring Score)</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%;">The student's actual rate of progress if there are 7 weeks left until the end of the benchmark and the student currently performed at 31 wpm, the predicted score = 37.16 wpm/week</td> <td style="width: 20%; text-align: center;">(.88 wpm/wk X 7 wks) + 31 wpm</td> </tr> </table>	End of the Year Benchmark Score) – (Initial Universal Screening Score)	90 wpm – 9 wpm	Number of weeks from initial benchmark to final benchmark)	32 weeks	(Most recent progress monitoring score) – (Initial Universal Screening Score)	31 wpm – 9 wpm	(Number of weeks from initial benchmark to final benchmark)	25 weeks	The student's actual rate of progress if there are 7 weeks left until the end of the benchmark and the student currently performed at 31 wpm, the predicted score = 37.16 wpm/week	(.88 wpm/wk X 7 wks) + 31 wpm
End of the Year Benchmark Score) – (Initial Universal Screening Score)	90 wpm – 9 wpm											
Number of weeks from initial benchmark to final benchmark)	32 weeks											
(Most recent progress monitoring score) – (Initial Universal Screening Score)	31 wpm – 9 wpm											
(Number of weeks from initial benchmark to final benchmark)	25 weeks											
The student's actual rate of progress if there are 7 weeks left until the end of the benchmark and the student currently performed at 31 wpm, the predicted score = 37.16 wpm/week	(.88 wpm/wk X 7 wks) + 31 wpm											

<p>Page 5</p>	<p>Adverse Effects of the Disability on Student's Educational Performance <u>(Second Prong of Eligibility)</u> <i>(Initial and Reevaluation)</i> <i>(Required for Rtl and Discrepancy)</i></p>	<p>For each area affected, describe the impact of the disability on the student's educational performance.</p> <p>Example 1: For a student who is suspected of a Specific Learning Disability in basic reading, the statement may read, "Based on the skill-based evaluation, the student is functioning two grade levels below his peers in reading in the general curriculum."</p> <p>Example 2: For a student that has a discrepancy score that meets criteria, but skill based assessment does not reflect an educational impact, a statement may read, "Based on skill-based evaluation, there is no evidence that the disability impacts the student's performance in the general curriculum." In this situation, there would not be a need to include this skill area in their Individual Education Program.</p>
	<p>SLD Determination <i>(Initial and Reevaluation)</i> <i>(Required for Rtl and Discrepancy)</i></p>	<p>As with any eligibility determination, the decision of whether a student has an SLD and requires special education is made by a group of individuals, the student's Individual Education Program Team, to include the student's parent/guardian(s) and a team of qualified professionals.</p> <p>Each member participating in the determination must provide written certification that the documentation reflects that IEP team member's conclusion. If any member(s) disagree with the conclusion, a statement of that member(s) conclusion must also be included in the documentation.</p>
<p>Page 6 through 9</p>	<p>Disability Categories other than SLD <i>(Initial and Reevaluation)</i></p>	<p>Check the areas under each category the student meets eligibility criteria for based on the assessment results.</p>
<p>Page 10</p>	<p>Other Factors Considered <u>(ALL Disability Categories)</u> <i>(Initial and Reevaluation)</i></p>	<p>Students whose lack of achievement can be attributed to a lack of appropriate instruction in reading, math and/or English Proficiency should not be determined as having a disability.</p> <p>Appropriate instruction in reading and math should include explicit and systematic instruction in the following:</p> <ul style="list-style-type: none"> • Phonemic Awareness; • Phonics; • Vocabulary Development; • Reading Fluency, including oral reading skills; and • Reading Comprehension Strategies; • Mathematic Calculation; and • Mathematic Problem Solving. <p>Check the appropriate box as determined by the final decision of the eligibility team.</p>

	<p>Adverse Effects (<u>ALL Disability Categories</u>) (Initial and Reevaluation)</p>	<p>For each area affected, describe the impact of the disability on the student's educational performance.</p> <p>Example 1: For a student who is suspected of Autism, the statement may read, "Based on the skill-based evaluation, the student's behavior and delay in language skills are impacting the student's classroom performance and social relationships. "</p> <p>Example 2: For a student who is suspected of having a Specific Learning Disability and Other Health Impairment (ADHD), the statement may read, "Student's inattentive behaviors during classroom instruction interfere with his/her ability to stay on task and complete assignments. He/she tends to stare off in space and become off task when working on his/her own. His/her off task behavior prevents him/her from learning organizational skill as compared to his/her peers. These behavior issues also make it difficult for him/her to recall the steps necessary to solve math problems.</p>
	<p>Eligibility Determination</p>	<p>The IEP team must determine based on the presented evidence if the student has a disability that adversely affects his/her education and the student requires specialized instruction or if the student is not eligible for special education services.</p> <p>Check the primary category that the child will be reported on child count.</p>

<p>Page 11</p>	<p>Related Services</p>	<p>Related Service(s): The IEP team needs to determine whether the student qualifies for related services and which services are needed.</p> <p>Occupational Therapy Services:</p> <p>The student must demonstrate performance on a standardized assessment instrument that falls at least 1.5 standard deviations below the mean in one or more of the following areas: fine motor skills, sensory integration, or visual</p> <p>Physical Therapy Services:</p> <p>The student must demonstrate performance on a standardized assessment instrument that falls at least 1.5 standard deviations below the mean on a standardized motor assessment instrument.</p> <p>Speech – Language Pathology:</p> <p>To be provided as a related service, the IEP team must determine that the related service is necessary in order for the student to benefit from the special education program.</p>
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Appendix: Document #6

Determination of Eligibility Examples

**DETERMINATION OF ELIGIBILITY/CONTINUED ELIGIBILITY
ARSD 24:05:24:01 & 24:05:25**

STUDENT NAME: (SLD-Initial Evaluation)				SIMS:	
PARENT/GUARDIAN NAME:				MEETING DATE:	
SCHOOL DISTRICT:			SCHOOL:		
DOB:		AGE:		GRADE:	

Basis for making eligibility determination is drawn from a variety of sources, including aptitude and achievement, parent input and teacher recommendations, as well as information about the student’s physical condition, social or cultural background, and adaptive behavior.

Summary of Evaluation Reports

<u>Name of Measure or Assessment</u>	<u>Date Administered</u>	<u>Test Scores/Results</u>
WISC-IV	4-4-12	FSIQ = 82 (Regression Score Needed = 71 or below)
WIAT-II	4-2-12	All achievement scores were above the standard score of 71
TOLD-I:4	3-20-12	Spoken Language Composite = 94

Specific Learning Disabilities - 525

Check the appropriate box:

- Rtl criteria will be used to determine eligibility
- Discrepancy criteria will be used to determine eligibility

(Required for Rtl and Discrepancy)

Does the student achieve adequately for the student's age or to meet state-approved grade-level standards in one or more of the following areas, when provided with learning experiences and instruction appropriate for the student's age or state- approved grade-level standards

Subject area	Does	Does not
Reading Comprehension	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Basic Reading Skills	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Reading Fluency Skills	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mathematic Calculation	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mathematics Problem Solving	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Written Expression	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Oral Expression	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Listening Comprehension	<input checked="" type="checkbox"/>	<input type="checkbox"/>

(Required for Rtl Only)

- Based upon the data gathered, the evaluation team determines the student has not made sufficient progress to meet age or state-approved grade-level standards in one or more of the areas identified above when using a process based on the student's response to scientific, research-based interventions.

OR

(Required for Discrepancy Only)

- The student exhibits a pattern of strengths and weaknesses in performance, achievement, or both, relative to age, state-approved grade level standards, or intellectual development, that is determined by the team to be relevant to the identification of a specific learning disability in one or more of the areas identified above when using appropriate assessments.

The Following Section Required only for Initial Eligibility Determination

(Required for Rtl and Discrepancy)

Document data that demonstrates that prior to, or as part of, the referral process, the student was provided appropriate instruction in regular education settings by qualified personnel:

Sam has been receiving direct instruction interventions by highly-qualified, trained teachers since the beginning of the 2011 – 2012 school year.

(Required for Rtl Only)

Qualified Personnel:

- Tier I II III Highly Qualified: Yes No
- Tier I II III Highly Qualified: Yes No
- Tier I II III Highly Qualified: Yes No
- Tier I II III Highly Qualified: Yes No
- Tier I II III Highly Qualified: Yes No
- Tier I II III Highly Qualified: Yes No

The Following Section Required only for Initial Eligibility Determination			
Tier I <input type="checkbox"/> II <input type="checkbox"/> III <input type="checkbox"/> Highly Qualified: Yes <input type="checkbox"/> No <input type="checkbox"/>			
(Required for Rtl and Discrepancy)			
Data-based documentation of repeated assessments of achievement at reasonable intervals, reflecting formal assessment of student progress during instruction, which was provided to the student's parents: Progress was assessed through DIBELS probes and reported to parents on 9/22/2011 and 1/6/2012 through parent reports, in addition to information shared at parent-teacher conferences.			
Composite score	Fall	Winter	Spring
	110*	125*	NA
*Benchmark ** Some risk *** At risk/intensive			
(Required for Rtl Only)			
Week 1:Date: _____	Score: _____	Week 2:Date: _____	Score: _____
Week 3:Date: _____	Score: _____	Week 4:Date: _____	Score: _____
Week 5:Date: _____	Score: _____	Week 6:Date: _____	Score: _____
Week 7:Date: _____	Score: _____	Week 8:Date: _____	Score: _____
Week 9:Date: _____	Score: _____	Week 10:Date: _____	Score: _____
Week 11:Date: _____	Score: _____	Week 12:Date: _____	Score: _____
Week 13:Date: _____	Score: _____	Week 14:Date: _____	Score: _____
Week 15:Date: _____	Score: _____	Week 16:Date: _____	Score: _____
Week 17:Date: _____	Score: _____	Week 18:Date: _____	Score: _____
*Add additional data lines if needed			
(Required for Rtl and Discrepancy)			
Attendance Record:			
School Year: <u>2011-12</u> Total days of school: <u>109</u> Total days in attendance: <u>107</u>			
Total days absent: Quarter 1: <u>0</u> Quarter 2: <u>0</u> Quarter 3: <u>2</u> Quarter 4: _____			
School Year: <u>2010-11</u> Total days of school: <u>175</u> Total days in attendance: <u>174</u>			
Total days absent: Quarter 1: <u>0</u> Quarter 2: <u>0</u> Quarter 3: <u>0</u> Quarter 4: <u>1</u>			
(Required for Rtl and Discrepancy)			
A student may not be determined to be a student with a disability if the determinant factor is a lack of appropriate instruction.			
Is the underachievement of the student due to the lack of instruction in:			
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No – Reading			
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No – Math			

(Required for Rtl)

Information from an observation in routine classroom instruction and monitoring of the student's performance was done before the student was referred for an evaluation.

OR

(Required for Discrepancy)

Observation of the student's performance in the regular classroom was done after the student has been referred for an evaluation.

Observation: Relevant behaviors, if any, noted during the observation of the student and relationship of those behaviors to academic functioning. The observation must occur in the student's learning environment (including regular classroom setting) to document the student's academic performance and behavior in the areas of difficulty. In the case of a student of less than school age or out of school, a group member must observe the student in an environment appropriate for a student of that age.

Observer: XXX (School Psychologist)

Date of Observation: 4-10-12

Observation Comments:

Sam was observed during reading class. He answered questions when asked during the observation period. After the desk assignment was given, he raised his hand and asked for help. He worked a bit slower than the others in class but remained focused and finished his work by the end of class period.

(Required for Rtl and Discrepancy)

Document educationally relevant medical findings:

Sam is not known to have any medical conditions which would be expected to have an impact on his educational performance.

(Required for Rtl and Discrepancy)

The evaluation team determines that the student's achievement level problem is/is not primarily the result of:

- Is Is Not - Visual, hearing or motor disabilities;
- Is Is Not – Cognitive disability;
- Is Is Not – Emotional disturbance;
- Is Is Not – Cultural factors;
- Is Is Not – Environmental or economic disadvantage;
- Is Is Not – Limited English proficiency.

***THIS SECTION SHOULD ONLY BE COMPLETED IF USING
A STATE-APPROVED RESPONSE TO INTERVENTION MODEL
AND RTI CRITERIA WILL BE USED TO DETERMINE ELIGIBILITY***

If the student has participated in a process that assesses the student's response to scientific, research-based intervention document the following:

The instructional strategies used in the Rtl process that assesses the student's response to scientific, research-based intervention:

The student has participated in _____ weeks of Tier 3 interventions. (At least two phases of Tier 3 interventions to consider eligibility)

Tier 3 supports include _____ minutes of core reading instruction (to include flexible reading small group time) and _____ minutes of intensive, individualized intervention. The frequency of the interventions is _____ times per week.

Researched-based intervention strategies (please list by type, not name).

Name of Research-based Intervention strategy: _____ Duration of the intervention: _____

Universal Screening scores: Fall: _____ Winter: _____ Spring: _____

Actual rate of progress compared to benchmark standard: _____

Grade level benchmark standard for end of school year: _____

Desired Rate of Progress: _____ Predicted Rate of Progress: _____

Is the Predicted Rate of Progress significantly below grade level expectations? Yes No

Specific Learning Disabilities - 525

List the adverse effects of the disability on student's educational performance:

Sam's reading fluency skills are at grade-level. He comprehends what he is reading and is able to focus on instruction occurring in the general classroom setting. Sam's language skills are also at grade level allowing him to comprehend information in the classroom as well.

Based upon the above information the team agrees the student:

- has a specific learning disability.
- does not have a specific learning disability.

This report reflects my conclusions. If not, person(s) in disagreement will indicate such and must submit a separate statement.

Name

Position

XXX

XXX

Agree Disagree

XXX

XXX

Agree Disagree

XXX

XXX

Agree Disagree

XXX

XXX

Agree Disagree

Other Factors Considered:

A student may not be determined to be a student with a disability if the determinant factor is a lack of appropriate instruction. Is the underachievement of the student due to the lack of instruction in:

- Yes No – Reading
- Yes No – Math
- Yes No – English Proficiency

Note: If Yes in any category above, the student is not a student with a disability (ARSD 24:05:25:04.03).

Eligibility Determination:

List the adverse effects of the disability on student’s educational performance:

- YES - The team agrees this student:
 - a) Has a diagnosed disability;
 - b) The disability adversely affects the student’s educational performance; and
 - c) The student requires specifically designed instruction to receive a free appropriate public education.
- NO – The student is not eligible for special education or special education and related services.

The team determined this student meets eligibility criteria under the following category: (check the category that will be reported on student count)

- | | |
|---|--|
| <input type="checkbox"/> Deaf-Blindness - 500 | <input type="checkbox"/> Vision Loss - 540 |
| <input type="checkbox"/> Emotional Disturbance - 505 | <input type="checkbox"/> Deafness - 545 |
| <input type="checkbox"/> Cognitive Disability - 510 | <input type="checkbox"/> Speech/Language- 550 |
| <input type="checkbox"/> Hearing Loss - 515 | <input type="checkbox"/> Other Health Impairment - 555 |
| <input type="checkbox"/> Specific Learning Disability - 525 | <input type="checkbox"/> Autism - 560 |
| <input type="checkbox"/> Multiple Disabilities (list category(s) of eligibility) -530 | <input type="checkbox"/> Traumatic Brain Injury - 565 |
| <input type="checkbox"/> Orthopedic Impairment - 535 | <input type="checkbox"/> Developmental Delay - 570 |

List Categories for Multiple Disabilities: _____

**DETERMINATION OF ELIGIBILITY/CONTINUED ELIGIBILITY
ARSD 24:05:24:01 & 24:05:25**

STUDENT NAME: (SLD)		SIMS:
PARENT/GUARDIAN NAME:		MEETING DATE:
SCHOOL DISTRICT:	SCHOOL:	
DOB:	AGE:	GRADE:

Basis for making eligibility determination is drawn from a variety of sources, including aptitude and achievement, parent input and teacher recommendations, as well as information about the student's physical condition, social or cultural background, and adaptive behavior.

Summary of Evaluation Reports

<u>Name of Measure or Assessment</u>	<u>Date Administered</u>	<u>Test Scores/Results</u>
WISC-IV	4-4-12	FSIQ = 82 (Regression Score Needed = 71 or below)
WIAT-II	4-2-12	Oral Reading Fluency = 67
TOLD-I:4	3-20-12	Spoken Language Composite = 84

Specific Learning Disabilities - 525

Check the appropriate box:

- Rtl criteria will be used to determine eligibility
- Discrepancy criteria will be used to determine eligibility

(Required for Rtl and Discrepancy)

Does the student achieve adequately for the student’s age or to meet state-approved grade-level standards in one of more of the following areas, when provided with learning experiences and instruction appropriate for the student’s age or state- approved grade-level standards

Subject area	Does	Does not
Reading Comprehension	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Basic Reading Skills	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Reading Fluency Skills	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mathematic Calculation	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mathematics Problem Solving	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Written Expression	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Oral Expression	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Listening Comprehension	<input checked="" type="checkbox"/>	<input type="checkbox"/>

(Required for Rtl Only)

- Based upon the data gathered, the evaluation team determines the student has not made sufficient progress to meet age or state-approved grade-level standards in one or more of the areas identified above when using a process based on the student’s response to scientific, research-based interventions.

OR

(Required for Discrepancy Only)

- The student exhibits a pattern of strengths and weaknesses in performance, achievement, or both, relative to age, state-approved grade level standards, or intellectual development, that is determined by the team to be relevant to the identification of a specific learning disability in one or more of the areas identified above when using appropriate assessments.

The Following Section Required only for Initial Eligibility Determination

(Required for Rtl and Discrepancy)

Document data that demonstrates that prior to, or as part of, the referral process, the student was provided appropriate instruction in regular education settings by qualified personnel:

Sam has been receiving direct instruction interventions by highly-qualified, trained teachers.

(Required for Rtl Only)

Qualified Personnel:

- Tier I II III Highly Qualified: Yes No
- Tier I II III Highly Qualified: Yes No
- Tier I II III Highly Qualified: Yes No
- Tier I II III Highly Qualified: Yes No
- Tier I II III Highly Qualified: Yes No
- Tier I II III Highly Qualified: Yes No
- Tier I II III Highly Qualified: Yes No

The Following Section Required only for Initial Eligibility Determination			
(Required for Rtl and Discrepancy)			
Data-based documentation of repeated assessments of achievement at reasonable intervals, reflecting formal assessment of student progress during instruction, which was provided to the student's parents:			
<u>Progress was assessed through DIBELS probes and reported to parents on 9/22/2011 and 1/6/2012 through parent reports, in addition to information shared at parent-teacher conferences.</u>			
Composite score	Fall	Winter	Spring
	70***	75***	NA
*Benchmark ** Some risk ***At risk/intensive			
(Required for Rtl Only)			
Week 1:Date: _____	Score: _____	Week 2:Date: _____	Score: _____
Week 3:Date: _____	Score: _____	Week 4:Date: _____	Score: _____
Week 5:Date: _____	Score: _____	Week 6:Date: _____	Score: _____
Week 7:Date: _____	Score: _____	Week 8:Date: _____	Score: _____
Week 9:Date: _____	Score: _____	Week 10:Date: _____	Score: _____
Week 11:Date: _____	Score: _____	Week 12:Date: _____	Score: _____
Week 13:Date: _____	Score: _____	Week 14:Date: _____	Score: _____
Week 15:Date: _____	Score: _____	Week 16:Date: _____	Score: _____
Week 17:Date: _____	Score: _____	Week 18:Date: _____	Score: _____
*Add additional data lines if needed			
(Required for Rtl and Discrepancy)			
Attendance Record:			
School Year: <u>2011-12</u> Total days of school: <u>109</u> Total days in attendance: <u>107</u>			
Total days absent: Quarter 1: <u>0</u> Quarter 2: <u>0</u> Quarter 3: <u>2</u> Quarter 4: _____			
School Year: <u>2010-11</u> Total days of school: <u>175</u> Total days in attendance: <u>174</u>			
Total days absent: Quarter 1: <u>0</u> Quarter 2: <u>0</u> Quarter 3: <u>1</u> Quarter 4: <u>0</u>			
(Required for Rtl and Discrepancy)			
A student may not be determined to be a student with a disability if the determinant factor is a lack of appropriate instruction.			
Is the underachievement of the student due to the lack of instruction in:			
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No – Reading			
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No – Math			

(Required for Rtl)

- Information from an observation in routine classroom instruction and monitoring of the student's performance was done before the student was referred for an evaluation.

OR

(Required for Discrepancy)

- Observation of the student's performance in the regular classroom was done after the student has been referred for an evaluation.

Observation: Relevant behaviors, if any, noted during the observation of the student and relationship of those behaviors to academic functioning. The observation must occur in the student's learning environment (including regular classroom setting) to document the student's academic performance and behavior in the areas of difficulty.

In the case of a student of less than school age or out of school, a group member must observe the student in an environment appropriate for a student of that age.

Observer: XXX (School Psychologist)

Date of Observation: 4-10-12

Observation Comments:

Sam was observed during language arts class. When asked to read he stumbled over content specific and vocabulary words. It appeared he was uncomfortable reading out loud in a large group setting.

(Required for RtI and Discrepancy)

Document educationally relevant medical findings:

Sam is not known to have any medical conditions which would be expected to have an impact on his educational performance.

(Required for RtI and Discrepancy)

The evaluation team determines that the student's achievement level problem is/is not primarily the result of:

- Is Is Not - Visual, hearing or motor disabilities;
- Is Is Not – Cognitive disability;
- Is Is Not – Emotional disturbance;
- Is Is Not – Cultural factors;
- Is Is Not – Environmental or economic disadvantage;
- Is Is Not – Limited English proficiency.

**THIS SECTION SHOULD ONLY BE COMPLETED IF USING
A STATE-APPROVED RESPONSE TO INTERVENTION MODEL
AND RTI CRITERIA WILL BE USED TO DETERMINE ELIGIBILITY**

If the student has participated in a process that assesses the student's response to scientific, research-based intervention document the following:

The instructional strategies used in the RtI process that assesses the student's response to scientific, research-based intervention:

The student has participated in _____ weeks of Tier 3 interventions. (At least two phases of Tier 3 interventions to consider eligibility)

Tier 3 supports include _____ minutes of core reading instruction (to include flexible reading small group time) and _____ minutes of intensive, individualized intervention. The frequency of the interventions is _____ times per week. Researched-based intervention strategies (please list by type, not name).

Name of Research-based Intervention strategy: _____ Duration of the intervention: _____

Universal Screening scores: Fall: _____ Winter: _____ Spring: _____

Actual rate of progress compared to benchmark standard: _____

Grade level benchmark standard for end of school year: _____

Desired Rate of Progress: _____ Predicted Rate of Progress: _____

Is the Predicted Rate of Progress significantly below grade level expectations? Yes No

Specific Learning Disabilities - 525

List the adverse effects of the disability on student's educational performance:

Sam's reading fluency skills are significantly below grade-level. His reading fluency rate with a grade level passage is significantly lower than his peers. This makes it difficult for Sam to comprehend what he is reading and to learn from text in the general classroom setting.

Based upon the above information the team agrees the student:

- has a specific learning disability.
- does not have a specific learning disability.

This report reflects my conclusions. If not, person(s) in disagreement will indicate such and must submit a separate statement.

Name	Position	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree
<u>XXX</u>	<u>XXX</u>	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree
<u>XXX</u>	<u>XXX</u>	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree
<u>XXX</u>	<u>XXX</u>	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree
<u>XXX</u>	<u>XXX</u>	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree

Other Factors Considered:

A student may not be determined to be a student with a disability if the determinant factor is a lack of appropriate instruction.

Is the underachievement of the student due to the lack of instruction in:

- Yes No – Reading
- Yes No – Math
- Yes No – English Proficiency

Note: If Yes in any category above, the student is not a student with a disability (ARSD 24:05:25:04.03).

Eligibility Determination:

List the adverse effects of the disability on student's educational performance:

Sam's reading fluency skills are significantly below grade-level. His reading fluency rate with a grade level passage is significantly lower than his peers. This makes it difficult for Sam to comprehend what he is reading and to learn from text in the general classroom setting.

- YES - The team agrees this student:
 - a) Has a diagnosed disability;
 - b) The disability adversely affects the student's educational performance; and
 - c) The student requires specifically designed instruction to receive a free appropriate public education.
- NO – The student is not eligible for special education or special education and related services.

The team determined this student meets eligibility criteria under the following category: (check the category that will be reported on student count)

- | | |
|---|--|
| <input type="checkbox"/> Deaf-Blindness - 500 | <input type="checkbox"/> Vision Loss - 540 |
| <input type="checkbox"/> Emotional Disturbance - 505 | <input type="checkbox"/> Deafness - 545 |
| <input type="checkbox"/> Cognitive Disability - 510 | <input type="checkbox"/> Speech/Language- 550 |
| <input type="checkbox"/> Hearing Loss - 515 | <input type="checkbox"/> Other Health Impairment - 555 |
| <input checked="" type="checkbox"/> Specific Learning Disability - 525 | <input type="checkbox"/> Autism - 560 |
| <input type="checkbox"/> Multiple Disabilities (list category(s) of eligibility) -530 | <input type="checkbox"/> Traumatic Brain Injury - 565 |
| <input type="checkbox"/> Orthopedic Impairment - 535 | <input type="checkbox"/> Developmental Delay - 570 |

List Categories for Multiple Disabilities: _____

**DETERMINATION OF ELIGIBILITY/CONTINUED ELIGIBILITY
ARSD 24:05:24:01 & 24:05:25**

STUDENT NAME: Autism (Initial Evaluation)		SIMS:
PARENT/GUARDIAN NAME:		MEETING DATE:
SCHOOL DISTRICT:	SCHOOL:	
DOB:	AGE:	GRADE:

Basis for making eligibility determination is drawn from a variety of sources, including aptitude and achievement, parent input and teacher recommendations, as well as information about the student's physical condition, social or cultural background, and adaptive behavior.

Summary of Evaluation Reports

<u>Name of Measure or Assessment</u>	<u>Date Administered</u>	<u>Test Scores/Results</u>
Wechsler Nonverbal Scale of Ability	03/08/2012	Nonverbal IQ Score = 96
Young Children's Achievement Test	03/07/2012	Early Achievement Composite = 85
Vineland-II	02/22/2012	Adaptive Behavior Composite = 61
BASC-2	02/22/2012	The parent reported clinically significant scores in the following areas: Externalizing problems, hyperactivity, aggression, depression, atypicality, attention, adaptive skills, adaptability, functional communication, activities of daily living, behavior symptoms index, anger, bullying, developmental social disorders, emotional self-control, executive functioning, negative emotionality and resilience. The two teachers reported clinically significant scores in the following areas: Externalizing problems, hyperactivity, aggression, depression, atypicality, attention, functional communication, behavior symptoms index, anger, bullying, developmental social disorders, emotional self-control, executive functioning, negative emotionality and resilience
Gilliam Autism Rating Scale – 2	02/22/2012	Parent ratings revealed the presence of autism is Likely. The two teachers reported the presence of autism is Very Likely.
Preschool Language Scale – 5	03/08 & 03/21/2012	Total Language Score = 68

Peabody Developmental Motor
Scale -2

03/13 & 03/15/2012

Fine Motor Quotient = 73

Gross Motor Quotient = 74

Visual Motor Integration = 5

Observation Dates

02/22, 03/08, &
03/21/2012

Autism Diagnosis: ADOS

Report Date:
01/26/2012

USD Center for Disabilities Report

Deaf-Blindness - 500

- Students may be identified as deaf-blind when both a vision and hearing impairment exists which causes such severe communication and other developmental and educational needs that they cannot be accommodated in special education programs solely for children with deafness or children with blindness.

If the above criteria are met, the student meets the definition of a student with deaf-blindness.

Emotional Disturbance - 505

The following characteristics are indicative of an emotional disturbance. Check those that apply: (student must exhibit one or more characteristics to meet criteria):

- An inability to learn which cannot be explained by intellectual, sensory or health factors.
- An inability to build or maintain satisfactory interpersonal relationships with peers and teachers.
- Inappropriate types of behavior or feelings under normal circumstances.
- A general pervasive mood of unhappiness or depression.
- A tendency to develop physical symptoms or fears associated with personal or school problems.

Emotional disturbance does not include social maladjustment, unless the student also has an emotional disturbance. Emotional disturbance includes schizophrenia.

The following criteria must also be met:

- The student characteristics are exhibited serious behavior problems over a long period of time (not less than 6 months).
- Documentation from the school and one or more sources of the frequency & severity of the targeted behaviors.
- Student's performance falls 2 standard deviations below the mean in emotional functions as measured in school, home, and community on nationally formed technically adequate measures.

If the above criteria are met, the student meets the definition of a student with an emotional disturbance.

Cognitive Disability - 510

The following characteristics are indicative of a cognitive disability.

- General intellectual functioning 2 standard deviations or more below the mean as determined by the full scale score on an individual cognitive evaluation, plus or minus standard error of measurement.
- Exhibits deficits in adaptive behavior and academic or pre-academic skills as determined by an individual evaluation and manifested before age 18.

If the above criteria are met, the student meets the definition of a student with a cognitive disability.

Hearing Loss - 515

- A student may be identified as having a hearing loss if an unaided hearing loss of 35 to 69 decibels is present that makes the acquisition of receptive and expressive language skills difficult with or without the help of amplification.

If the above criteria are met, the student meets the definition of a student with a hearing loss.

Multiple Disabilities - 530

- Concomitant impairments (such as a cognitive disability-blindness or a cognitive disability-orthopedic impairment), the combination of which causes such severe educational needs that they cannot be accommodated in special education programs solely for one of the impairments. The term does not include deaf-blindness.

If the above criteria are met, the student meets the definition of a student with multiple disabilities.

Orthopedic Impairment - 535

There must be evidence of the following:

- Severely impaired motor functioning that adversely affects educational performance; **and**
- Deficits in muscular or neuromuscular functioning that significantly limits the student's ability to move about, sit, or manipulate materials required for learning; **and**
- Student's bone, joint, or muscle problems affect ambulation, posture, or gross and fine motor skills; **and**
- Medical data by a qualified medical evaluator describes and confirms an orthopedic impairment.

If the above criteria are met, the student meets the definition of a student with an orthopedic impairment.

Vision Loss – 540

A deficiency in visual acuity shall be one of the following:

- Visual acuity of no better than 20/70 in the better eye after correction; or
- Restricted visual field; or
- Limited ability to move about safely in the environment due to a visual disability; or
- Blindness - Visual acuity of 20/200 or less in the better eye with correcting lenses or a limited field of vision such that the widest diameter subtends an angular distance of no greater than 20 degrees or has a medically indicated expectation of visual deterioration.

If the above criteria are met, the student meets the definition of a student with a vision loss.

Deafness – 545

- The unaided hearing loss is in excess of 70 decibels and precludes understanding of speech through the auditory mechanism, even with amplification, and demonstrates an inability in processing linguistic information through hearing, even with amplification.

If the above criteria are met, the student meets the definition of a student with deafness.

Speech or Language Disorder – 550

Articulation Disorder:

- Performance on a standardized articulation test falls 2 standard deviations below the mean & intelligibility is affected in conversation;
- Test performance is less than 2 standard deviations below the mean but the student is judged unintelligible by the speech language clinician and one other adult;

- Performance on a phonological assessment which falls in the profound or severe range & intelligibility is affected in conversation;
- Performance on a phonological assessment falls in the moderate range, intelligibility is affected in conversation, and during a tracking period of between 3 and 6 months there was a lack of improvement in the number and type of errors;
- An error persists 6 months to 1 year beyond the chronological age when 90% of students have typically acquired the sound based on developmental articulation norms.

Fluency Disorder:

- The student consistently exhibits one or more of the following symptomatic behaviors of dysfluency:
 - a) Sound, syllable, or word repetition;
 - b) Prolongations of sounds, syllables, or words;
 - c) Blockages; or
 - d) Hesitations.
- There is a significant discrepancy from the norm (5 dysfluencies per minute) as measured by speech sampling in a variety of contexts; or
- The disruption occurs to the degree that the individual or persons who listen to the individual evidence reactions to the manner of speech and the disruptions so that communication is impeded.

Voice Disorder:

- Consistent deviations in one or more of the parameters of voice: pitch, quality, or volume exist; and
- The voice is discrepant from the norm as related to age, gender, and cultural and is distracting to the listener; and
- The disorder is not the result of a temporary problem such as: normal voice changes, allergies, colds, or other such conditions.

Language Disorder:

- Through age 8, performance falls 1.5 standard deviations below the mean on standardized evaluations;
- Beginning at age 9, a difference of 1.5 standard deviations between performance on a individually administered language assessment instrument and measured expected potential as measured by an individually administered intelligence test; and
- The student's pragmatic skill, as measured by checklists, language samples and/or observation, adversely affects the student's academic and social interactions

If the above criteria are met, the student meets the definition of a student with a speech (articulation, fluency, voice) or language impairment.

Other Health Impaired – 555

- Having limited strength, vitality or alertness, including a heightened alertness to environmental stimuli, that results in limited alertness with respect to the educational environment, that: Is due to chronic or acute health problems such as such as a heart condition, tuberculosis, rheumatic fever, nephritis, asthma, attention deficit disorder or attention deficit hyperactivity disorder, sickle cell anemia, hemophilia, epilepsy, lead poisoning, leukemia, Tourette syndrome, or diabetes

If the above criteria are met, the student meets the definition of a student with other health impairment.

Autism – 560

An autistic disorder is present in a student if at least 6 of the following 12 characteristics are expressed by a student with at least two of the characteristics from subdivision (1), one from subdivision (2), and one from subdivision (3):

- 1) Qualitative impairment in social interaction, as manifested by at least **two** of the following:
 - Marked impairment in the use of multiple nonverbal behaviors such as eye-to-eye gaze, facial expression, body postures, and gestures to regulate social interaction;
 - Failure to develop peer relationships appropriate to developmental;
 - A lack of spontaneous seeking to share enjoyment, interests, or achievements with other people such as lack of showing, bringing, or pointing out objects of interest;
 - Lack of social or emotional reciprocity;
- 2) Qualitative impairment in communication as manifested by at least **one** of the following:
 - Delay in or total lack of, the development of spoken language not accommodated by an attempt to compensate through alternative modes of communication such as gesture or mime;
 - In an individual with adequate speech, marked impairment in the ability to initiate or sustain conversation with others;
 - Stereotyped and repetitive use of language or idiosyncratic language;
 - Lack of varied, spontaneous make-believe play or social imitative play appropriate to developmental level;
- 3) Restricted repetitive and stereotyped patterns of behavior, interests, and activities as manifested by at least **one** of the following:
 - Encompassing preoccupation with one or more stereotyped and restricted patterns of interest that is abnormal either in intensity or focus;
 - Apparently inflexible adherence to specific, nonfunctional routines or rituals;
 - Stereotyped and repetitive motor mannerisms, such as hand or finger flapping or twisting, or complex whole-body movements;
 - Persistent preoccupation with parts of objects.

A student with autism also exhibits delays or abnormal functioning in at least **one** of the following areas, with onset generally prior to age three:

- Social interaction;
- Symbolic or imaginative play;
- Language as used in social communication.

If the above criteria are met, the student meets the definition of a student with autism.

Traumatic Brain Injury – 565

- An acquired injury to the brain caused by an external physical force, resulting in a total or partial functional disability or psychosocial impairment, or both. The term applies to open or closed head injuries resulting in impairments in one or more areas, such as cognition; language; memory; attention; reasoning; abstract thinking; judgment; problem solving; sensory; perceptual; and motor abilities; psychosocial behavior; physical functions; information processing; and speech. The term does not apply to brain injuries that are congenital or degenerative, or brain injuries inducted by birth trauma.

If the above criteria are met, the student meets the definition of a student with a traumatic brain injury.

Developmental Delay - 570

The following characteristics are indicative of students 3, 4, or 5 years old that are in need of special education due to a developmental delay. Check those that apply:

- Functions at a developmental level 1.5 standard deviations below the mean in any two developmental areas; or
- Functions at a developmental level 2 standard deviation below the mean in any one area of development.

Check the areas of development:

- Adaptive Functioning Skills
- Cognitive Development
- Communication Development
- Social and Emotional Development
- Physical Development

If the above criteria are met, the student meets the definition of a student with developmental delay.

Other Factors Considered:

A student may not be determined to be a student with a disability if the determinant factor is a lack of appropriate instruction.

Is the underachievement of the student due to the lack of instruction in:

- Yes No – Reading
- Yes No – Math
- Yes No – English Proficiency

Note: If Yes in any category above, the student is not a student with a disability (ARSD 24:05:25:04.03).

Eligibility Determination:

List the adverse effects of the disability on student’s educational performance:

Sam’s delays in self-care skills make it difficult for him to function as independently in the classroom as would be expected for a child his age. He does not play or interact with other children in the classroom, making group learning activities and opportunities to develop social skills difficult. He struggles with transitioning between activities and environments and with being told no. When he is upset, frustrated, or feeling anxious, Sam often engages in behaviors that are disruptive to the classroom environment and at times present a danger to others. Sam’s language development has been significantly delayed. He exhibits a great deal of echolalia which makes it difficult for him to express himself to others. He also demonstrates difficulties with receptive language that make it difficult for him to comprehend what he is being told. Sam also has significant difficulties in the area of fine motor development, which affect his writing skills. Sam struggles with gross motor development in the area of balance that limits his mobility in the classroom and other educational environments.

YES - The team agrees this student:

- a) Has a diagnosed disability;
- b) The disability adversely affects the student’s educational performance; and
- c) The student requires specifically designed instruction to receive a free appropriate public education.

NO – The student is not eligible for special education or special education and related services.

The team determined this student meets eligibility criteria under the following category: (check the category that will be reported on student count)

- | | |
|---|--|
| <input type="checkbox"/> Deaf-Blindness - 500 | <input type="checkbox"/> Vision Loss - 540 |
| <input type="checkbox"/> Emotional Disturbance - 505 | <input type="checkbox"/> Deafness - 545 |
| <input type="checkbox"/> Cognitive Disability - 510 | <input type="checkbox"/> Speech/Language- 550 |
| <input type="checkbox"/> Hearing Loss - 515 | <input type="checkbox"/> Other Health Impairment - 555 |
| <input type="checkbox"/> Specific Learning Disability - 525 | <input checked="" type="checkbox"/> Autism - 560 |
| <input type="checkbox"/> Multiple Disabilities (list category(s) of eligibility) -530 | <input type="checkbox"/> Traumatic Brain Injury - 565 |
| <input type="checkbox"/> Orthopedic Impairment - 535 | <input type="checkbox"/> Developmental Delay - 570 |

List Categories for Multiple Disabilities: _____

**DETERMINATION OF ELIGIBILITY/CONTINUED ELIGIBILITY
ARSD 24:05:24:01 & 24:05:25**

STUDENT NAME: (OHI – ADHD Example-Reevaluation)		SIMS:
PARENT/GUARDIAN NAME:		MEETING DATE:
SCHOOL DISTRICT:	SCHOOL:	
DOB:	AGE:	GRADE:

Basis for making eligibility determination is drawn from a variety of sources, including aptitude and achievement, parent input and teacher recommendations, as well as information about the student's physical condition, social or cultural background, and adaptive behavior.

Summary of Evaluation Reports

<u>Name of Measure or Assessment</u>	<u>Date Administered</u>	<u>Test Scores/Results</u>
WISC-IV	11/4/2008	FSIQ = 84 (score pulled forward)
WJ-III	10/19/2012	All scores are in the average and above average range
BASC-II (Self-Report)	10/05/2012	Clinically significant scores were reported in the following areas: Internalizing Problems, Atypicality, Anxiety, Inattention/Hyperactivity, Personal Adjustment, Relations With Parents, Self-Reliance, Emotional Symptoms
BASC-II (Teachers 1 and 2)	10/08 – 10/12/2012	Clinically significant scores were reported in the following areas: Hyperactivity, Attention Problems, Social Skills, Study Skills
Conners-3 (Teachers 1 and 2)	10/08 – 10/12/2012	Clinically significant scores were reported in the following areas: Restless-Impulsive, Inattention, Hyperactivity /Impulsivity, Executive Functioning, Defiance/Aggression, Peer Relations, DSM-IV – ADHD (Inattentive) DSM-IV – ADHD (Hyperactive Impulsive)
Connors Short Form (Parent)	10/10/2012	Clinically significant scores were reported in the following areas: Inattention, Hyperactivity/Impulsivity, Learning Problems, Executive Functioning, Defiance/Aggression, Peer Relations.
Diagnosis by Dr. ZZZ	Report dated 8-4-04.	Attention-Deficit/Hyperactivity Disorder - Combined Type

Deaf-Blindness – 500

- Students may be identified as deaf-blind when both a vision and hearing impairment exists which causes such severe communication and other developmental and educational needs that they cannot be accommodated in special education programs solely for children with deafness or children with blindness.

If the above criteria are met, the student meets the definition of a student with deaf-blindness.

Emotional Disturbance – 505

The following characteristics are indicative of an emotional disturbance. Check those that apply: (student must exhibit one or more characteristics to meet criteria):

- An inability to learn which cannot be explained by intellectual, sensory or health factors.
- An inability to build or maintain satisfactory interpersonal relationships with peers and teachers.
- Inappropriate types of behavior or feelings under normal circumstances.
- A general pervasive mood of unhappiness or depression.
- A tendency to develop physical symptoms or fears associated with personal or school problems.

Emotional disturbance does not include social maladjustment, unless the student also has an emotional disturbance. Emotional disturbance includes schizophrenia.

The following criteria must also be met:

- The student characteristics are exhibited serious behavior problems over a long period of time (not less than 6 months).
- Documentation from the school and one or more sources of the frequency & severity of the targeted behaviors.
- Student's performance falls 2 standard deviations below the mean in emotional functions as measured in school, home, and community on nationally formed technically adequate measures.

If the above criteria are met, the student meets the definition of a student with an emotional disturbance.

Cognitive Disability – 510

The following characteristics are indicative of a cognitive disability.

- General intellectual functioning 2 standard deviations or more below the mean as determined by the full scale score on an individual cognitive evaluation, plus or minus standard error of measurement.
- Exhibits deficits in adaptive behavior and academic or pre-academic skills as determined by an individual evaluation and manifested before age 18.

If the above criteria are met, the student meets the definition of a student with a cognitive disability.

Hearing Loss – 515

- A student may be identified as having a hearing loss if an unaided hearing loss of 35 to 69 decibels is present that makes the acquisition of receptive and expressive language skills difficult with or without the help of amplification.

If the above criteria are met, the student meets the definition of a student with a hearing loss.

Multiple Disabilities – 530

- Concomitant impairments (such as a cognitive disability-blindness or a cognitive disability-orthopedic impairment), the combination of which causes such severe educational needs that they cannot be accommodated in special education programs solely for one of the impairments. The term does not include deaf-blindness.

If the above criteria are met, the student meets the definition of a student with multiple disabilities.

Orthopedic Impairment – 535

There must be evidence of the following:

- Severely impaired motor functioning that adversely affects educational performance; **and**
- Deficits in muscular or neuromuscular functioning that significantly limits the student's ability to move about, sit, or manipulate materials required for learning; **and**
- Student's bone, joint, or muscle problems affect ambulation, posture, or gross and fine motor skills; **and**
- Medical data by a qualified medical evaluator describes and confirms an orthopedic impairment.

If the above criteria are met, the student meets the definition of a student with an orthopedic impairment.

Vision Loss – 540

A deficiency in visual acuity shall be one of the following:

- Visual acuity of no better than 20/70 in the better eye after correction; or
- Restricted visual field; or
- Limited ability to move about safely in the environment due to a visual disability; or
- Blindness - Visual acuity of 20/200 or less in the better eye with correcting lenses or a limited field of vision such that the widest diameter subtends an angular distance of no greater than 20 degrees or has a medically indicated expectation of visual deterioration.

If the above criteria are met, the student meets the definition of a student with a vision loss.

Deafness – 545

- The unaided hearing loss is in excess of 70 decibels and precludes understanding of speech through the auditory mechanism, even with amplification, and demonstrates an inability in processing linguistic information through hearing, even with amplification.

If the above criteria are met, the student meets the definition of a student with deafness.

Speech or Language Disorder - 550

Articulation Disorder:

- Performance on a standardized articulation test falls 2 standard deviations below the mean & intelligibility is affected in conversation;
- Test performance is less than 2 standard deviations below the mean but the student is judged unintelligible by the speech language clinician and one other adult;
- Performance on a phonological assessment which falls in the profound or severe range & intelligibility is affected in conversation;

- Performance on a phonological assessment falls in the moderate range, intelligibility is affected in conversation, and during a tracking period of between 3 and 6 months there was a lack of improvement in the number and type of errors;
- An error persists 6 months to 1 year beyond the chronological age when 90% of students have typically acquired the sound based on developmental articulation norms.

Fluency Disorder:

- The student consistently exhibits one or more of the following symptomatic behaviors of dysfluency:
 - a) Sound, syllable, or word repetition;
 - b) Prolongations of sounds, syllables, or words;
 - c) Blockages; or
 - d) Hesitations.
- There is a significant discrepancy from the norm (5 dysfluencies per minute) as measured by speech sampling in a variety of contexts; or
- The disruption occurs to the degree that the individual or persons who listen to the individual evidence reactions to the manner of speech and the disruptions so that communication is impeded.

Voice Disorder:

- Consistent deviations in one or more of the parameters of voice: pitch, quality, or volume exist; and
- The voice is discrepant from the norm as related to age, gender, and cultural and is distracting to the listener; and
- The disorder is not the result of a temporary problem such as: normal voice changes, allergies, colds, or other such conditions.

Language Disorder:

- Through age 8, performance falls 1.5 standard deviations below the mean on standardized evaluations;
- Beginning at age 9, a difference of 1.5 standard deviations between performance on a individually administered language assessment instrument and measured expected potential as measured by an individually administered intelligence test; and
- The student's pragmatic skill, as measured by checklists, language samples and/or observation, adversely affects the student's academic and social interactions

If the above criteria are met, the student meets the definition of a student with a speech (articulation, fluency, voice) or language impairment.

Other Health Impaired - 555

- Having limited strength, vitality or alertness, including a heightened alertness to environmental stimuli, that results in limited alertness with respect to the educational environment, that: Is due to chronic or acute health problems such as such as a heart condition, tuberculosis, rheumatic fever, nephritis, asthma, attention deficit disorder or attention deficit hyperactivity disorder, sickle cell anemia, hemophilia, epilepsy, lead poisoning, leukemia, Tourette syndrome, or diabetes

If the above criteria are met, the student meets the definition of a student with other health impairment.

Autism – 560

An autistic disorder is present in a student if at least 6 of the following 12 characteristics are expressed by a student with at least two of the characteristics from subdivision (1), one from subdivision (2), and one from subdivision (3):

- 1) Qualitative impairment in social interaction, as manifested by at least **two** of the following:
 - Marked impairment in the use of multiple nonverbal behaviors such as eye-to-eye gaze, facial expression, body postures, and gestures to regulate social interaction;
 - Failure to develop peer relationships appropriate to developmental;
 - A lack of spontaneous seeking to share enjoyment, interests, or achievements with other people such as lack of showing, bringing, or pointing out objects of interest;
 - Lack of social or emotional reciprocity;
- 2) Qualitative impairment in communication as manifested by at least **one** of the following:
 - Delay in or total lack of, the development of spoken language not accommodated by an attempt to compensate through alternative modes of communication such as gesture or mime;
 - In an individual with adequate speech, marked impairment in the ability to initiate or sustain conversation with others;
 - Stereotyped and repetitive use of language or idiosyncratic language;
 - Lack of varied, spontaneous make-believe play or social imitative play appropriate to developmental level;
- 3) Restricted repetitive and stereotyped patterns of behavior, interests, and activities as manifested by at least **one** of the following:
 - Encompassing preoccupation with one or more stereotyped and restricted patterns of interest that is abnormal either in intensity or focus;
 - Apparently inflexible adherence to specific, nonfunctional routines or rituals;
 - Stereotyped and repetitive motor mannerisms, such as hand or finger flapping or twisting, or complex whole-body movements;
 - Persistent preoccupation with parts of objects.

A student with autism also exhibits delays or abnormal functioning in at least **one** of the following areas, with onset generally prior to age three:

- Social interaction;
- Symbolic or imaginative play;
- Language as used in social communication.

If the above criteria are met, the student meets the definition of a student with autism.

Traumatic Brain Injury - 565

- An acquired injury to the brain caused by an external physical force, resulting in a total or partial functional disability or psychosocial impairment, or both. The term applies to open or closed head injuries resulting in impairments in one or more areas, such as cognition; language; memory; attention; reasoning; abstract thinking; judgment; problem solving; sensory; perceptual; and motor abilities; psychosocial behavior; physical functions; information processing; and speech. The term does not apply to brain injuries that are congenital or degenerative, or brain injuries inducted by birth trauma.

If the above criteria are met, the student meets the definition of a student with a traumatic brain injury.

Developmental Delay - 570

The following characteristics are indicative of students 3, 4, or 5 years old that are in need of special education due to a developmental delay. Check those that apply:

- Functions at a developmental level 1.5 standard deviations below the mean in any two developmental areas; or
- Functions at a developmental level 2 standard deviation below the mean in any one area of development.

Check the areas of development:

- Adaptive Functioning Skills
- Cognitive Development
- Communication Development
- Social and Emotional Development
- Physical Development

If the above criteria are met, the student meets the definition of a student with developmental delay.

Other Factors Considered:

A student may not be determined to be a student with a disability if the determinant factor is a lack of appropriate instruction.

Is the underachievement of the student due to the lack of instruction in:

- Yes No – Reading
- Yes No – Math
- Yes No – English Proficiency

Note: If Yes in any category above, the student is not a student with a disability (ARSD 24:05:25:04.03).

Eligibility Determination:

List the adverse effects of the disability on student's educational performance:

Suzy has difficulty focusing her attention on appropriate things in the classroom for the amount of time required by the tasks. Her attention is frequently drawn to unimportant stimuli. She is very restless and has difficulty containing her energy in the classroom. Suzy also rushes to complete work, missing directions and making careless mistakes. This results in below average or failing grades. She has a difficult time with organization and managing her materials, making it difficult for her to find things that she needs resulting in missing assignments.

- YES - The team agrees this student:
 - a) has a diagnosed disability;
 - b) the disability adversely affects the student's educational performance; and
 - c) the student requires specifically designed instruction to receive a free appropriate public education.

NO – The student is not eligible for special education or special education and related services.

The team determined this student meets eligibility criteria under the following category: (check the category that will be reported on student count)

- | | |
|---|---|
| <input type="checkbox"/> Deaf-Blindness - 500 | <input type="checkbox"/> Vision Loss - 540 |
| <input type="checkbox"/> Emotional Disturbance - 505 | <input type="checkbox"/> Deafness - 545 |
| <input type="checkbox"/> Cognitive Disability - 510 | <input type="checkbox"/> Speech/Language- 550 |
| <input type="checkbox"/> Hearing Loss - 515 | <input checked="" type="checkbox"/> Other Health Impairment - 555 |
| <input type="checkbox"/> Specific Learning Disability - 525 | <input type="checkbox"/> Autism - 560 |
| <input type="checkbox"/> Multiple Disabilities (list category(s) of eligibility) -530 | <input type="checkbox"/> Traumatic Brain Injury - 565 |
| <input type="checkbox"/> Orthopedic Impairment - 535 | <input type="checkbox"/> Developmental Delay - 570 |

List Categories for Multiple Disabilities: _____

Related Service(s): Student therapy needs to be determined during IEP program development

Criteria for Occupational Therapy Services

1. The student has a disability requires special education;
2. The student needs occupational therapy to benefit from special education; and
3. The student must demonstrate performance on a standardized assessment instrument that falls at least 1.5 standard deviations below the mean in one or more of the following areas: fine motor skills, sensory integration, or visual.

Criteria for Physical Therapy Services

1. The student has a disability requires special education;
2. The student needs physical therapy to benefit from special education; and
3. The student must demonstrate performance on a standardized assessment instrument that falls at least 1.5 standard deviations below the mean on a standardized motor assessment instrument.

Speech – Language Pathology

1. To be provided as a related service, the IEP team must determine that the related service is required in order for the student to benefit from the special education program

**DETERMINATION OF ELIGIBILITY/CONTINUED ELIGIBILITY
ARSD 24:05:24:01 & 24:05:25**

STUDENT NAME: (Emotional Disturbance and Specific Learning Disability-Reevaluation)		SIMS:
PARENT/GUARDIAN NAME:		MEETING DATE:
SCHOOL DISTRICT:	SCHOOL:	
DOB:	AGE:	GRADE:

Basis for making eligibility determination is drawn from a variety of sources, including aptitude and achievement, parent input and teacher recommendations, as well as information about the student's physical condition, social or cultural background, and adaptive behavior.

Summary of Evaluation Reports

<u>Name of Measure or Assessment</u>	<u>Date Administered</u>	<u>Test Scores/Results</u>
WISC-IV	12/14/2011	FSIQ = 92 (Regression = 77 and below)
WIAT-III	11/30/2011	Reading Comprehension = 73
BASC-II	12/5 – 12/16/2011	<p>Parent reported clinically significant scores in the following areas: Behavioral symptom index, externalizing problems hyperactivity and aggression.</p> <p>Teacher 1 and 2 reported clinically significant problems in the following areas: Behavioral symptoms index, externalizing problems, adaptive skills, aggression, conduct problems, depression, atypicality, withdrawal, attention problems, functional communication and leadership.</p>
Diagnosis by Dr. XXXX	Report date 10-5-05	Reactive Attachment Disorder

Specific Learning Disabilities – 525

Check the appropriate box:

- Rtl criteria will be used to determine eligibility
- Discrepancy criteria will be used to determine eligibility

(Required for Rtl and Discrepancy)

Does the student achieve adequately for the student’s age or to meet state-approved grade-level standards in one of more of the following areas, when provided with learning experiences and instruction appropriate for the student’s age or state- approved grade-level standards

Subject area	Does	Does not
Reading Comprehension	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Basic Reading Skills	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Reading Fluency Skills	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mathematic Calculation	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mathematics Problem Solving	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Written Expression	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Oral Expression	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Listening Comprehension	<input checked="" type="checkbox"/>	<input type="checkbox"/>

(Required for Rtl Only)

- Based upon the data gathered, the evaluation team determines the student has not made sufficient progress to meet age or state-approved grade-level standards in one or more of the areas identified above when using a process based on the student’s response to scientific, research-based interventions.

OR

(Required for Discrepancy Only)

- The student exhibits a pattern of strengths and weaknesses in performance, achievement, or both, relative to age, state-approved grade level standards, or intellectual development, that is determined by the team to be relevant to the identification of a specific learning disability in one or more of the areas identified above when using appropriate assessments.

The Following Section Required only for Initial Eligibility Determination

(Required for Rtl and Discrepancy)

Document data that demonstrates that prior to, or as part of, the referral process, the student was provided appropriate instruction in regular education settings by qualified personnel: _____

(Required for Rtl Only)

Qualified Personnel:

- Tier I II III Highly Qualified: Yes No
- Tier I II III Highly Qualified: Yes No
- Tier I II III Highly Qualified: Yes No
- Tier I II III Highly Qualified: Yes No
- Tier I II III Highly Qualified: Yes No
- Tier I II III Highly Qualified: Yes No
- Tier I II III Highly Qualified: Yes No

The Following Section Required only for Initial Eligibility Determination	
(Required for Rtl and Discrepancy)	
Data-based documentation of repeated assessments of achievement at reasonable intervals, reflecting formal assessment of student progress during instruction, which was provided to the student's parents:	
(Required for Rtl Only)	
Week 1:Date: _____ Score: _____	Week 2:Date: _____ Score: _____
Week 3:Date: _____ Score: _____	Week 4:Date: _____ Score: _____
Week 5:Date: _____ Score: _____	Week 6:Date: _____ Score: _____
Week 7:Date: _____ Score: _____	Week 8:Date: _____ Score: _____
Week 9:Date: _____ Score: _____	Week 10:Date: _____ Score: _____
Week 11:Date: _____ Score: _____	Week 12:Date: _____ Score: _____
Week 13:Date: _____ Score: _____	Week 14:Date: _____ Score: _____
Week 15:Date: _____ Score: _____	Week 16:Date: _____ Score: _____
Week 17:Date: _____ Score: _____	Week 18:Date: _____ Score: _____
*Add additional data lines if needed	
(Required for Rtl and Discrepancy)	
Attendance Record:	
School Year: _____ Total days of school: _____ Total days in attendance: _____	
Total days absent: Quarter 1: _____ Quarter 2: _____ Quarter 3: _____ Quarter 4: _____	
School Year: _____ Total days of school: _____ Total days in attendance: _____	
Total days absent: Quarter 1: _____ Quarter 2: _____ Quarter 3: _____ Quarter 4: _____	
(Required for Rtl and Discrepancy)	
A student may not be determined to be a student with a disability if the determinant factor is a lack of appropriate instruction.	
Is the underachievement of the student due to the lack of instruction in:	
<input type="checkbox"/> Yes <input type="checkbox"/> No – Reading	
<input type="checkbox"/> Yes <input type="checkbox"/> No – Math	

(Required for Rtl)

- Information from an observation in routine classroom instruction and monitoring of the student's performance was done before the student was referred for an evaluation.

OR

(Required for Discrepancy)

- Observation of the student's performance in the regular classroom was done after the student has been referred for an evaluation.

Observation: Relevant behaviors, if any, noted during the observation of the student and relationship of those behaviors to academic functioning. The observation must occur in the student's learning environment (including regular classroom setting) to document the student's academic performance and behavior in the areas of difficulty.

Observer: XXX, School Psychologist

Date of Observation: 12/20/2011

Observation Comments

Suzy was observed during recess as well as during her reading class. She was noted to engage in several unusual behaviors and have difficulty with her interactions with both peers and adults. Peers would turn away from her if she would approach them. She would become frustrated and stop working when reading assignments.

(Required for Rtl and Discrepancy)

Document educationally relevant medical findings:
Suzy is diagnosed with Reactive Attachment Disorder

(Required for Rtl and Discrepancy)

The evaluation team determines that the student’s achievement level problem is/is not primarily the result of:

- Is Is Not - Visual, hearing or motor disabilities;
- Is Is Not – Cognitive disability;
- Is Is Not – Emotional disturbance;
- Is Is Not – Cultural factors;
- Is Is Not – Environmental or economic disadvantage;
- Is Is Not – Limited English proficiency.

**THIS SECTION SHOULD ONLY BE COMPLETED IF USING
A STATE-APPROVED RESPONSE TO INTERVENTION MODEL
AND RTI CRITERIA WILL BE USED TO DETERMINE ELIGIBILITY**

If the student has participated in a process that assesses the student’s response to scientific, research-based intervention document the following:

The instructional strategies used in the Rtl process that assesses the student’s response to scientific, research-based intervention:

The student has participated in _____ weeks of Tier 3 interventions. (At least two phases of Tier 3 interventions to consider eligibility)

Tier 3 supports include _____ minutes of core reading instruction (to include flexible reading small group time) and _____ minutes of intensive, individualized intervention. The frequency of the interventions is _____ times per week.

Researched-based intervention strategies (please list by type, not name).

<u>Name of Research-based Intervention strategy:</u>	<u>Duration of the intervention:</u>
_____	_____
_____	_____

Universal Screening scores: Fall: _____ Winter: _____ Spring: _____

Actual rate of progress compared to benchmark standard: _____

Grade level benchmark standard for end of school year: _____

Desired Rate of Progress: _____ Predicted Rate of Progress: _____

Is the Predicted Rate of Progress significantly below grade level expectations? Yes No

Specific Learning Disabilities – 525

List the adverse effects of the disability on student's educational performance:

Suzy's reading comprehension skills are significantly below the level expected for a person her age, which causes her frustration. Her behavior affects her comprehension. She has difficulty completing classroom assignments and participating in activities involving other children in the classroom.

Based upon the above information the team agrees the student:

- has a specific learning disability.
- does not have a specific learning disability.

This report reflects my conclusions. If not, person(s) in disagreement will indicate such and must submit a separate statement.

Name	Position	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree
<u>xxx</u>	<u>Administrator</u>	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree
<u>xxx</u>	<u>Special Educator</u>	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree
<u>xxx</u>	<u>Parent</u>	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree
<u>xxx</u>	<u>Regular Educator</u>	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree
<u>xxx</u>	<u>Evaluator</u>	<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree

Deaf-Blindness – 500

- Students may be identified as deaf-blind when both a vision and hearing impairment exists which causes such severe communication and other developmental and educational needs that they cannot be accommodated in special education programs solely for children with deafness or children with blindness.

If the above criteria are met, the student meets the definition of a student with deaf-blindness.

Emotional Disturbance - 505

The following characteristics are indicative of an emotional disturbance. Check those that apply: (student must exhibit one or more characteristics to meet criteria):

- An inability to learn which cannot be explained by intellectual, sensory or health factors.
- An inability to build or maintain satisfactory interpersonal relationships with peers and teachers.
- Inappropriate types of behavior or feelings under normal circumstances.
- A general pervasive mood of unhappiness or depression.
- A tendency to develop physical symptoms or fears associated with personal or school problems.

Emotional disturbance does not include social maladjustment, unless the student also has an emotional disturbance. Emotional disturbance includes schizophrenia.

The following criteria must also be met:

- The student characteristics are exhibited serious behavior problems over a long period of time (not less than 6 months).
- Documentation from the school and one or more sources of the frequency & severity of the targeted behaviors.
- Student's performance falls 2 standard deviations below the mean in emotional functions as measured in school, home, and community on nationally formed technically adequate measures.

If the above criteria are met, the student meets the definition of a student with an emotional disturbance.

Cognitive Disability - 510

The following characteristics are indicative of a cognitive disability.

- General intellectual functioning 2 standard deviations or more below the mean as determined by the full scale score on an individual cognitive evaluation, plus or minus standard error of measurement.
- Exhibits deficits in adaptive behavior and academic or pre-academic skills as determined by an individual evaluation and manifested before age 18.

If the above criteria are met, the student meets the definition of a student with a cognitive disability.

Hearing Loss - 515

- A student may be identified as having a hearing loss if an unaided hearing loss of 35 to 69 decibels is present that makes the acquisition of receptive and expressive language skills difficult with or without the help of amplification.

If the above criteria are met, the student meets the definition of a student with a hearing loss.

Multiple Disabilities - 530

- Concomitant impairments (such as a cognitive disability-blindness or a cognitive disability-orthopedic impairment), the combination of which causes such severe educational needs that they cannot be accommodated in special education programs solely for one of the impairments. The term does not include deaf-blindness.

If the above criteria are met, the student meets the definition of a student with multiple disabilities.

Orthopedic Impairment - 535

There must be evidence of the following:

- Severely impaired motor functioning that adversely affects educational performance; **and**
- Deficits in muscular or neuromuscular functioning that significantly limits the student's ability to move about, sit, or manipulate materials required for learning; **and**
- Student's bone, joint, or muscle problems affect ambulation, posture, or gross and fine motor skills; **and**
- Medical data by a qualified medical evaluator describes and confirms an orthopedic impairment.

If the above criteria are met, the student meets the definition of a student with an orthopedic impairment.

Vision Loss – 540

A deficiency in visual acuity shall be one of the following:

- Visual acuity of no better than 20/70 in the better eye after correction; or
- Restricted visual field; or
- Limited ability to move about safely in the environment due to a visual disability; or
- Blindness - Visual acuity of 20/200 or less in the better eye with correcting lenses or a limited field of vision such that the widest diameter subtends an angular distance of no greater than 20 degrees or has a medically indicated expectation of visual deterioration.

If the above criteria are met, the student meets the definition of a student with a vision loss.

Deafness – 545

- The unaided hearing loss is in excess of 70 decibels and precludes understanding of speech through the auditory mechanism, even with amplification, and demonstrates an inability in processing linguistic information through hearing, even with amplification.

If the above criteria are met, the student meets the definition of a student with deafness.

Speech or Language Disorder – 550

Articulation Disorder:

- Performance on a standardized articulation test falls 2 standard deviations below the mean & intelligibility is affected in conversation;
- Test performance is less than 2 standard deviations below the mean but the student is judged unintelligible by the speech language clinician and one other adult;

- Performance on a phonological assessment which falls in the profound or severe range & intelligibility is affected in conversation;
- Performance on a phonological assessment falls in the moderate range, intelligibility is affected in conversation, and during a tracking period of between 3 and 6 months there was a lack of improvement in the number and type of errors;
- An error persists 6 months to 1 year beyond the chronological age when 90% of students have typically acquired the sound based on developmental articulation norms.

Fluency Disorder:

- The student consistently exhibits one or more of the following symptomatic behaviors of dysfluency:
 - a) Sound, syllable, or word repetition;
 - b) Prolongations of sounds, syllables, or words;
 - c) Blockages; or
 - d) Hesitations.
- There is a significant discrepancy from the norm (5 dysfluencies per minute) as measured by speech sampling in a variety of contexts; or
- The disruption occurs to the degree that the individual or persons who listen to the individual evidence reactions to the manner of speech and the disruptions so that communication is impeded.

Voice Disorder:

- Consistent deviations in one or more of the parameters of voice: pitch, quality, or volume exist; and
- The voice is discrepant from the norm as related to age, gender, and cultural and is distracting to the listener; and
- The disorder is not the result of a temporary problem such as: normal voice changes, allergies, colds, or other such conditions.

Language Disorder:

- Through age 8, performance falls 1.5 standard deviations below the mean on standardized evaluations;
- Beginning at age 9, a difference of 1.5 standard deviations between performance on a individually administered language assessment instrument and measured expected potential as measured by an individually administered intelligence test; and
- The student's pragmatic skill, as measured by checklists, language samples and/or observation, adversely affects the student's academic and social interactions

If the above criteria are met, the student meets the definition of a student with a speech (articulation, fluency, voice) or language impairment.

Other Health Impaired – 555

- Having limited strength, vitality or alertness, including a heightened alertness to environmental stimuli, that results in limited alertness with respect to the educational environment, that: Is due to chronic or acute health problems such as such as a heart condition, tuberculosis, rheumatic fever, nephritis, asthma, attention deficit disorder or attention deficit hyperactivity disorder, sickle cell anemia, hemophilia, epilepsy, lead poisoning, leukemia, Tourette syndrome, or diabetes

If the above criteria are met, the student meets the definition of a student with other health impairment.

Autism – 560

An autistic disorder is present in a student if at least 6 of the following 12 characteristics are expressed by a student with at least two of the characteristics from subdivision (1), one from subdivision (2), and one from subdivision (3):

- 1) Qualitative impairment in social interaction, as manifested by at least **two** of the following:
 - Marked impairment in the use of multiple nonverbal behaviors such as eye-to-eye gaze, facial expression, body postures, and gestures to regulate social interaction;
 - Failure to develop peer relationships appropriate to developmental;
 - A lack of spontaneous seeking to share enjoyment, interests, or achievements with other people such as lack of showing, bringing, or pointing out objects of interest;
 - Lack of social or emotional reciprocity;
- 2) Qualitative impairment in communication as manifested by at least **one** of the following:
 - Delay in or total lack of, the development of spoken language not accommodated by an attempt to compensate through alternative modes of communication such as gesture or mime;
 - In an individual with adequate speech, marked impairment in the ability to initiate or sustain conversation with others;
 - Stereotyped and repetitive use of language or idiosyncratic language;
 - Lack of varied, spontaneous make-believe play or social imitative play appropriate to developmental level;
- 3) Restricted repetitive and stereotyped patterns of behavior, interests, and activities as manifested by at least **one** of the following:
 - Encompassing preoccupation with one or more stereotyped and restricted patterns of interest that is abnormal either in intensity or focus;
 - Apparently inflexible adherence to specific, nonfunctional routines or rituals;
 - Stereotyped and repetitive motor mannerisms, such as hand or finger flapping or twisting, or complex whole-body movements;
 - Persistent preoccupation with parts of objects.

A student with autism also exhibits delays or abnormal functioning in at least **one** of the following areas, with onset generally prior to age three:

- Social interaction;
- Symbolic or imaginative play;
- Language as used in social communication.

If the above criteria are met, the student meets the definition of a student with autism.

Traumatic Brain Injury – 565

- An acquired injury to the brain caused by an external physical force, resulting in a total or partial functional disability or psychosocial impairment, or both. The term applies to open or closed head injuries resulting in impairments in one or more areas, such as cognition; language; memory; attention; reasoning; abstract thinking; judgment; problem solving; sensory; perceptual; and motor abilities; psychosocial behavior; physical functions; information processing; and speech. The term does not apply to brain injuries that are congenital or degenerative, or brain injuries inducted by birth trauma.

If the above criteria are met, the student meets the definition of a student with a traumatic brain injury.

Developmental Delay – 570

The following characteristics are indicative of students 3, 4, or 5 years old that are in need of special education due to a developmental delay. Check those that apply:

- Functions at a developmental level 1.5 standard deviations below the mean in any two developmental areas; or
- Functions at a developmental level 2 standard deviation below the mean in any one area of development.

Check the areas of development:

- Adaptive Functioning Skills
- Cognitive Development
- Communication Development
- Social and Emotional Development
- Physical Development

If the above criteria are met, the student meets the definition of a student with developmental delay.

Other Factors Considered:

A student may not be determined to be a student with a disability if the determinant factor is a lack of appropriate instruction.

Is the underachievement of the student due to the lack of instruction in:

- Yes No – Reading
- Yes No – Math
- Yes No – English Proficiency

Note: If Yes in any category above, the student is not a student with a disability (ARSD 24:05:25:04.03).

Eligibility Determination:

List the adverse effects of the disability on student’s educational performance:

Suzy engages in several unusual behaviors, which results in peers avoiding her throughout the school day. Her difficulty with peer interactions interferes with her ability to complete classroom assignments and group activities involving other children. She also has difficulty asking for help when she needs it and accepting help from others when offered. Suzy’s reading comprehension skills are significantly below the level expected for a person her age due to her behavior.

YES - The team agrees this student:

- a) has a diagnosed disability;
- b) the disability adversely affects the student’s educational performance; and
- c) the student requires specifically designed instruction to receive a free appropriate public education.

NO – The student is not eligible for special education or special education and related services.

The team determined this student meets eligibility criteria under the following category: (check the category that will be reported on student count)

- | | |
|---|--|
| <input type="checkbox"/> Deaf-Blindness - 500 | <input type="checkbox"/> Vision Loss - 540 |
| <input checked="" type="checkbox"/> Emotional Disturbance - 505 | <input type="checkbox"/> Deafness - 545 |
| <input type="checkbox"/> Cognitive Disability - 510 | <input type="checkbox"/> Speech/Language- 550 |
| <input type="checkbox"/> Hearing Loss - 515 | <input type="checkbox"/> Other Health Impairment - 555 |
| <input type="checkbox"/> Specific Learning Disability - 525 | <input type="checkbox"/> Autism - 560 |
| <input type="checkbox"/> Multiple Disabilities (list category(s) of eligibility) -530 | <input type="checkbox"/> Traumatic Brain Injury - 565 |
| <input type="checkbox"/> Orthopedic Impairment - 535 | <input type="checkbox"/> Developmental Delay - 570 |

List Categories for Multiple Disabilities: _____

Related Service(s): Student therapy needs to be determined during IEP program development

Criteria for Occupational Therapy Services

1. The student has a disability requires special education;
2. The student needs occupational therapy to benefit from special education; and
3. The student must demonstrate performance on a standardized assessment instrument that falls at least 1.5 standard deviations below the mean in one or more of the following areas: fine motor skills, sensory integration, or visual.

Criteria for Physical Therapy Services

1. The student has a disability requires special education;
2. The student needs physical therapy to benefit from special education; and
3. The student must demonstrate performance on a standardized assessment instrument that falls at least 1.5 standard deviations below the mean on a standardized motor assessment instrument.

Speech – Language Pathology

1. To be provided as a related service, the IEP team must determine that the related service is required in order for the student to benefit from the special education program

**DETERMINATION OF ELIGIBILITY/CONTINUED ELIGIBILITY
ARSD 24:05:24:01 & 24:05:25**

STUDENT NAME: (Cognitive Disability-Reevaluation)		SIMS:
PARENT/GUARDIAN NAME:		MEETING DATE:
SCHOOL DISTRICT:	SCHOOL:	
DOB:	AGE:	GRADE:

Basis for making eligibility determination is drawn from a variety of sources, including aptitude and achievement, parent input and teacher recommendations, as well as information about the student's physical condition, social or cultural background, and adaptive behavior.

Summary of Evaluation Reports

<u>Name of Measure or Assessment</u>	<u>Date Administered</u>	<u>Test Scores/Results</u>
DAS-2	09/05/2012	General Conceptual Ability: 53
Y-CAT	09/07/2012	Early Achievement Composite: 67
ABAS-2	09/05 – 09/07/2012	General Adaptive Composite (School): 59 (Home): 64
PLS-5	09/06/2012	Total Language Score: 60
TOLD: P4	08/29/2012	Spoken Language Total: 52
PDMS-2	08/27 & 08/29/2012	Fine Motor Quotient: 70

Deaf-Blindness – 500

- Students may be identified as deaf-blind when both a vision and hearing impairment exists which causes such severe communication and other developmental and educational needs that they cannot be accommodated in special education programs solely for children with deafness or children with blindness.

If the above criteria are met, the student meets the definition of a student with deaf-blindness.

Emotional Disturbance – 505

The following characteristics are indicative of an emotional disturbance. Check those that apply: (student must exhibit one or more characteristics to meet criteria):

- An inability to learn which cannot be explained by intellectual, sensory or health factors.
- An inability to build or maintain satisfactory interpersonal relationships with peers and teachers.
- Inappropriate types of behavior or feelings under normal circumstances.
- A general pervasive mood of unhappiness or depression.
- A tendency to develop physical symptoms or fears associated with personal or school problems.

Emotional disturbance does not include social maladjustment, unless the student also has an emotional disturbance. Emotional disturbance includes schizophrenia.

The following criteria must also be met:

- The student characteristics are exhibited serious behavior problems over a long period of time (not less than 6 months).
- Documentation from the school and one or more sources of the frequency & severity of the targeted behaviors.
- Student's performance falls 2 standard deviations below the mean in emotional functions as measured in school, home, and community on nationally formed technically adequate measures.

If the above criteria are met, the student meets the definition of a student with an emotional disturbance.

Cognitive Disability – 510

The following characteristics are indicative of a cognitive disability.

- General intellectual functioning 2 standard deviations or more below the mean as determined by the full scale score on an individual cognitive evaluation, plus or minus standard error of measurement.
- Exhibits deficits in adaptive behavior and academic or pre-academic skills as determined by an individual evaluation and manifested before age 18.

If the above criteria are met, the student meets the definition of a student with a cognitive disability.

Hearing Loss – 515

- A student may be identified as having a hearing loss if an unaided hearing loss of 35 to 69 decibels is present that makes the acquisition of receptive and expressive language skills difficult with or without the help of amplification.

If the above criteria are met, the student meets the definition of a student with a hearing loss.

Multiple Disabilities – 530

- Concomitant impairments (such as a cognitive disability-blindness or a cognitive disability-orthopedic impairment), the combination of which causes such severe educational needs that they cannot be accommodated in special education programs solely for one of the impairments. The term does not include deaf-blindness.

If the above criteria are met, the student meets the definition of a student with multiple disabilities.

Orthopedic Impairment – 535

There must be evidence of the following:

- Severely impaired motor functioning that adversely affects educational performance; **and**
- Deficits in muscular or neuromuscular functioning that significantly limits the student's ability to move about, sit, or manipulate materials required for learning; **and**
- Student's bone, joint, or muscle problems affect ambulation, posture, or gross and fine motor skills; **and**
- Medical data by a qualified medical evaluator describes and confirms an orthopedic impairment.

If the above criteria are met, the student meets the definition of a student with an orthopedic impairment.

Vision Loss – 540

A deficiency in visual acuity shall be one of the following:

- Visual acuity of no better than 20/70 in the better eye after correction; or
- Restricted visual field; or
- Limited ability to move about safely in the environment due to a visual disability; or
- Blindness - Visual acuity of 20/200 or less in the better eye with correcting lenses or a limited field of vision such that the widest diameter subtends an angular distance of no greater than 20 degrees or has a medically indicated expectation of visual deterioration.

If the above criteria are met, the student meets the definition of a student with a vision loss.

Deafness – 545

- The unaided hearing loss is in excess of 70 decibels and precludes understanding of speech through the auditory mechanism, even with amplification, and demonstrates an inability in processing linguistic information through hearing, even with amplification.

If the above criteria are met, the student meets the definition of a student with deafness.

Speech or Language Disorder – 550

Articulation Disorder:

- Performance on a standardized articulation test falls 2 standard deviations below the mean & intelligibility is affected in conversation;
- Test performance is less than 2 standard deviations below the mean but the student is judged unintelligible by the speech language clinician and one other adult;

- Performance on a phonological assessment which falls in the profound or severe range & intelligibility is affected in conversation;
- Performance on a phonological assessment falls in the moderate range, intelligibility is affected in conversation, and during a tracking period of between 3 and 6 months there was a lack of improvement in the number and type of errors;
- An error persists 6 months to 1 year beyond the chronological age when 90% of students have typically acquired the sound based on developmental articulation norms.

Fluency Disorder:

- The student consistently exhibits one or more of the following symptomatic behaviors of dysfluency:
 - a) Sound, syllable, or word repetition;
 - b) Prolongations of sounds, syllables, or words;
 - c) Blockages; or
 - d) Hesitations.
- There is a significant discrepancy from the norm (5 dysfluencies per minute) as measured by speech sampling in a variety of contexts; or
- The disruption occurs to the degree that the individual or persons who listen to the individual evidence reactions to the manner of speech and the disruptions so that communication is impeded.

Voice Disorder:

- Consistent deviations in one or more of the parameters of voice: pitch, quality, or volume exist; and
- The voice is discrepant from the norm as related to age, gender, and cultural and is distracting to the listener; and
- The disorder is not the result of a temporary problem such as: normal voice changes, allergies, colds, or other such conditions.

Language Disorder:

- Through age 8, performance falls 1.5 standard deviations below the mean on standardized evaluations;
- Beginning at age 9, a difference of 1.5 standard deviations between performance on a individually administered language assessment instrument and measured expected potential as measured by an individually administered intelligence test; and
- The student's pragmatic skill, as measured by checklists, language samples and/or observation, adversely affects the student's academic and social interactions

If the above criteria are met, the student meets the definition of a student with a speech (articulation, fluency, voice) or language impairment.

Other Health Impaired – 555

- Having limited strength, vitality or alertness, including a heightened alertness to environmental stimuli, that results in limited alertness with respect to the educational environment, that: Is due to chronic or acute health problems such as such as a heart condition, tuberculosis, rheumatic fever, nephritis, asthma, attention deficit disorder or attention deficit hyperactivity disorder, sickle cell anemia, hemophilia, epilepsy, lead poisoning, leukemia, Tourette syndrome, or diabetes

If the above criteria are met, the student meets the definition of a student with other health impairment.

Autism – 560

An autistic disorder is present in a student if at least 6 of the following 12 characteristics are expressed by a student with at least two of the characteristics from subdivision (1), one from subdivision (2), and one from subdivision (3):

- 1) Qualitative impairment in social interaction, as manifested by at least **two** of the following:
 - Marked impairment in the use of multiple nonverbal behaviors such as eye-to-eye gaze, facial expression, body postures, and gestures to regulate social interaction;
 - Failure to develop peer relationships appropriate to developmental;
 - A lack of spontaneous seeking to share enjoyment, interests, or achievements with other people such as lack of showing, bringing, or pointing out objects of interest;
 - Lack of social or emotional reciprocity;
- 2) Qualitative impairment in communication as manifested by at least **one** of the following:
 - Delay in or total lack of, the development of spoken language not accommodated by an attempt to compensate through alternative modes of communication such as gesture or mime;
 - In an individual with adequate speech, marked impairment in the ability to initiate or sustain conversation with others;
 - Stereotyped and repetitive use of language or idiosyncratic language;
 - Lack of varied, spontaneous make-believe play or social imitative play appropriate to developmental level;
- 3) Restricted repetitive and stereotyped patterns of behavior, interests, and activities as manifested by at least **one** of the following:
 - Encompassing preoccupation with one or more stereotyped and restricted patterns of interest that is abnormal either in intensity or focus;
 - Apparently inflexible adherence to specific, nonfunctional routines or rituals;
 - Stereotyped and repetitive motor mannerisms, such as hand or finger flapping or twisting, or complex whole-body movements;
 - Persistent preoccupation with parts of objects.

A student with autism also exhibits delays or abnormal functioning in at least **one** of the following areas, with onset generally prior to age three:

- Social interaction;
- Symbolic or imaginative play;
- Language as used in social communication.

If the above criteria are met, the student meets the definition of a student with autism.

Traumatic Brain Injury – 565

- An acquired injury to the brain caused by an external physical force, resulting in a total or partial functional disability or psychosocial impairment, or both. The term applies to open or closed head injuries resulting in impairments in one or more areas, such as cognition; language; memory; attention; reasoning; abstract thinking; judgment; problem solving; sensory; perceptual; and motor abilities; psychosocial behavior; physical functions; information processing; and speech. The term does not apply to brain injuries that are congenital or degenerative, or brain injuries inducted by birth trauma.

If the above criteria are met, the student meets the definition of a student with a traumatic brain injury.

Developmental Delay – 570

The following characteristics are indicative of students 3, 4, or 5 years old that are in need of special education due to a developmental delay. Check those that apply:

- Functions at a developmental level 1.5 standard deviations below the mean in any two developmental areas; or
- Functions at a developmental level 2 standard deviation below the mean in any one area of development.

Check the areas of development:

- Adaptive Functioning Skills
- Cognitive Development
- Communication Development
- Social and Emotional Development
- Physical Development

If the above criteria are met, the student meets the definition of a student with developmental delay.

Other Factors Considered:

A student may not be determined to be a student with a disability if the determinant factor is a lack of appropriate instruction.

Is the underachievement of the student due to the lack of instruction in:

- Yes No – Reading
- Yes No – Math
- Yes No – English Proficiency

Note: If Yes in any category above, the student is not a student with a disability (ARSD 24:05:25:04.03).

Eligibility Determination:

List the adverse effects of the disability on student’s educational performance:

Suzy’s academic skills are significantly below where they would be expected to be for a student in Kindergarten. She struggles to focus her attention for the length of time necessary to complete tasks, and requires extensive repetition and exposure to master new concepts and skills. Suzy’s basic vocabulary, receptive, expressive language and fine motor skills lag significantly behind those of her classmates. She has difficulty following simple two-step directions, and struggles to complete both academic and self-care tasks independently at school.

YES - The team agrees this student:

- a) has a diagnosed disability;
- b) the disability adversely affects the student’s educational performance; and
- c) the student requires specifically designed instruction to receive a free appropriate public education.

NO – The student is not eligible for special education or special education and related services.

The team determined this student meets eligibility criteria under the following category: (check the category that will be reported on student count)

- | | |
|---|--|
| <input type="checkbox"/> Deaf-Blindness - 500 | <input type="checkbox"/> Vision Loss - 540 |
| <input type="checkbox"/> Emotional Disturbance - 505 | <input type="checkbox"/> Deafness - 545 |
| <input checked="" type="checkbox"/> Cognitive Disability - 510 | <input type="checkbox"/> Speech/Language- 550 |
| <input type="checkbox"/> Hearing Loss - 515 | <input type="checkbox"/> Other Health Impairment - 555 |
| <input type="checkbox"/> Specific Learning Disability - 525 | <input type="checkbox"/> Autism - 560 |
| <input type="checkbox"/> Multiple Disabilities (list category(s) of eligibility) -530 | <input type="checkbox"/> Traumatic Brain Injury - 565 |
| <input type="checkbox"/> Orthopedic Impairment - 535 | <input type="checkbox"/> Developmental Delay - 570 |

List Categories for Multiple Disabilities: _____

Related Service(s): Student therapy needs to be determined during IEP program development

Criteria for Occupational Therapy Services

1. The student has a disability requires special education;
2. The student needs occupational therapy to benefit from special education; and
3. The student must demonstrate performance on a standardized assessment instrument that falls at least 1.5 standard deviations below the mean in one or more of the following areas: fine motor skills, sensory integration, or visual.

Criteria for Physical Therapy Services

1. The student has a disability requires special education;
2. The student needs physical therapy to benefit from special education; and
3. The student must demonstrate performance on a standardized assessment instrument that falls at least 1.5 standard deviations below the mean on a standardized motor assessment instrument.

Speech – Language Pathology

1. To be provided as a related service, the IEP team must determine that the related service is required in order for the student to benefit from the special education program

**DETERMINATION OF ELIGIBILITY/CONTINUED ELIGIBILITY
ARSD 24:05:24:01 & 24:05:25**

STUDENT NAME: (Orthopedic Impairment – Reevaluation)		SIMS:
PARENT/GUARDIAN NAME:		MEETING DATE:
SCHOOL DISTRICT:	SCHOOL:	
DOB:	AGE:	GRADE:

Basis for making eligibility determination is drawn from a variety of sources, including aptitude and achievement, parent input and teacher recommendations, as well as information about the student’s physical condition, social or cultural background, and adaptive behavior.

Summary of Evaluation Reports

<u>Name of Measure or Assessment</u>	<u>Date Administered</u>	<u>Test Scores/Results</u>
Stanford-Binet 5	10/31/2012	NVIQ = 75, VIQ = 102, FSIQ = 88
YCAT	10/02/2012	All scores were in the average range
Vineland-II	11/01/2012	Adaptive Composite = 74
PDMS-II	10/17 & 10/31/2012	Fine Motor Quotient = 67 Gross Motor Quotient = 66
Sanford Specialty Clinic Diagnosis	Report of: 6-15-10	Cerebral Palsy
Observation:	10-10-12	Sam was observed with his preschool class

Deaf-Blindness – 500

- Students may be identified as deaf-blind when both a vision and hearing impairment exists which causes such severe communication and other developmental and educational needs that they cannot be accommodated in special education programs solely for children with deafness or children with blindness.

If the above criteria are met, the student meets the definition of a student with deaf-blindness.

Emotional Disturbance – 505

The following characteristics are indicative of an emotional disturbance. Check those that apply: (student must exhibit one or more characteristics to meet criteria):

- An inability to learn which cannot be explained by intellectual, sensory or health factors.

- An inability to build or maintain satisfactory interpersonal relationships with peers and teachers.
- Inappropriate types of behavior or feelings under normal circumstances.
- A general pervasive mood of unhappiness or depression.
- A tendency to develop physical symptoms or fears associated with personal or school problems.

Emotional disturbance does not include social maladjustment, unless the student also has an emotional disturbance. Emotional disturbance includes schizophrenia.

The following criteria must also be met:

- The student characteristics are exhibited serious behavior problems over a long period of time (not less than 6 months).
- Documentation from the school and one or more sources of the frequency & severity of the targeted behaviors.
- Student's performance falls 2 standard deviations below the mean in emotional functions as measured in school, home, and community on nationally formed technically adequate measures.

If the above criteria are met, the student meets the definition of a student with an emotional disturbance.

Cognitive Disability – 510

The following characteristics are indicative of a cognitive disability.

- General intellectual functioning 2 standard deviations or more below the mean as determined by the full scale score on an individual cognitive evaluation, plus or minus standard error of measurement.
- Exhibits deficits in adaptive behavior and academic or pre-academic skills as determined by an individual evaluation and manifested before age 18.

If the above criteria are met, the student meets the definition of a student with a cognitive disability.

Hearing Loss – 515

- A student may be identified as having a hearing loss if an unaided hearing loss of 35 to 69 decibels is present that makes the acquisition of receptive and expressive language skills difficult with or without the help of amplification.

If the above criteria are met, the student meets the definition of a student with a hearing loss.

Multiple Disabilities – 530

- Concomitant impairments (such as a cognitive disability-blindness or a cognitive disability-orthopedic impairment), the combination of which causes such severe educational needs that they cannot be accommodated in special education programs solely for one of the impairments. The term does not include deaf-blindness.

If the above criteria are met, the student meets the definition of a student with multiple disabilities.

Orthopedic Impairment – 535

There must be evidence of the following:

- Severely impaired motor functioning that adversely affects educational performance; **and**

- Deficits in muscular or neuromuscular functioning that significantly limits the student's ability to move about, sit, or manipulate materials required for learning; **and**
- Student's bone, joint, or muscle problems affect ambulation, posture, or gross and fine motor skills; **and**
- Medical data by a qualified medical evaluator describes and confirms an orthopedic impairment.

If the above criteria are met, the student meets the definition of a student with an orthopedic impairment.

Vision Loss – 540

A deficiency in visual acuity shall be one of the following:

- Visual acuity of no better than 20/70 in the better eye after correction; or
- Restricted visual field; or
- Limited ability to move about safely in the environment due to a visual disability; or
- Blindness - Visual acuity of 20/200 or less in the better eye with correcting lenses or a limited field of vision such that the widest diameter subtends an angular distance of no greater than 20 degrees or has a medically indicated expectation of visual deterioration.

If the above criteria are met, the student meets the definition of a student with a vision loss.

Deafness – 545

- The unaided hearing loss is in excess of 70 decibels and precludes understanding of speech through the auditory mechanism, even with amplification, and demonstrates an inability in processing linguistic information through hearing, even with amplification.

If the above criteria are met, the student meets the definition of a student with deafness.

Speech or Language Disorder – 550

Articulation Disorder:

- Performance on a standardized articulation test falls 2 standard deviations below the mean & intelligibility is affected in conversation;
- Test performance is less than 2 standard deviations below the mean but the student is judged unintelligible by the speech language clinician and one other adult;
- Performance on a phonological assessment which falls in the profound or severe range & intelligibility is affected in conversation;
- Performance on a phonological assessment falls in the moderate range, intelligibility is affected in conversation, and during a tracking period of between 3 and 6 months there was a lack of improvement in the number and type of errors;
- An error persists 6 months to 1 year beyond the chronological age when 90% of students have typically acquired the sound based on developmental articulation norms.

Fluency Disorder:

- The student consistently exhibits one or more of the following symptomatic behaviors of dysfluency:
 - a) Sound, syllable, or word repetition;
 - b) Prolongations of sounds, syllables, or words;
 - c) Blockages; or
 - d) Hesitations.

- There is a significant discrepancy from the norm (5 dysfluencies per minute) as measured by speech sampling in a variety of contexts; or
- The disruption occurs to the degree that the individual or persons who listen to the individual evidence reactions to the manner of speech and the disruptions so that communication is impeded.

Voice Disorder:

- Consistent deviations in one or more of the parameters of voice: pitch, quality, or volume exist; and
- The voice is discrepant from the norm as related to age, gender, and cultural and is distracting to the listener; and
- The disorder is not the result of a temporary problem such as: normal voice changes, allergies, colds, or other such conditions.

Language Disorder:

- Through age 8, performance falls 1.5 standard deviations below the mean on standardized evaluations;
- Beginning at age 9, a difference of 1.5 standard deviations between performance on a individually administered language assessment instrument and measured expected potential as measured by an individually administered intelligence test; and
- The student's pragmatic skill, as measured by checklists, language samples and/or observation, adversely affects the student's academic and social interactions

If the above criteria are met, the student meets the definition of a student with a speech (articulation, fluency, voice) or language impairment.

Other Health Impaired – 555

- Having limited strength, vitality or alertness, including a heightened alertness to environmental stimuli, that results in limited alertness with respect to the educational environment, that: Is due to chronic or acute health problems such as such as a heart condition, tuberculosis, rheumatic fever, nephritis, asthma, attention deficit disorder or attention deficit hyperactivity disorder, sickle cell anemia, hemophilia, epilepsy, lead poisoning, leukemia, Tourette syndrome, or diabetes

If the above criteria are met, the student meets the definition of a student with other health impairment.

Autism – 560

An autistic disorder is present in a student if at least 6 of the following 12 characteristics are expressed by a student with at least two of the characteristics from subdivision (1), one from subdivision (2), and one from subdivision (3):

- 1) Qualitative impairment in social interaction, as manifested by at least **two** of the following:
 - Marked impairment in the use of multiple nonverbal behaviors such as eye-to-eye gaze, facial expression, body postures, and gestures to regulate social interaction;
 - Failure to develop peer relationships appropriate to developmental;
 - A lack of spontaneous seeking to share enjoyment, interests, or achievements with other people such as lack of showing, bringing, or pointing out objects of interest;
 - Lack of social or emotional reciprocity;

- 2) Qualitative impairment in communication as manifested by at least **one** of the following:
- Delay in or total lack of, the development of spoken language not accommodated by an attempt to compensate through alternative modes of communication such as gesture or mime;
 - In an individual with adequate speech, marked impairment in the ability to initiate or sustain conversation with others;
 - Stereotyped and repetitive use of language or idiosyncratic language;
 - Lack of varied, spontaneous make-believe play or social imitative play appropriate to developmental level;
- 3) Restricted repetitive and stereotyped patterns of behavior, interests, and activities as manifested by at least **one** of the following:
- Encompassing preoccupation with one or more stereotyped and restricted patterns of interest that is abnormal either in intensity or focus;
 - Apparently inflexible adherence to specific, nonfunctional routines or rituals;
 - Stereotyped and repetitive motor mannerisms, such as hand or finger flapping or twisting, or complex whole-body movements;
 - Persistent preoccupation with parts of objects.

A student with autism also exhibits delays or abnormal functioning in at least **one** of the following areas, with onset generally prior to age three:

- Social interaction;
- Symbolic or imaginative play;
- Language as used in social communication.

If the above criteria are met, the student meets the definition of a student with autism.

Traumatic Brain Injury – 565

- An acquired injury to the brain caused by an external physical force, resulting in a total or partial functional disability or psychosocial impairment, or both. The term applies to open or closed head injuries resulting in impairments in one or more areas, such as cognition; language; memory; attention; reasoning; abstract thinking; judgment; problem solving; sensory; perceptual; and motor abilities; psychosocial behavior; physical functions; information processing; and speech. The term does not apply to brain injuries that are congenital or degenerative, or brain injuries inducted by birth trauma.

If the above criteria are met, the student meets the definition of a student with a traumatic brain injury.

Developmental Delay – 570

The following characteristics are indicative of students 3, 4, or 5 years old that are in need of special education due to a developmental delay. Check those that apply:

- Functions at a developmental level 1.5 standard deviations below the mean in any two developmental areas; or
- Functions at a developmental level 2 standard deviation below the mean in any one area of development.

Check the areas of development:

- | | |
|--|---|
| <input type="checkbox"/> Adaptive Functioning Skills | <input type="checkbox"/> Social and Emotional Development |
| <input type="checkbox"/> Cognitive Development | <input type="checkbox"/> Physical Development |
| <input type="checkbox"/> Communication Development | |

If the above criteria are met, the student meets the definition of a student with developmental delay.

Other Factors Considered:

A student may not be determined to be a student with a disability if the determinant factor is a lack of appropriate instruction.

Is the underachievement of the student due to the lack of instruction in:

- Yes No – Reading
- Yes No – Math
- Yes No – English Proficiency

Note: If Yes in any category above, the student is not a student with a disability (ARSD 24:05:25:04.03).

Eligibility Determination:

List the adverse effects of the disability on student’s educational performance:

Sam has significant difficulty with both gross and fine motor skills that significantly impact his ability to participate in activities in the classroom as well as social situations, such as recess. His physical limitations make it difficult for him to keep up with his peers in academic, adaptive and motor skills.

YES - The team agrees this student:

- d) has a diagnosed disability;
- e) the disability adversely affects the student’s educational performance; and
- f) the student requires specifically designed instruction to receive a free appropriate public education.

NO – The student is not eligible for special education or special education and related services.

The team determined this student meets eligibility criteria under the following category: (check the category that will be reported on student count)

- | | |
|---|--|
| <input type="checkbox"/> Deaf-Blindness - 500 | <input type="checkbox"/> Vision Loss - 540 |
| <input type="checkbox"/> Emotional Disturbance - 505 | <input type="checkbox"/> Deafness - 545 |
| <input type="checkbox"/> Cognitive Disability - 510 | <input type="checkbox"/> Speech/Language- 550 |
| <input type="checkbox"/> Hearing Loss - 515 | <input type="checkbox"/> Other Health Impairment - 555 |
| <input type="checkbox"/> Specific Learning Disability - 525 | <input type="checkbox"/> Autism - 560 |
| <input type="checkbox"/> Multiple Disabilities (list category(s) of eligibility) -530 | <input type="checkbox"/> Traumatic Brain Injury - 565 |
| <input checked="" type="checkbox"/> Orthopedic Impairment - 535 | <input type="checkbox"/> Developmental Delay - 570 |

List Categories for Multiple Disabilities: _____

Related Service(s): Student therapy needs to be determined during IEP program development

Criteria for Occupational Therapy Services

1. The student has a disability requires special education;
2. The student needs occupational therapy to benefit from special education; and
3. The student must demonstrate performance on a standardized assessment instrument that falls at least 1.5 standard deviations below the mean in one or more of the following areas: fine motor skills, sensory integration, or visual.

Criteria for Physical Therapy Services

1. The student has a disability requires special education;
2. The student needs physical therapy to benefit from special education; and
3. The student must demonstrate performance on a standardized assessment instrument that falls at least 1.5 standard deviations below the mean on a standardized motor assessment instrument.

Speech – Language Pathology

1. To be provided as a related service, the IEP team must determine that the related service is required in order for the student to benefit from the special education program

Appendix: Document #7

Directions for Completing Consent for Initial Provision of Services

ARSD 24:05:27:04.01. Parental consent for services. A school district that is responsible for making a free appropriate public education available to a student with a disability under this article shall obtain informed consent from the parent of the student before initially providing special education and related services to the student.

The district shall make reasonable efforts to obtain informed consent from the parent for the initial provision of special education and related services to the child. To meet the reasonable efforts requirement, the district shall document its attempts to obtain parental consent using the procedures in § 24:05:25:17.

If the parent of the student fails to respond or refuses to consent to services, the school district may not use the procedures in chapter 24:05:30, including the mediation procedures or the due process procedures, in order to obtain agreement or a ruling that the services may be provided to the child.

ARSD 24:05:27:04.02. Parental refusal to consent -- School district obligations. If the parent of a student refuses to consent to the initial provision of special education and related services, or the parent fails to respond to a request to provide such consent:

(1) The school district is not considered to be in violation of the requirement to make available free appropriate public education to the student for the failure to provide the student with the special education and related services for which the school district requests such consent; and

(2) The school district is not required to convene an IEP meeting or develop an IEP under this chapter for the student for the special education and related services for which the school district requests such consent.

Initial consent must be signed upon the initial determination of eligibility for a student prior to receiving special education services. It also needs to be signed for a student that has transferred from out of state and is determined eligible in South Dakota prior to receiving special education services.

Districts are not required to develop an IEP if a parent/guardian refuses to consent to the Provision of Special Education and Related Services. Following initial evaluation and an eligibility determination meeting, the team should discuss what special education and related services affords a student and let the parent/guardian determine if they want to consent to special education. As discussed in the comments of the Federal Register:

71 Federal Register 46634:

Comment: A few commenters questioned how a parent could be adequately informed of the services the parent is refusing if the public agency is not required to develop an IEP when the parent refuses to consent to the initial provision of special education and related services.

Discussion: We understand the commenters' concern that a parent of a child with a disability who refuses to consent to the provision of special education and related services may not fully understand the extent of the special education and related services their child would receive without the development of an IEP for their child. However, we do not view the consent provisions of the Act as creating the right of parents to consent to each specific special education and related service that their child receives. Instead, we believe that parents have the right to consent to the initial provision of special education and related services. "Fully

informed,” in this context, means that a parent has been given an explanation of what special education and related services are and the types of services that might be found to be needed for their child, rather than the exact program of services that would be included in an IEP.

Once consent has been received the IEP team may continue to develop the IEP or another meeting may be scheduled to write the IEP, in accordance with 24:05:25:03.

Written evaluation reports, determination of eligibility, and conducting an IEP team meeting must be completed within 30 days from the end of the 25 school day evaluation timeline.

At the time consent is signed, the parent/guardian must have received the evaluation report(s), determination of eligibility, and the Parental Rights and Procedural Safeguards. After the parent agrees or refuses to consent for the initial provision of special education and related services, a parental prior written notice must be completed to summarize the IEP team’s decisions.

**Demographics-
Top Section**

For instructions on completing this section, see directions for the cover page of the IEP on page 8 of this guide.

Appendix: Document #8

Present Level of Academic Achievement and Functional Performance (PLAAFP) Examples

Example #1: Skill Area: Math (4th grade student)

Strengths:

Numeration and Place Value:

- Writing numbers from 1 to 1 million
- Rounding whole numbers to the nearest thousand

Weaknesses:

Numeration & Place Value:

- Read numbers from 1 to 1 million

Calculation:

- Add 3 columns of 5 numbers
- Subtract 4-digit numbers with 0s in the tens and hundreds place
- Add decimals with the same number of places.
- Subtract decimals with the same number of places.
- Estimate sums by rounding to the nearest 10
- Estimate differences rounding to the nearest hundred.
- Multiplication facts (0-12) with 35% accuracy at rate of 35 facts in 8 minutes, 23 seconds.
- Multiply a 3-digit number by a 1-digit number.
- Multiply a 2-digit number by a 2-digit number.
- Multiply a 3-digit number by a 2-digit number.
- Division facts with 15% accuracy at a rate of 34 facts in 2 minutes 30 seconds.
- Divide a 2-digit number by a 1-digit number.
- Divide a 3-digit number by a 1-digit number.

Problem Solving:

- Solve 4th grade word problems.

How the student's Disability affects his/her involvement in the general curriculum for the skill area:

The lack of math skills noted above causes _____ to be frustrated when working on classroom assignments. When working on these skills he/she gets off task and begins to interrupt other students who are working.

Parent/guardian input:

Parent/guardian has noticed several of the same concerns when _____ is doing homework. The parent/guardian has observed _____ purchasing an item for under \$5.00 and giving the clerk the correct amount of money.

Example #2: Skill area: Written Language

The following strengths were noted:

- Can write about personal experiences
- Can create complete sentences
- Capitalization:
 - o Follows rules of basic punctuation (the pronoun I, first word in a sentence, people's first and last names)

The following **weaknesses** were noted:

Ideas in Writing:

- Theme or topic does not consistently run through passages
- Ideas are not well developed and easily understood
- Topics not consistently supported by details
- Paragraphs do not reflect an organizational structure that provides for a natural flow of ideas
- Form of passages is not always appropriate for its purpose
- Language and tone are not consistently appropriate for intended audience
- Characters are not well defined by their traits
- Locations not well described

Writing Preparation, Production and Revision:

- Does not always independently select appropriate topics for writing assignments
- A realistic amount of time is not allocated to ensure a quality final product
- Written and oral passages not consistently equivalent in complexity and quality
- Written assignments not turned in on time

Grammar and Usage:

- Correct tense not always used and maintained throughout composition
- There is not consistent subject-verb agreement
- Possessives are not used correctly
- Grammatical errors are present
- Knowledge of grammar and syntax not age/grade appropriate

Writing Content:

- Vocabulary is not age/grade appropriate
- Does not distinguish word choices that are appropriate for informal vs. formal discourse

Capitalization and Punctuation:

- Does not consistently follow intermediate advanced rules of capitalization (ex., names of cities and states, titles when used with names, proper adjectives, names of organizations, first and important names in book and story titles)
- Does not consistently follow basic, intermediate, or advanced rules of punctuation (ex., period at the end of a sentence, period after abbreviations, comma to separate city from state. an apostrophe in a contraction, comma between day and the month of the year, a colon between numbers in an expression of time, etc.)

How the student's Disability affects his/her involvement in the general curriculum for the skill area:

The lack of the written language skills noted above causes _____ to be below the academic level of his/her peers. He/she is unable to complete work in the allotted time and seems to give up and begin to daydream. Therefore, his/her grades are impacted by incomplete assignments.

Parent/guardian input:

Parent/guardian has noticed that _____ has had difficulty with writing skills since he/she was in lower elementary.

Example #3: Skill Area: Behavior

The following behavior **strengths** were noted:

- Volunteers to answer questions when familiar with topic
- Can concentrate on task if alone with the teacher
- Has a sense of humor
- Loves conversation, particularly retelling past experiences
- Enjoys and seeks social interaction with peers and adults

The following behaviors were noted as being observed *frequently*:

Hyperactive:

- Constant movement in desk

Poor Attention/Concentration

- Does not follow oral lessons
- Does not follow lessons on board or visual materials
- Rarely completes any assignments
- Daydreams
- Demands individual explanation of assignments
- Easily distracted from task by ordinary classroom stimuli (minor movement, noises)

Teacher indicates that _____ chews on his mechanical pencil frequently and disassembles it at inappropriate times. Teacher also states that _____ seems to be a target for some students to tease and pick on, and can have some difficulty interacting appropriately with peers in general. _____ has trouble focusing and attending to lessons in class, and will watch or observe peers instead. Teacher further comments that sometimes _____ will hit self in the hand when he/she is having difficulty following along on an assignment.

How the student's Disability affects his/her involvement in the general curriculum for the skill area:

The frequent behavior noted above causes _____ to stand out negatively with peers. Peers tell him/her to "leave them alone". The behaviors displayed make it difficult for him/her to focus and attend to lessons in class. As a result, his/her assignments are not completed.

Parent/guardian input: Parent/guardian has noticed several of the same concerns at home especially when he/she is attempting to complete his/her homework.

Example #4: Skill Area: Reading Decoding

Strengths:

Reading and Decoding Skills:

- Short vowels in consonant-vowel-consonant words (ex., sip, let, cat)

Weaknesses:

- Consonant blends with short vowels (ex., stop, trap, quit)
- Short vowels, digraphs and –tch trigraphs (ex., when, chop, rich)
- R-controlled vowels (ex, harm, dirt, form)
- Long vowels (ex., tape, key, lute)
- Variant vowels (ex., few, down, toy)
- Low-frequency vowel and consonant spellings (ex., kneel, cent, type)

How the student’s Disability affects his/her involvement in the general curriculum for the skill area: _____ reading decoding skills have resulted in him/her lagging behind his/her peers and becoming frustrated with him/herself when working on daily assignments. Teachers have reported that the lack of these skills have also caused _____ to struggle in other classes, such as science and social studies.

Parent/guardian input: The family has a set aside reading time once a week when they go to the city library. Recently _____ told his/her Mother/Dad that he/she did not want to check out any books because reading was too hard for him/her

Example #5: Skill Area: Reading Comprehension

Strengths:

- Identifies main event from a short narrative text
- Answers a what question about narrative text

Weaknesses:

- Remembering what was read
- Staying focused when reading
- Describing 3 or more supporting events from a narrative
- Answering inferential questions about a text
- Summarizing what he/she has read in their own words
- Understanding test questions

How the student’s Disability affects his/her involvement in the general curriculum for the skill area: _____ poor reading comprehension skills have caused him/her to struggle with classroom assignments. He/she doesn’t stay on task when reading is required in the classroom. He/she avoids

reading classroom directions, which has caused him to complete worksheets and assignments incorrectly and fall behind his/her peers in the classroom.

Parent/guardian input: The family has said they have not been able to find reading material that _____ enjoys or will read on his/her own.

Example #6: Skill Area: Basic Reading

Strengths	Needs
Knows the letters of the alphabet	Recognizing sight color words
Knows the sound of beginning word consonants	Recognizing number words 1-10
Knows the sounds of short vowels	Sequencing a 2-4 picture group to tell a story
Attempts to sound out unfamiliar words	Recognizing rhyming words and patterns
Pretends to read	Identifying the first and last sound in a word
Recognizes sentences	
Follows print from left to right	
Participates in discussion about stories	
Recognizes upper and lower case letters	

How the student’s Disability affects his/her involvement in the general curriculum for the skill area: _____ reading skill deficits cause him/her to dislike and avoid reading leading to inappropriate behaviors when engaged in reading activities.

Parent/guardian input: Mother/Dad report that he/she doesn’t want to pick out a book to have read to him before he goes to bed because reading is too hard and hurts his stomach. _____ will shut down and give up when they try to work on sight word flash cards.

Example #7: Skill Area: Articulation/Speech

Strengths:

- _____ uses fluent speech, complete sentences, relevant questions, appropriate grammar, and age level vocabulary in his conversational speech.
- _____ has appropriate volume, voice pitch, and nasal quality in his/her day-to-day speech.
- _____ can produce the following age-appropriate sounds: /m, n, p, t, d, k, g, f, v, h, w, y, l, and th/ sounds and // blends in words, sentences, and in conversational speech.

Weaknesses:

- _____ has sound errors present on the /s, z, sh, ch, j, and r/ sounds, and /r, and s/ blends in words.

How the student’s Disability affects his/her involvement in the general curriculum for the skill area: _____’s articulation errors noted above cause his/her speech to be difficult to understand when

reading aloud and when talking to peers. ____ is asked to repeat what he/she said and sometimes he/she seems embarrassed to say the sentence again.

Parent/guardian input: ____ shies away from talking when around strangers because he/she is afraid of not being understood.

Example #8: Skill Area: Adaptive behavior

Strengths:

Communication:

- States her own telephone number (Parent)
- Says irregular plural nouns, such as knives and mice (Teacher)

Community Use:

- States which bus is taken to school (Teacher)

Functional Academics:

- Finds someone's number in the phone book (Parent)
- Uses a dictionary or encyclopedia to find information (Teacher)

Home/School Living:

- Cooks simple foods on the stove (Parents)
- Takes correct books and supplies home for homework (Teacher)

Health and Safety:

- Carries breakable objects safely and carefully (Parents)
- Asks to see school nurse or other school official when hurt or ill (Parent, Teacher)

Leisure:

- Participates in a specific fun activity on a routine basis (Parent)
- Participates in a club, sports team, or organized group activity when arranged by a teacher or parent (Teacher)

Self-Care:

- Cuts own meat or other foods into bite-sized pieces (Parent)
- Ties own shoes (Teacher)

Self-Direction:

- Puts school work over leisure activities (Parent)
- Returns on time when requested back in the classroom (Teacher)

Social:

- Compliments others for good deeds or behavior (Parent)
- Congratulates others when something good happens to them (Teacher)

Weaknesses noted include:

Communication:

- Paying attention during family discussions for as long as needed (Parent)
- Nodding or smiling to encourage others when they are talking - she just stares at the speaker (Teacher)

Community Use:

- Looking both ways before crossing a street or parking lot (Parents)
- Finding restroom in a public place (Parent)
- Stating general address of a travel destination, such as "On Washington Avenue, near Lake Street (Teacher)

Functional Academics:

- Stating days of the week in order (Parent)
- Reading and obeying common signs, such as Do Not Enter, Exit, Stop, etc. (Parent)
- Following a favorite interest or current event by reading newspapers, books, or other materials (Teacher)

Home/School Living:

- Cleaning room or living quarters regularly (Parent)
- Dusting furniture until it is clean (Parent)

Health and Safety:

- Showing caution around hot items (Parent)
- Calling for help if someone is hurt at home (Parent)

Leisure:

- Participating in an organized sport or hobby, such as music lessons or basketball (Parent, Teacher)
- Organizing game or activity at school for a group of classmates without help from others (Teacher)

Self-Care:

- Closing and locking door before using public restrooms (Parent)
- Having clean hair and being clean when arriving at school (Teacher)
- Teacher notes self-care is one of student's biggest areas of need.

Self-Direction:

- Stopping fun activity without complaint when told time is up (Parent)
- Asking for help from teachers or authority figures when difficult problems come up (Teacher)

Social:

- Saying "thank you" when given a gift (Parent)
- Stating when others seem happy, sad, scared or angry (Teacher)

How the student's disability affects his/her involvement in the general curriculum for the skill area: _____ adaptive skill deficits have affected him/her in being able to participate in the same activities as his/her peers. They also prevent him/her from being independent like his/her peers during classroom activities/lessons.

Parent input: Parent/guardian is particularly concerned about safety issues, which are continually being worked on at home.

Example #9: Skill Area Reading Readiness: (age 4.9)

Strengths

- Recognizes environmental print (where to eat, candy, cereal)

Weaknesses:

- Unable to recite any of the alphabet
- Unable to match any letters of the alphabet
- Unable to identify any letters of the alphabet

How the student's disability affects his/her participation in appropriate activities: _____ is lagging behind his/her average peer with reading readiness skills. The lack of these skills makes playing games and singing songs with the alphabet difficult for him/her.

Parent/guardian input: Parent/guardian notes that _____ does not sing the alphabet song at home and that he/she likes books about animals.

Example #10: Skill area: General Knowledge (age 3.5)

Strength

General Knowledge:

- Body parts (receptive)-feet, ears, head, legs, arms, fingers, teeth, toes, neck
- Body parts (expressive)-eyes, nose, mouth, hair, feet, ears, legs, arms
- Colors (matching)-red, blue, green, yellow
- Shapes (matching)-circle, square
- Quantitative concepts-one/one more

Areas of Difficulty

General Knowledge:

- Does not know where tongue or thumb are located
- Does not name head, fingers, or thumb
- Does not know the use of a chair, car, bed, houses, pencils, dishes, coat
- Does not describe actions depicted in books
- Does not point to the colors red, blue or green
- Does not point to or name circle, square, triangle, or rectangle
- Cannot classify the animals, toys, means of travel
- Does not know what to do in different situations, such as when you are sleepy, are cold, are tired, are hungry
- Does not identify parts of a book, such as words, title, front, back

How the student's disability affects his/her participation in appropriate activities: _____ is lagging behind his/her average peer in general knowledge skills. The disability makes it difficult for him/her to follow directions during circle time.

Parent/guardian input: Parent/guardian notes that _____ does not like to do any sit down activities. This is _____ first year in preschool.

Example #10 Autism (5-year-old)

Reading Skills

Strengths

- Turns the pages in a book from to the left
- Looks at a book or pictures in a book from left to right

Needs

- Cannot identify upper or lowercase letters
- Cannot make the sounds of letters
- Is unable to match words with pictures

Math Skills

Strengths

- Can receptively identify or label some, same, and different
- Can get up to 2 items when requested

Needs

- Is unable to count objects with prompts
- Cannot name numbers
- Does not understand concepts of more, less, all, none

Writing Skills

Strengths

- Marks on paper

Needs

- Cannot color between lines
- Cannot copy curved lines

Adaptive Functioning

Strengths:

Personal:

- Drinks from a cup or glass
- Eats with a fork and spoon
- Wipes or blows nose, when needed
- Brushes teeth
- Washes face and hands

Home/Classroom:

- Shows caution around hot, sharp, or other dangerous objects
- Follows general safety rules
- Puts personal possessions away

- Differentiates between clean and dirty clothing

Community:

- Buckles own seat belt
- Stays with adult or group in public places
- Knows who is a stranger and who is not
- Knows not to talk to strangers

Needs:

Personal:

- Cannot cut meat or other food into bite-sized pieces
- Does not cover mouth when coughing or sneezing
- Does not bathe and dry self
- Is not toilet trained during the day or night
- Puts shoes on the wrong feet
- Is unable to dress self
- Cannot tie shoes
- Dresses appropriately for the weather

Home/Classroom:

- Does not clean up area when finished with a work or play activity
- Does not wipe up spills
- Unable to clear the table after a meal/cannot clean area and dump lunch tray
- Unable to help with preparation of foods that do not require cooking
- Cannot safely cook food in the microwave

Community:

- Does not look both ways before crossing a street
- Does not know how to dial 911
- Is unable to locate the proper bathroom for his gender in a public place

Expressive Language

Strengths

- Able to make a variety of spontaneous vocalizations
- Spontaneously says at least one word per hour
- Spontaneously says an average of one phrase per day
- Occasionally adds "s" to the end of a word as appropriate
- Occasionally indicates negation when appropriate

Needs

- Exclusively uses one-word phrases
- Does not use verbs or articles
- Does not use past tense
- Does not spontaneously make requests
- Does not engage in conversation

- Does not imitate sounds on request
- Cannot imitate initial sounds of words

Receptive Language

Strengths

- Follows instructions to select one reinforcing item from two objects
- Can select an object named by the instructor from an array of two common objects

Needs

- Requires prompts to respond to own name
- Does not follow instructions to touch a common item held in various positions
- Needs intensive training to acquire new selection skills

Behavior

Strengths

- Generally happy and in a good mood
- Is not picked on or bullied by other children
- Gets along well with adults and children
- Stays still for as long as needed
- Does not complain about physical symptoms
- Controls temper
- Does not seem to worry excessively

Needs

- Does not attend to teacher during small-group instruction
- Does not attend to other students in a group
- Does not consistently follow group instructions
- Does not work independently on academic activities
- Does not complete tasks independently and bring work to teacher
- Inconsiderate of others' feelings
- Has difficulty sharing readily with peers (toys, treats)
- Prefers to play alone (solitary)
- Fidgets and squirms excessively
- Does not like to play with other peers

How the student's Disability affects his/her involvement in the general curriculum for the skill area: His/her lack of language skills does not allow him to participate in all areas of the general education curriculum. His/her social skills deficits prevent him from interacting with his/her peers during group activities. Therefore, he/she experiences difficulty forming friendships. The student often becomes frustrated when asked to transition from one activity to another.

Parent/guardian Input: The student does not interact with family members at home and parent/guardians state they help _____ with many routine tasks.\

Appendix: Document #9

Special Communication Needs

ARSD 24:05:27:01.02. (4) Consider the communication needs of the student and, in the case of a student who is deaf or hard of hearing, consider the student's language and communication needs, opportunities for direct communications with peers and professional personnel in the student's language and communication mode, academic level, and full range of needs, including opportunities for direct instruction in the student's language and communication mode. These considerations for a child that is deaf or hard of hearing are to ensure that local educational agencies better understand the unique needs of children who are deaf or hard of hearing.

In completing this section identify the student's current communicative level based on the "Seven Levels of Communicative Competence". In collaboration with the IEP team identify the student's current most efficient mode of communication (your strengths and needs and will identify what is communicated using this mode), the modes of communication that will be used for instructional activities, modes of communication to use in social contexts, and the areas in which the student's communication skills will be further developed.

Include the following information in this section:

- Current level of communication (based on the "Seven Levels of Communicative Competence")
- Identify current and most-efficient mode of communication,
- Identify mode/s of communication to use for instructional activities,
- Identify modes of communication to use in social contexts,
- Describe the best way to communicate with the student,
- Identify areas to target for communication skill development

Examples:

- Student communicates primarily at the nonconventional pre-symbolic level with emergent skills developing at the conventional pre-symbolic level. She currently uses vocal sounds (pleasure sounds and screams) to communicate protest (cries when toy falls to ground) and happiness (when music plays on her toy) and the use of echolalia. She will primarily verbalize to herself, not attempting to engage a communication partner in her verbalizations. She will also occasionally reach for, use gestures, and look at desired objects. She uses pointing, gesturing, matching, and visual discrimination with up to one distracter to communicate during instructional activities. She is further developing her communication skills by using a picture exchange method, vocalizations and gestures. She uses objects, photos, and picture symbols as part of her total expressive communication program.
- Student is a non-verbal communicator. He works on making choices between two items. He will also push things away if he does not want them, or reach for items he wants, for example reaches for a lights and siren truck that he may want or throwing Lego blocks off of his lap tray that he does not want to have. He is working on using objects and object cards to communicate.

- Student communicates at the Intentional (Proactive) Behavior level. He will push away items he does not want and will reach/look at visually stimulating items. He cries when upset and will make a soft vocal sound when happy. He uses pointing, reaching, eye gaze, and pushing items away to communicate during instructional activities and well as single-switch voice output devices. He uses single switch voice output to communicate pre-programmed messages during social activities. He is further developing his communication skills by interactants providing attention to all potential communicative behaviors and providing a verbal label to the communicative intent. Objects paired with pictures are also used to promote choice making.
- Student communicates at the Pre-Intentional Behavior level. Student is non-verbal and communicates via facial expressions, body language (change in body tone) and vocalizations (crying). She utilizes voice output devices to participate in school subjects such as math, science, language, group computer. She requires verbal and physical prompts to access her switch. She is further developing her communication by creating an environment that is responsive and acknowledges changes in facial expressions, body language and vocalizations (for example, when she smiles you label “I see you smiled. Do you like the picture” or Child is grimacing and you say your face is frowning does something hurt?)
- Student communicates at the Formal Symbolic Communication Level. Student is nonverbal and uses a single micro-switch with her right thumb to activate a DynaVox speech-generating device and eye gaze to communicate. She also uses facial expression (looking up= “yes” and looking down = “no”). When she is upset or annoyed, she will squint her eyes, produce raspberries, and/or produce tears. Facial expression is limited secondary to profound hypotonia. She is further developing her communication by increasing vocabulary, on task behavior, and fluency in auditory scanning.

7 Levels of Communicative Competence

Charity Rowland, Ph.D. &D. & Philip Schweigert, M.ED
 OHSU Design to Learn Project – www.designtolearn.com

LEVEL	SALIENT BEHAVIOR
I. Pre-Intentional Behavior	Pre-intentional or reflexive behavior that expresses state of subject. State (eg., hungry, wet) is interpreted by observer.
II. Intentional (Proactive) Behavior (Not intentionally communicative)	Behavior is intentional, but is not intentionally communicative. Behavior functions to affect observer's behavior, since observer infers intent..
III. Non-conventional Pre-symbolic Communication	Non-conventional gestures are used with intent of affecting observer's behavior.
IV. Conventional Pre-symbolic Communication	Conventional gestures are used with intent of affecting observer's behavior.
V. Concrete Symbolic Communication	Limited use of concrete (iconic) symbols to represent environmental entities. 1:1 correspondence between symbol and referent.
VI. Abstract Symbolic Communication	Limited use of abstract (arbitrary) symbols to represent environmental entities. Symbols are used singly.
VII. Formal Symbolic Communication	Rule-bound use of arbitrary symbol system. Ordered combinations of two or more symbols according to syntactic rules.

7 Levels of Communicative Competence

Communication Modes Associated with Each Level of Communication
From Rowland & Stremel-Campbell (1987)

Communication Level	Vocal/Speech	Motor/Gestural	Electronic Technology	2- and 3-dimensional Symbols
Level I Pre-intentional behavior	Cry Gurgle Coo Grunt	Head and limb movements Postural changes Facial expressions		
Level II Intentional behavior	Fuss Babbling sounds	Gaze at object Smile Avert head Approach object Move away from Push away Take object	Contingency awareness (not communication)	
Level III Unconventional pre-symbolic behavior	Laugh Whine Scream	Eye contact Manipulate person	Calling device	
Level IV Conventional pre-symbolic Communication	Intonated sound patterns Vocalizations accompany gestures	Alternating gaze Shrug Open palm up/out Hands Point Extend object Nod/Shake head Wave Kiss/Hug/Pat hand Raise hand Touch object, person	Two-choice option Yes/no option	

<p>Level V</p> <p>Concrete symbolic communication</p>	<p>Mimic sounds of objects</p>	<p>Iconic gestures (mine. come, sit)</p> <p>Pantomime action, object</p>	<p>Selection of concrete 2- or 3-dimensional symbols</p>	<p>Concrete 2-dimensional symbols</p> <p>Concrete 3-dimensional symbols</p>
<p>Level VI</p> <p>Abstract symbolic communication</p>	<p>Single spoken words</p>	<p>Single manual signs</p>	<p>Selection of abstract symbols</p>	<p>Abstract shapes</p> <p>Abstract graphics</p> <p>Written words</p> <p>Braille words</p>
<p>Level VII</p> <p>Formal symbolic communication (Language)</p>	<p>Combinations of 2 or more spoken words</p>	<p>Combinations of 2 or more manual signs</p>	<p>Selection of combinations of 2 or more symbols</p>	<p>Combinations of 2- and 3-dimensional symbols</p>

Appendix: Document #10

Behavior Impedes Learning

ARSD 24:05:27:01.02. (1) In the case of a student whose behavior impedes his or her learning or that of others, consider the use of positive behavioral interventions and supports and other strategies to address that behavior.

When addressing behavior, it is important to remember that students use behavior to try to communicate. Whether it is a need/want/ like/dislike etc. all behaviors serve a purpose, and if we are to attempt to change a student's behavior, we must first look to find that purpose. Most behaviors can be divided into two categories, behaviors that "get" something and behaviors that "get rid of" something. If you can establish which of these categories the behavior fall in, it will be easier to select effective behavior supports.

Examples of "Getting" behavior:

- To gain adult attention
- To gain sustained peer attention and positive comments (use instead of "power")
- To gain a desired item or activity
- To get a choice in the pacing of activities (use instead of "control")

Examples of "Escape/Protest/Avoid" behavior:

- To escape or avoid a task student states is (a) too hard or (b) too long, or (c) not meaningful to the student or (d) to escape peer comments that the task is too easy
- To avoid or protest a demand or request or reprimand
- To escape an environment in which the student states negative comments from peers frequently occur
- To escape or avoid specific people or activities

Ways to prevent behavior from occurring:

- Increase the effectiveness of instruction for this child
- Increase academic skill levels
Ongoing assessment to ensure instructional match & success
- Modify the curriculum
Interests, preferences, choice, sequence
- Modify the demands
Quantity, difficulty, input, output, groupings, alternative tasks
- Clarify the expectations
Use of schedule, charts w/ visual cues of steps
- Reorganize the physical & interactional setting
Supplies available, pair or independent seats, structure interactions

When addressing behavior, it is also important to remember to **teach** the student a **REPLACEMENT BEHAVIOR** that:

1. Is what you would like to see from the student,
2. Is as easy for the student to carry out as the problem behavior, and
3. Gets the student the same results as the problem behavior

You may have to start with a **REPLACEMENT BEHAVIOR** that is not exactly what you would like to see, but is more socially acceptable than the current problem behavior. This replacement behavior can be shaped over time to become the same socially acceptable behavior exhibited by other students.

Examples of replacement behaviors:

- Swears at teacher: protesting a lack of attention – **teach the replacement behavior:** Verbally state a desire for attention from the teacher.
- Fights: protesting not getting his way during a recess game – **teach the replacement behavior:** Use protest language taught in verbal conflict resolution training.
- Screams: protesting an unexpected activity- **teach the replacement behavior:** Use the printed schedule to protest and then negotiate about an upcoming unexpected activity.
- Runs from room-escaping hard work – **teach the replacement behavior:** Go to time away/break center, or put work in a “do later” folder.
- Gains sustained positive peer attention from gang members for assaultive behavior) – **teach the replacement behavior:** Gain sustained positive peer attention from an alternative group for pro-social behavior.
- Teach students how to ask for help, acknowledge they need a break, how to interact with others, how to positively gain attention, how to ask for less demands, how to ask for more time, how to ask use the time away option, etc.
- Teach students **Social Interaction Skills:** How to initiate and respond to interactions, how to make friends, problem solve and deal with stress

Some suggestions for positive behavioral interventions and supports to be used in the section of the IEP to describe how behavior impedes learning:

Environmental Changes: How can you change the environment to support positive behavior?

Is something present in the environment that needs to be removed?

- Problems with seating arrangement, noise level of the classroom, size of the desk,
- Interactions going on around student, etc., so change these variables
- Peer status is gained for misbehaving, so arrange peer status for pro-social behavior

Is something missing in the environment that needs to be added?

- Student has not yet been taught how to transition quietly, so teach it.
- Rules, expectations, alternatives, consequences are not yet clear to the student, so explicitly re-teach and reinforce adherence.
- Not enough positive to negative interactions, increase positive interactions.

Time changes: Review environmental analysis for what to add or remove

- Provide a break after 15 minutes of work
- Allow completion of tasks in parts; develop a pacing technique
- Allow student to cross out a certain number of problems before starting
- Create a chart for the student to mark off on when they have completed tasks
- Give student time to finish assignments at home
- Give more/less time on tasks

Space changes:

- Student will sit near the front
- Student needs to sit near assigned support buddy
- Different work areas will be clearly identified, different work spaces for different tasks

Material(s) changes:

- Hands-on learning or manipulatives will be increased
- Tasks organized in sequencing trays; visual schedule provided on student's desk
- Notebook organizer for assignments (and instruction to use)
- Enlarged print size for texts
- Provide pictures for use in communicating needs and wants

Interaction changes:

- Use specific supportive voice volume and words; prepare the student ahead of time for change
- Cue the student to use previously taught coping strategies when changes to routine create anxiety
- Model positive self-talk language and teach a calming count down, 10 to 1, to aid relaxation

Use reinforcers to build/shape certain new skills

Rules for Reinforcers

- **Specificity:** Be specific about the skill being shaped and what the reinforcer is to be given for. Focus on using one reinforcer for one specific skill at a time.
- **Contingency:** Contingently given following the desired behavior
- **Efficacy Evidence:** Student must WANT the reinforcer

- **Frequency:** The frequency of earning must match the student’s ability to delay gratification. Approximately every 10 minutes? 2 times per week?
 - (High frequency is an especially important consideration for students with a limited history of reinforcement for desired behavior.)
- **Immediacy:** Delivered IMMEDIATELY after each desired behavior.
 - Young children
 - Just starting behavior plan
- **Choice-within-Variety:** Offer more than one reinforcer and allow the student to select.

Examples of Reinforcers

- **Physical:** High-five/low-five, pat-on-the-back, delivered immediately following each task completed.
- **Verbal:** Use specific praise, e.g. “I bet you are proud of this work!” “You Made a Good Choice! You worked very carefully on that assignment”;
- **Activity Access:** Desired activities contingently available following the completion of less preferred activities, e.g., time on the computer; free time; listening to music;
- **Tangibles:** Positive phone calls or notes sent home; small toys.
- **Tokens and points:** Use a symbol standing for progress toward accessing desired outcomes:
- **Privileges:** Passes or immediate verbal permission to: exempt an assignment; get an extra point on the quiz of your choice; permission to sit where you want for one period.

Information above provided in part by Diana Browning Wright from the California Department of Education. For more on the above information, please see the Behavior Support Plan (BSP) reference guide by Diana Browning Wright at www.pent.ca.gov

Examples of Behavior Impedes Learning statements:

1. Timmy becomes frustrated when he receives an assignment with more than 20 problems or problems he is not sure how to complete, in math. Some signs Timmy is becoming frustrated are: Timmy will put his head down and refuse to work, he will throw his paper on the floor, he will begin to sigh and hit his fist on his desk (other signs of frustration may occur). When Timmy appears to be becoming frustrated, staff should remind him he can select one problem from each row and cross it out, or he can come up to the teachers desk for more assistance in getting started. He may also choose to put his assignment in his “do later” file and stay in for recess or after school to complete it. Staff should also remind Timmy that if he remains calm when asked to complete an assignment he can add a star to his behavior chart and continue to get closer to his goal of 15 minutes of free time on the computer.
2. Sally becomes upset and nervous when it is her turn to read aloud in class. To help her stay calm and gain confidence in the classroom, the teacher should let her know what passage she will be reading aloud the day before so she has a chance to look it over and read through it.

When Sally stays calm and finishes reading aloud the teacher should give her verbal praise and after class they will put a sticker on Sally's behavior chart.

3. Bob becomes physically aggressive on the playground when other students won't let him join in their activity. Before going out to the playground, staff should remind Bob of the correct way to ask to join in a group activity. Staff should stay in close proximity to Bob while he is on the playground to ensure all the students' safety. When staff hears Bob correctly asking to join in an activity, they should give him verbal praise and when he comes in for recess he can put a piece of pie in his pie chart. If he becomes upset on the playground, staff should remind him of his calming procedures and also what he is working towards for his reward. If Bob still becomes upset, staff should intervene by having the other children move to another place on the playground and Bob should be given some time alone to call down. Staff should not try process the situation with Bob until he says he is ready. When he is ready to talk about what happened, staff should start by reminding Bob of what he did correct in the situation, or how he has successfully handled situations like this in the past. Staff should also remind Bob that he can try again at the next recess and that he can be successful if he remembers the steps he has been taught.
4. Missy likes to get out of her seat and talk to the staff in the classroom instead of doing her work. Missy has a chart on the inside of her desk that she is using to help her keep track of this behavior. When the class is asked to work independently, staff should remind Missy that if she remains in her seat for the first 10 minutes she can cross off one of her "stay seated" squares. At this time she can also get up and walk quietly to the back of the room for two minutes and talk with staff about the assignment she is working on, and then she needs to walk back to her seat and begin working again. Once she has crossed off all her "stay seated" squares, she can eat lunch in the classroom with the teacher.
5. Billy is working on becoming more organized to help him be on time for class and to have his assignments in on time. He has stated that the reason he is late for class and does not hand in his homework on time is because his locker is messy and it is hard for him to find his books and assignments. He also has problems remembering what assignments are due and when. On Monday, Wednesday, and Friday mornings, Billy's homeroom teacher, or another staff if assigned, will assist Billy in making sure his locker is organized. Staff has also assisted Billy in creating a locker organizer that is easy for him to use. When Billy's locker is organized all week, he will receive 10 minutes of free time to choose from one of the activities from his list. Billy also has an assignment notebook. Before leaving school each day, Billy's homeroom teacher will go through Billy's notebook with him to make sure he knows what assignments are do the following day, and to ensure he has the correct materials to complete his homework. When Billy successfully hands in all his assignments on time for one week, he will have access to 10 additional minutes of free time on Friday afternoons.

Appendix: Document #11

Writing Annual Goals

Overview: Annual goals must include a condition, the performance and the criteria specific to the child’s present levels of performance.

Avoid using vague, indefinable terms in goals when targeting “behavior” or “social skills”, without identifying the particular behavior (tantrums or inattention) or social skills (turn taking or eye contact). Other words that might be red flags are:

- Appropriate: Who knows what is appropriate?
- Improve: To what level?
- Make progress: How much progress? How will that be measured?
- Increase/decrease: How much?
- Acceptable grade-level: What does that mean?
- Participate in: To what extent?

Condition	Performance	Criteria
<p>The condition segment of an annual goal represents the circumstances under which you will be presenting information or material to the student so the skill they are to perform can be measured or observed. It is sometime referred to as the “when given” statements.</p>	<p>The performance segment of the annual goal represents the very specific skill or observable behavior the student will be expected to perform when the condition presents itself.</p> <p>These skills are identified on an individual basis through developmental or functional assessment. The skills identified should link to the district’s general curriculum and content standards beginning at the student current level of performance working towards grade level content.</p>	<p>The criteria segment of the annual goal represents how the skill or behavior will be measured. The criteria must include how well (accuracy) and how often (consistency) the student must perform the skill or behavior in order to consider it mastered.</p> <p>The procedure codes you document on the goal page of the IEP represent what will be used to gather or measure the criteria.</p>
<p>When given ____ number of words,</p> <p>When given a narrative or expository reading passage at (student’s) independent reading level...</p>	<p>(Student) will say the initial, middle and ending sounds...</p> <p>(Student) will paraphrase figurative language by highlighting words with multiple meanings...</p> <p>(Student) will read aloud, with fluency, at a rate of ____correct works per minute...</p>	<p>With ____% accuracy in ____consecutive trial.</p> <p>With ____% accuracy in ____consecutive trials graphed weekly...</p> <p>With ____% accuracy in ____of ____trials.</p>

When given a passage at (students) instructional level...	(Student) will raise his hand and wait to be called upon...	For ___ consecutive steps in ___ of ___ attempts over a six week period.
When in a grocery store...	(Student) will produce the / s / v l sounds in isolation...	For ___ seconds in ___ consecutive trials.
Following one verbal request...	(Student) will add ___/25 sums to 10...	
When given a picture of an object...	(Student) will debit (subtract) money spent and credit (add) money deposited to balance the check book...	With ___% accuracy in ___ minutes.
When given a direction...	(Student) will subtract two digit numbers with no regrouping...	In one minute with ___% accuracy in ___ out of ___ trials.
Before having an outburst...	(Student) uses the correct punctuation at the end of sentences.	With no more than ___ errors for an accuracy rate of ___% on ___ consecutive trials.
During class instruction...	(Student) will comply with a request with no more than two verbal prompts...	
Given the choice of four proper nouns...	(Student) will choose the sentence with correct capitalization...	
When given a ___ grade math calculation problem involving addition and subtraction...	(Student) will write the upper and lower case letters in sequence with no reversals...	
When given an assignment...	(Student) will arrive to work on time...	
Given a choice to two sentences...	(Student) will solve pencil and paper two-digit addition and subtraction calculations with regrouping....	
When asked to write a story...	(Student) will make eye contact and respond "hello"...	
When given sentences with no punctuation...	(Student) will calculate at least ___ correct digits per four minute timing...	
When given a ___ grade reading passage...	(Student) will solve three-digits divided by two digits with a remainder...	
	(Student) will state the initial sound of each word...	
	(Student) will state the ___ letter names and ___ letter sounds	
	(Student) will write a resume with correct	

When completing a written assignment...	punctuation, grammar, and spelling...
When given a list of words and meanings...	(Student) will write the numbers 1 through 25 with no omissions or number reversals...
When shown four words...	(Student) will sit at his desk and work for 10 minutes...
Given a play clock...	(Student) will go to his "cool down" space for no longer than 10 minutes to gain control of his frustrations...
When asked to add a number to zero...	(Student) will answer five factual questions...
When given a word having dual meanings...	(Student) will state the main idea and two details...
When in the community grocery store...	(Student) will predict what will happen next in the story...
When given a curriculum-based letter naming probe at the kindergarten level...	(Student) will read ___ correct words per minute...
When given a MAZE comprehension passage at the ___ grade level...	(Student) will be able to state ___ correct responses per three minute timing...
When given a big mac switch	(Student) will press on the switch to activate TV, fan, or CD player with less than three cues (prompt from the elbow)
When spoon is placed in student's hand	(Student) will scoop food and bring food to mouth with 1 cue at the elbow
Given a list of	(Student) will answer five factual questions...
After previewing a book...	(Student) will state the main idea and two details...
Given a story problem involving money...	(Student) will predict what will happen next in the story...
Given a name and a phone book...	(Student) will alphabetize the words...
Given a series of	(Student) will point to the name...
	(Student) will state the math operation to

(____) numbers...	use...	
When given a set of objects...	(Student) will retell the story in sequence...	
Given a set of fractions...	(Student) will stop and ask for help...	
Given a word bank...	(Student) will predict possible story scenarios...	
When provided with a reading passage, (level determined by present level of performance information)...	(Student) will ask questions...	
After reading a passage...	(Student) will state ____ pieces of important information in a reading selection...	
When provided a reading selection...	(Student) will read for ____minutes without redirection...	
	(Student) will increase time spent on task from ____minutes to ____minutes	
	(Student) will select coins and bills to match amount needed...	
	(Student) will use calculator to determine correct change...	

Appendix: Document #12

Standard Accommodations for Statewide Assessment

South Dakota will be participating in the Smarter Balanced Assessment for English Languages Arts and Mathematics at grades 3-8 & 11. At the time of this publication, the accommodations for those assessments have not been released. Below are the allowed accommodations for Dakota STEP Science that will be administered at grades 5, 8 & 11.

Science		Accommodation Codes	Accommodations for Special Populations
IEP/504	LEP		Presentation Accommodations
✓		1	Large-print test booklets and/or answer documents
✓		2	Visual aids (magnifiers, templates)
✓		3	Sign language (ASL, cued speech)
		4	Abacus for visually impaired VI students
✓		5	Braille test booklets
✓	✓	6	Test Items read aloud (does NOT include <i>Reading Comprehension</i> passages)
✓	✓	7	Repeating and/or simplifying directions
✓		8	Amplification equipment (hearing aid, auditory trainer)
✓		9	Audio amplification equipment
✓		10	Talking calculators provided the student is tested individually or with the use of headphones.
			Response Accommodations
✓		11	Responses marked directly in test booklet or on large print answer document, also includes oral, sign language, Braille, and recorded responses to test items (answers must be transcribed to scorable answer document by scribe)
✓		12	Large-diameter pencil, pencil grip, special pencil or pen
	✓	13	Use of dictionaries, word lists, glossaries
✓	✓	14	Visual organizers (i.e. templates, masks, markers, graph paper, rulers)
			Setting, Timing, and Scheduling Accommodations
✓	✓	15	Environmental modifications (i.e. special lighting, adaptive or special furniture, location with minimal distractions, noise buffers, carrels, special seating)
✓	✓	16	Small group administration
✓	✓	17	Individual administration
✓		18	Home/Hospital Setting
✓	✓	19	Flexible schedules (i.e. time of day, multiple breaks, etc.)
		20	Other (with prior approval from SD DOE)

Appendix: Document #13

Description of Services

ARSD24:05:28:01. Least restrictive program to be provided. Children in need of special education or special education and related services, to the maximum extent appropriate, shall be educated with children who are not disabled and shall be provided special programs and services to meet their individual needs which are coordinated with the regular educational program. Special classes, separate schooling, or other removal of children with disabilities from the regular educational classroom may occur only when the nature or severity of the child's needs is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

§300.320 Definition of individualized education program. (4) A statement of the special education and related services and supplementary aids and services, based on peer-reviewed research to the extent practicable, to be provided to the child, or on behalf of the child, and a statement of the program modifications or supports for school personnel that will be provided to enable the child...(Cross Reference ARSD24:05:27:01.03.-Content of individualized education program.)

§300.320 (a)(7) Comment Initiation, Frequency, Location and Duration of Services What is required is that the IEP include information about the amount of services that will be provided to the child, so that the level of the agency's commitment of resources will be clear to parents and other IEP Team members. The amount of time to be committed to each the various services to be provided must be appropriate to the specific service and clearly state in the IEP in a manner that can be understood by all involved into the development and implementation the IEP.

Description of Services: The description of services must reflect each of the areas in which the student was determined to be eligible. Areas of eligibility include reading decoding, math, behavior, listening comprehension, reading fluency, reading comprehension, fine motor, gross motor, language, articulation, etc. Each area listed under "Description of Services" should be linked to a goal which reflects a need identified through evaluation. Those needs represent each skill area that is affected by the disability. Statements such as "study hall" and "Social Studies" are not skill areas affected by the disability and should not be used as a description of service.

For younger students determined eligible under the category of developmental delay, the areas affected by the disability would include cognitive, adaptive, social/behavior, fine motor, gross motor, articulation and/or language. If cognitive is too general of a term, then consider using such terms as pre-reading or literacy, pre-math etc.

Amount of service (time):A statement of time dedicated to each service area must be clearly stated so all IEP team members understand the amount of time that must be committed each day and how many days a week the service will be provided. This amount of service constitutes the students "specialized instruction". Therefore, when the IEP team clumps together services, "special education 50 minutes 5 times per week" or "speech and language 20 minutes 3 time per week" there is no clear understanding of how much specialized instruction will be devoted to each skill area affected by the disability.

Location of Service: The team must decide where (the location) the student's specialized instruction can best be provided. Specialized instruction can be provided in one or a combination of settings or locations such as general education classroom, resource room, therapy room, library, study hall etc.

When determining the location of service, the team must take into account least restrictive environment. The total amount of time the student is removed from his/her peer's results in where the student is on the continuum of alternative placement. Every effort should be made to try each option on the continuum moving from least to most restrictive.

Example 1:

Student is a 3-5 years old child who is eligible in all five developmental areas plus speech and language.

Special Education to be provided:

<u>Description of services</u>	<u>Amount of service</u>	<u>Location of service</u>
Cognitive (Pre-reading)	15 minutes 3x week	Early childhood preschool
Cognitive (Pre-reading)	15 minutes 3x week	Special Ed. preschool
Cognitive (Pre-math)	15 minutes 3x week	Early childhood preschool
Adaptive: (dressing)	10 minutes 3x week	Special Ed. preschool
Fine motor (pre-writing)	15 minutes 3x week	Early childhood preschool
Communication: Articulation	20 minutes 3x week	Speech room
Communication: Language	10 minutes 2x weeks	Early childhood preschool
Personal/Social: Behavior	20 minutes 5x per week	Early childhood preschool

Example 2:

Student is determined eligible under the category of specific learning disability in the areas of reading fluency, written expression and oral expression with some behavior/social issues.

Special Education to be provided:

<u>Description of services</u>	<u>Amount of service</u>	<u>Location of service</u>
Reading Fluency	10 minutes-5 days/wk	General Classroom
Reading Fluency	20 minutes-5 days/wk	Resource Room
Written Expression	15 minutes-3 days/wk	General Classroom
Oral Expression	15 minutes-3 days/wk	Resource Room
Social Skills	15 minutes-3 days/wk	Resource Room

Example 3:

Student determined eligible in the disability category of language and articulation.

Special Education to be provided:

<u>Description of services</u>	<u>Amount of service</u>	<u>Location of service</u>
Language (Language group)	15 minutes-2 days/wk	General Classroom
Language	15 minutes-3 days/wk	Speech Path Room
Articulation	15 minutes-2 days/wk	Speech Path Room

Example 4:

A student is eligible under the disability category of specific learning disability in the areas of reading comprehension and basic reading. The student would receive all instruction in the general classroom and would come to the resource room to work on the skill areas affected by the disability using the content curriculum of science, social studies and English during a portion of their study hall period.

Special Education to be provided:

<u>Description of services</u>	<u>Amount of service</u>	<u>Location of service</u>
Reading	25 minutes 5x per week	Resource Room

Student will return to the general education study hall for the remainder of the 50- minute class period. A Para-professional will be present for 30 minutes a day 4 days per week in English class.

Example 5:

A student has behaviors so disruptive that he/she requires a safe and controlled environment to consistently implement behavior intervention strategies and teach socially appropriate behaviors. The student's program consists of behavior and social goals. The team decides all core classes will be taught in the resource room to accommodate consistent behavior programming.

This type of description of services would easily allow the team to address a systematic reintegration into the general classroom as the student's behavior improves class by class. This does reflect the entire school day as instruction/feedback is being provided and monitored every minute of the day.

Special Education to be provided:

<u>Description of services</u>	<u>Amount of service</u>	<u>Location of service</u>
Social Skills Instruction	30 minutes 5 x week	Resource Room
Counseling	30 minutes 5x week	Counselors Office
Behavior (Math)	50 minutes 5 x weekly	Resource Room
Behavior (Science)	50 minutes 5 x weekly	Resource Room

Behavior (Social Studies)	50 minutes 5 x weekly	Resource Room
Behavior (Language Arts)	50 minutes 5 x weekly	Resource Room

A paraprofessional will be assigned 1 to 1 to implement behavior intervention strategies consistently during all other times when integrated with his/her peers. (i.e. lunch, recess, PE, music)

Example 6:

A student whose curriculum needs reflect the alternate content standards could still receive some of their instruction in the general classroom with his/her peers and have skills reinforced in the resource room.

Special Education to be provided:

<u>Description of services</u>	<u>Amount of service</u>	<u>Location of service</u>
Reading (Survival)	30 minutes 5x week	Resource Room
Math (Functional)	30 minutes 5x week	Resource Room
Behavior	30 minutes 5 x week	Resource Room
Adaptive Behavior	60 minutes 5x week	Resource Room
Listening Comprehension	30 minutes 3x week	General Ed. Classroom
Language	30 minutes 5 x week	General Ed Classroom
Language	20 minutes 3x week	Speech Room
Language	20 minutes 2x week	Resource Room

Example 7:

Student determined eligible under the category of specific learning disability in the areas of reading fluency and basic reading.

Special Education to be provided:

<u>Description of services</u>	<u>Amount of service</u>	<u>Location of service</u>
Reading	50 minutes-5 days/wk	Resource room
Reading – student will come to the resource room for homework assistance and tutoring in science and world history.	50 minutes-5 days/wk	Resource room

Example 8:

Student determined eligible with a cognitive disability and receiving services in an alternative curriculum.

Special Education to be provided:

<u>Description of services</u>	<u>Amount of service</u>	<u>Location of service</u>
Daily Living Skills	60 minutes-5 days/wk	Self Contained Room
Behavior	30 minutes-5 days/wk	Self Contained Room
Communication	30 minutes-5 days/wk	Self Contained Room
Gross Motor	45 minutes/wk	Gymnasium
Math (functional)	15 minutes-5 days/wk	Self Contained Room
Reading (functional)	15 minutes-5 days/wk	Self Contained Room

(Student) will remain in the resource room for remaining hours of school day and work on generalizing all skills taught during instruction.

Example 9:

A transition age student determined eligible with the disability of autism. The IEP team determined the student will attend half days at the district school building and half days at the community service agency.

Special Education to be provided:

<u>Description of services</u>	<u>Amount of service</u>	<u>Location of service</u>
Adaptive Skills	60 minutes-5 days/wk	Resource Room
Behavior (Social skills)	30 minutes-5 days/wk	Resource Room
Behavior (Social skills)	30 minutes-5 days/wk	Community Service Agency
Transition (job skills)	60 minutes-5 days/wk	Community (on the job)
Communication	30 minutes-5 days/wk	Resource Room

Additional things to keep in mind:

1. There are many different ways to document how the IEP team develops the configuration of services for a student. Remember it must represent a “clear picture” not only to the family but to those responsible for implementing the program. The program represents the skill areas affected by the disability. Therefore, the description of services must align with the “program” (annual goals) the IEP team developed for the student.

2. The IEP team must determine the placement of the student on the continuum of alternative placement in order to document the justification for placement. The total amount of time the student is “removed or separated” from his/her peers is the only amount of time considered when calculating the percentage.
3. The intent of “Special Education Service to be provided” is to reflect the amount of special education time and services the district is committed to provide for the student in order to provide Free Appropriate Public Education (FAPE). The intent of “services to be provided” is not to account for the student’s entire day but rather to reflect the amount of instruction time the student needs that represents his/her specialized instruction. A schedule can be developed to reflect a student’s entire day.
4. Caution needs to be taken that the district’s services reflect what instructional time the student needs and not reflect the entire class period so it is convenient for scheduling. The student is pulled out of 8th grade math for the entire 55 minutes. Doing so is in conflict with the entire concept “that all students need to receive instruction in the general curriculum” which is the general concept encouraged by No Child Left Behind (NCLB) and ARSD 24:05:28:01 Least Restrictive Program to be provided.

Appendix: Document #14

Continuum of Alternative Placements

ARSD 24:05:28:01. Least restrictive program to be provided. Children in need of special education or special education and related services, to the maximum extent appropriate, shall be educated with children who are not disabled and shall be provided special programs and services to meet their individual needs which are coordinated with the regular educational program. Special classes, separate schooling, or other removal of children with disabilities from the regular educational classroom may occur only when the nature or severity of the child's needs is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

ARSD 24:05:28:02. Continuum of alternative placements. Alternative placements which must be made available include the following:

- (1) Regular educational programs with modification;
- (2) Resource rooms;
- (3) Self-contained programs;
- (4) Separate day school programs;
- (5) Residential school programs;
- (6) Home and hospital programs; and
- (7) Other settings.

For each of the programs listed in this section, the IEP team shall determine the extent to which related services are required in order for the child to benefit from the program. The length of the school day must be equal in duration to that of a regular public school day unless an adjusted school day is required to meet the individual needs of the child. The IEP team shall provide for supplementary services, such as resource room or itinerant instruction, to be provided in conjunction with regular class placement, as applicable.

In those cases where placement is made in a separate day school program or residential school program, the district may abide by the school term of the facility in which the child is placed based on the individual needs of the child.

(Cross Reference: §300.115 Continuum of alternative placements)

The purpose of the document is to assist Individual Education Program (IEP) team in determining the appropriate placement category based upon the students specialized instruction and location of services. The document will also correlate the "continuum of alternative placement" category to the "educational environment" data reporting category required by the federal Data Accountability Center (DAC).

Crosswalk

Federal Language	DACs Language	ARSD Language
Instruction provide in the regular education classroom. (Itinerant Instruction)	Inside the regular class 80% or more of day	(0100) Regular educational programs with modification
Special Class (Itinerant Instruction)	Inside regular class 79-40% of day	(0110) Resource rooms
	Inside the regular class less than 40% of day	(0120) Self-contained programs
Special School	Separate school	(0130) Separate day school programs
Institutions	Residential facility	(0140) Residential school programs
Home Instruction Instruction in Hospitals	Homebound/Hospital	(0150) Home and hospital programs
	Correctional Facilities	Other Settings (Coded by SEP)
	Parentally placed in private schools	Other Settings (Coded by SEP)

Calculate the total hours/minutes in the school day applicable to the student.

The time a student with disabilities spends during lunch, recess and study periods should be counted as time spent inside the regular classroom, unless the student has been removed from the environment with nondisabled students in order to receive services related to the student’s disability. If a student is segregated from nondisabled students during lunch, recess or study period, the time spent during that activity should not be included in the numerator of the calculation of percentage of time in the regular classroom.

In calculating the percentage of time that the student spends inside the regular classroom, the denominator should include the total number of hours in the student’s school day. If a student does not attend for a full school day, the calculation should only include the number of hours that the student attends school.

Educational time spent in age-appropriate community-based settings that include individuals with and without disabilities, such as college campuses or vocational sites, should be counted as time spent inside the regular classroom.

A student with a disability who attends an alternative school or participates in an educational program in an alternative setting for students with and without disabilities within a regular public school and educational time is spent in age-appropriate settings that include students with and without disabilities should be considered time spent inside the regular classroom. This is true regardless of whether special education support is provided to the student in this setting.

A student who is placed by court order in a residential mental health facility (other than a hospital) and is receiving special education and related services under an IEP in that setting would be reported under the category of residential facility if it is only for students with disabilities. If the residential facility is for students with and without disabilities, since the placement is for mental health purposes, the best option would be to report the student in the *homebound/hospital* category.

On the child count date, if the student is in a residential facility for students with disabilities at public expense, even if the duration of that placement is intended to be short-term, the student should be reported in the *residential facility* category.

For a parentally-placed private school student with a disability who receives special education and related services **in a public school setting** the student is considered to be *parentally placed in private schools* category, as the student is enrolled by a parent or guardian in a regular parochial or other private elementary and secondary school and whose basic education is paid through private resources and receives special education and related services at public expense from an LEA or educational service unit under a service plan

General Classroom with Modifications (0100)

Inside the regular class 80 percent or more of the day. *Unduplicated* total who were inside the regular classroom for 80 percent or more of the school day. (These are children who received special education and related services outside the regular classroom for less than 21 percent of the school day.) This may include children with disabilities placed in:

- regular class with special education/related services provided within regular classes;
- regular class with special education/related services provided outside regular classes; or
- regular class with special education services provided in resource rooms.

Example: Student receiving services in a public school building/setting

- 7 hour school day
 - 3 hour is in the general classroom setting with non-disabled
 - 1 hour is in the resource room with other students with disabilities
 - 3 hours are spent in on the job training at the **local grocery store** with non-disabled

Example: Student receiving services in a public school building/agency

- 7 hour school day
 - 3 hours are spent at a local agency with individuals with & without disabilities
 - 1 hour at school in the resource room with other students with disabilities
 - 3 hours in the general education classroom

This category could include students who are receiving educational services and living at agencies such as Abbott House, Our Home, Children's Home Society, Chamberlain

Academy, STAR Academy, Human Services Center at Yankton and Juvenile Detention Centers.

This could also apply to students receiving educational services at Center Based Programs and Alternative programs on or off school campus with or without students with disabilities.

- 7 hour school day
 - 5 hours is in the general classroom agency setting with non-disabled peers
 - 1 hour is in the agency resource room
 - 30 minutes group counseling with individuals with & without disabilities
 - 30 minutes counseling/related service/counselors office

Resource Room (0110)

Inside regular class no more than 79% of day and no less than 40% percent of the day. *Unduplicated* total who were inside the regular classroom between 40 and 79% of the day. (These are children who received special education and related services outside the regular classroom for at least 21 percent but no more than 60 percent of the school day.) Do not include children who are reported as receiving education programs in public or private separate school or residential facilities. This may include children placed in:

- resource rooms with special education/related services provided within the resource room; or
- resource rooms with part-time instruction in a regular class.

Example: Student receiving services in a public school building/setting

- 7 hour school day
 - 4 hour is in the public school general classroom setting with non-disabled
 - 2 hour is in the public school resource room with other student with disabilities
 - 1 hour of related service away from non-disabled peers

Example: Student receiving services in a public school building/agency

- 7 hour school day
 - 2 hours are spent at a local agency with individuals with disabilities
 - 2 hour at school in the public school resource room with other students with disabilities
 - 3 hours in the public school general education classroom

Example: Student receiving services in a public school building/agency

- 7 hour school day
 - 4 hour is in the general classroom agency setting with non-disabled peers
 - 2 hour is in the agency resource room with other students with disabilities
 - 30 minutes speech/related service/speech room
 - 30 minutes counseling/related service/counselors office

This category could include students who are receiving educational services and living at agencies such as Abbott House, Our Home, Children’s Home Society, Chamberlain Academy, STAR Academy, Human Services Center at Yankton and Juvenile Detention Centers.

This could also apply to students receiving educational services at Center Based Programs and Alternative programs on or off school campus with or without students with disabilities.

Self-contained Classroom (0120)

Inside regular class less than 40 percent of the day. *Unduplicated* total who were inside the regular classroom less than 40 percent of the day. (These are children who received special education and related services outside the regular classroom for more than 60 percent of the school day.) Do not include children who are reported as receiving education programs in public or private separate school or residential facilities. This category may include children placed in:

- self-contained special classrooms with part-time instruction in a regular class; or
- self-contained special classrooms with full-time special education instruction on a regular school campus.

Example: Student receiving services in a public school building/setting

- 7 hour school day
 - 2 hour is in the public school general classroom setting with non-disabled
 - 4 hour is in the public school resource room with other student with disabilities
 - 1 hour of related service away from non-disabled peers

Example: Student receiving services in a public school building/agency

- 7 hour school day
 - 2 hour is in the public school general classroom setting with non-disabled
 - 2 hour is in the resource room with other student with disabilities
 - 2 hour in alternative program off campus with other students with disabilities
 - 1 hour of related service away from non-disabled peers

Example: Student receiving services in a public school building/agency

- 7 hour school day
 - 1 hour is in the agency general classroom setting with non-disabled peers
 - 5 hour is in the agency resource room with other students with disabilities
 - 30 minutes speech/related service/speech room
 - 30 minutes counseling/related service/counselors office

This category could include students who are receiving educational services and living at agencies such as Abbott House, Our Home, Children’s Home Society, Chamberlain Academy, STAR Academy, Human Services Center at Yankton and Juvenile Detention Centers.

This could also apply to students receiving educational services at Center Based Programs and Alternative programs on/off school campus with or without students with disabilities.

Separate School (0130)

Unduplicated total who received education programs in public or private separate day school facilities. This includes children with disabilities receiving special education and related services, at public expense, for greater than 50 percent of the school day in public or private separate schools. This may include children placed in:

- public and private day schools for students with disabilities;
- public and private day schools for students with disabilities for a portion of the school day (greater than 50 percent) and in regular school buildings for the remainder of the school day; or
- public and private residential facilities if the student does not live at the facility.

Example: Student receiving services in a public school building/agency but are not living at the agency.

- 7 hour school day
 - 1 hour is in the public school general classroom setting with non-disabled
 - 1 hour is in the resource room with other student with disabilities
 - 4 hour in alternative program on campus with other students with disabilities
 - 1 hour of related service away from non-disabled peers

Example: Student receiving services in a public school building/agency but are not living at the agency.

- 7 hour school day
 - 2 hour is in the resource room with other student with disabilities
 - 4 hour in an agency program off campus with other students with disabilities
 - 1 hour of related service away from non-disabled peers

This category could include students who are receiving educational services at agencies such as Volunteers of America, Children’s Care and Alternative programs who provide services only to students with disabilities.

Residential Facility (0140)

Unduplicated total who received education programs and lived in public or private residential facilities during the school week. This includes children with disabilities receiving special education and related services, at public expense, for greater than 50 percent of the school day in public or private residential facilities. This may include children placed in:

- public and private residential schools for students with disabilities; or
- public and private residential schools for students with disabilities for a portion of the school day (greater than 50 percent) and in separate day schools or regular school buildings for the remainder of the school day.

Do not include students who received education programs at the facility, but do not live there.

Example: Students receiving services at an agency only for students with disabilities and are living at the agency.

- 7 hour school day
 - 2 hour is in the agency classroom with other student with disabilities
 - 4 hour in an agency program off campus with other students with disabilities
 - 1 hour of related service in agency classroom

This category could include students who are receiving educational services at agencies such as Volunteers of America and Children’s Care.

Home/Hospital Program (0150)

Unduplicated total who received education programs in homebound/hospital environment includes children with disabilities placed in and receiving special education and related services in:

- hospital programs, or
- homebound programs.

Do not include children with disabilities whose parent/guardians have opted to home-school them and who receive special education at the public expense.

Example: This category would include students receiving their educational services at home due to extraordinary medical or behavior issues. The IEP must also document the amended length of school day.

Example: This category could include students who are receiving educational services at agencies such as Avera-McKenna Hospital or Hospital Rehabilitation Centers.

Correctional Facility

Unduplicated total who received special education in correctional facilities. These data are intended to be a count of all children receiving special education in:

- short-term detention facilities (community-based or residential), or
- correctional facilities.

Data reporting for this category is managed by Special Education Programs

Parentally Placed in Private Schools

Unduplicated total who have been enrolled by their parents or guardians in regular parochial or other private schools and whose basic education is paid through private resources and who receive special education and related services at public expense from a local educational agency or intermediate educational unit under a service plan.⁵ Include children whose parents chose to home-school them, but who receive special education and related services at the public expense. Do not include children who are placed in private schools by the LEA.

Data reporting for this category is managed by Special Education Programs

Appendix: Document #15

Justification for Placement

§300.320 Definition of individualized education program(5) An explanation of the extent, if any, to which the child will not participate with nondisabled children in the regular class and in the activities described in paragraph (a)(4) of this section;

The IEP team must provide a written justification regarding their decision to place a student in any setting outside the regular classroom. Removal from the regular educational classroom shall occur only when the nature or severity of the child's needs is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

Accept/Reject Format:

The IEP team must provide a written description of the options considered and the reasons why those options were rejected for **EACH** option on the continuum of alternative placements from the least restrictive to most restrictive down to the option chosen. Then describe why the chosen option was accepted.

Written descriptions are NOT required for options on the continuum that are more restrictive than the one accepted by the IEP team.

For Example:

General classroom with modifications: Rejected – Describe why

Resource room: Rejected – Describe why

Self-contained classroom: Accepted – Describe why

Specify Instructional Needs:

- The written descriptions should describe the student's **instructional needs** that resulted in the team's decision to remove the student from the general classroom setting. Do not restate the students Present Levels of Academic Achievement and Functional Performance (PLAAFPs) or the supplementary aids and services. For the options rejected, discuss the instructional strategies that were attempted and failed in that setting. For the option selected, specify the student's instructional needs that will be met in this placement category that cannot be met in the general education setting.
- The justification statement goes beyond a description of a preferred option such as "student needs better ratio than this option can provide". The justification tells why this placement option is essential to student's unique learning needs and describes those needs.
- The justification must clearly outline the IEP team's discussion, with serious consideration given to the "*potential harmful effects*" of removing the student from the general education setting and from their peers.

Unacceptable Justifications Reflect:

- decisions based on non-academic reason
- decisions based on non-individualized reason
- administrative convenience
- decision based on disability category
- decision identical to all other students in that placement
- decisions based on availability of related services
- decision based on availability of services
- decisions based on availability of space

General Classroom with Modifications 80%-100%	<input type="checkbox"/> Accept	(Student) has not shown adequate progress in this setting. Student needs more structure and opportunities to have concepts re-taught.
	<input checked="" type="checkbox"/> Reject	
Resource Room 40%-79%	<input checked="" type="checkbox"/> Accept	(Student) needs a combination of large and small-group instruction. The small-group instruction is needed to reinforce concepts taught in the large group and provide student with opportunities to ask questions and get immediate feedback.
	<input type="checkbox"/> Reject	

Example #2

General Classroom with Modifications 80%-100%	<input type="checkbox"/> Accept	(Student) was unable to gain confidence and participate in the daily activities. Limited removal was insufficient to meet all academic needs.
	<input checked="" type="checkbox"/> Reject	
Resource Room 40%-79%	<input type="checkbox"/> Accept	Limited progress was noted when receiving services in the resource room. Additional time and immediate feedback is needed for (student) to reach potential.
	<input checked="" type="checkbox"/> Reject	
Self-Contained Classroom 0%-39%	<input checked="" type="checkbox"/> Accept	(Student) requires small-group or one-to-one instruction using flexible repetitive teaching strategies to facilitate development of academic skills. Due to self-esteem issues, a quiet environment away from peers is needed to allow for answering questions with confidence and provide immediate feedback during academic instruction.
	<input type="checkbox"/> Reject	

Example #3

General Classroom with Modifications 80%-100%	<input type="checkbox"/> Accept	(Student) was unable to maintain appropriate behaviors within the general classroom which resulted in negative attention drawn to student. The general education setting did not provide the needed structured environment.
	<input checked="" type="checkbox"/> Reject	
Resource Room 40%-79%	<input type="checkbox"/> Accept	(Student) is unable to maintain appropriate behaviors when in the general classroom and resource room. The difference in the classroom schedules, structures and pace of learning are not conducive to meet student's behavioral needs.
	<input checked="" type="checkbox"/> Reject	
Self-Contained Classroom 0%-39%	<input type="checkbox"/> Accept	(Student) is unable to maintain appropriate behaviors within the self-contained setting within the public school. Even though in a controlled environment, (Student) posed a risk of injury to other students.
	<input checked="" type="checkbox"/> Reject	
Separate Day School	<input checked="" type="checkbox"/> Accept	(Student) needs an educational environment which provides intensive therapy and highly-structured environment to learn appropriate behavior, learn coping techniques and incorporate these skills into his/her daily routine.
	<input type="checkbox"/> Reject	

Example #4

General Classroom with Modifications 80%-100%	<input type="checkbox"/> Accept	Daily educational activities in the general classroom setting became a distraction, resulting in lack of concentration and deterioration of behavior.
	<input checked="" type="checkbox"/> Reject	
Resource Room 40%-79%	<input type="checkbox"/> Accept	This placement assisted in stabilizing (student) behaviors; however, limited amount of removal and instruction time did not produce desired educational gains.
	<input checked="" type="checkbox"/> Reject	
Self-Contained Classroom 0%-39%	<input type="checkbox"/> Accept	This setting was providing the educational supports and instruction needed by (student) until the accident occurred. Due to the current medical needs, this placement is no longer appropriate.
	<input checked="" type="checkbox"/> Reject	
Separate Day School	<input type="checkbox"/> Accept	(Student's) health, therapy and educational needs do not allow student to participate within this school setting.
	<input checked="" type="checkbox"/> Reject	
Residential Facility	<input checked="" type="checkbox"/> Accept	(Student's) health, daily living skills and therapy services are the major focus of student's daily program. (Student) needs a neutral setting to provide these services without drawing attention from peers. (Student) also needs intensive daily
	<input type="checkbox"/> Reject	

		therapy and 24-hour medical monitoring. (Student) needs educational services provided through a shortened 1-hour school day. Instruction will be provided in short intermittent increments increasing as stamina increases to a 4-hour school day.
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Under certain situations IEP teams may write one reject statement for a group of placement options. For example, if the student's placement is a residential setting, it would be appropriate to write one rejection statement for the general education with modifications, resource room, self-contained classroom and separate day school.

Another example is when a student becomes eligible due to a traumatic brain injury. Depending upon the significance of the injury, it may not be reasonable to attempt each placement option on the continuum sequentially. Therefore, the team may decide the student requires a self-contained program immediately.

Example #5

General Classroom with Modifications 80%-100%	<input type="checkbox"/> Accept	(Student's) intensive medical and rehabilitative needs cannot be met in these settings. The settings do not allow sufficient room or privacy for his/her needs to be met.
	<input checked="" type="checkbox"/> Reject	
Resource Room 40%-79%		A separate school setting and residential facility do not allow for sufficient medical and rehabilitative services.
Self-Contained Classroom 0%-39%		
Separate Day School		
Home/Hospital	<input checked="" type="checkbox"/> Accept	(Student's) intensive medical, rehabilitation and therapy needs can be met in this setting. Educational services can also be provided in this setting as the (Student's) energy and strength allow.

Example #6

Regular Classroom with Modifications: Accepted: (Student) requires flexible instruction practices at his level, individual assistance and small group instruction to reinforce concepts taught. Large group instruction provides student with opportunities to ask questions and get immediate feedback. He learns best with limited distractions and with material that supports his level of instruction.

Example #7

Regular Classroom with modifications-Reject: 15 minutes twice per week in the RR with one to one reading intervention and immediate feedback did not result in the desired progress in reading.

Resource Room Accepted: (Student) requires additional repetitive reading interventions that allow time for self-correction and repeated drill and practice to master concepts at each level before introducing a new skill level. (Student) requires additional time to speak without being interrupted or hurried.

Example #8

Regular Classroom with Modifications: Rejected: Instruction with peer tutoring and accommodations in the general education setting affected her self-esteem. (Student) requires more intense instruction on concepts and additional practice.

Resource Room: Rejected: This setting did not meet (student's) educational needs. Even with the modifications to the curriculum and one to one re-teaching of skills, he/she could not maintain the pace and level of learning. She needs a curriculum which focuses on functional concepts.

Self-Contained: Accepted: (Student) requires a more functional curriculum and practical daily experiences that will lead to greater future independence. (Student) needs an individualized program tailored to learning style with additional practice to master skills and extended support in managing her adaptive behavior.

Example #9

General Classroom w/ modifications –Rejected: The team rejects this setting because the student needs more structure and direct instruction.

Resource Room – Rejected: The team rejects this setting because the student needs an alternate curriculum in a highly structured setting.

Self-Contained Classroom – Accepted The team accepts this placement because it offers the alternative curriculum and direct instruction with additional time for re-teaching tailored to the students learning rate.

Example #10

General Classroom w/modification – Accepted The team accepts this placement as the student needs direct instruction with repeated drill and practice in a distraction free environment in order to master sounds and language skills without drawing attention to himself/herself.

Example #11

General Classroom w/modification-Rejected The team rejects this placement because the student lacks the skills necessary for participating independently and successfully in large group general classroom settings.

Resource Room-Accepted The team accepts this placement because it will provide an educational program tailored to provide direct instruction at the student's instructional level and learning rate.

Examples for 3-5 year old students:

Although the three to five year old placement categories are not technically a continuum, the district must use the reject/accept format. However, the IEP team may write one reject/accept statement for a group of placement options.

Example 1:

0325 Early Childhood setting Less than 10 hrs/week (B1)	<input type="checkbox"/> Accept	Team rejected this setting because (Student) parent/guardians prefer to have special education services on an individual basis outside the regular preschool program.
	<input checked="" type="checkbox"/> Reject	
0330 Early Childhood setting Less than 10 hrs/week (B2)	<input checked="" type="checkbox"/> Accept	Team accepted this placement because (Student) is in a preschool program, where the majority of children are typically developing, for 9 hours per week (and receives all special education services in other location)
	<input type="checkbox"/> Reject	

Example 2:

0310 Early Childhood setting 10 hrs/week	<input type="checkbox"/> Accept	Team rejected this setting because student needs immediate feedback when working on developmental skills and behaviors.
	<input checked="" type="checkbox"/> Reject	
0315 Early Childhood setting 10 hrs/week	<input type="checkbox"/> Accept	Team rejected this setting because student needs immediate feedback when working on developmental skills and behaviors.
	<input checked="" type="checkbox"/> Reject	
0325 Early Childhood setting Less than 10 hrs/week	<input type="checkbox"/> Accept	Team rejected this setting because student needs immediate feedback when working on developmental skills and behaviors.
	<input checked="" type="checkbox"/> Reject	
0330 Early Child setting Less than 10 hrs/week	<input type="checkbox"/> Accept	Team rejected this setting because student needs immediate feedback when working on developmental skills and behaviors.
	<input checked="" type="checkbox"/> Reject	
0335 Separate Class	<input checked="" type="checkbox"/> Accept	Team accepted this placement because (Student) can receive a highly structured program which includes peer models. He/she can receive the immediate feedback when working on his goals and behaviors.
	<input type="checkbox"/> Reject	

Example 3:

0310 Early Childhood	<input type="checkbox"/> Accept	Team rejected this setting because student needs
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setting 10 hrs/week	<input checked="" type="checkbox"/> Reject	immediate feedback when working on developmental skills and behaviors.
0315 Early Childhood setting 10 hrs/week	<input checked="" type="checkbox"/> Accept	(Student) attends Head Start and for the remainder of his/her day is at a private daycare setting. Previous special education instruction was provided in the Head Start environment. However, because of the distraction in that setting progress was minimal and so the team decided to remove him/her to work on his/her goals in a distraction free environment.
	<input type="checkbox"/> Reject	

Example 4:

0310 Early Childhood setting 10 hrs/week	<input type="checkbox"/> Accept <input checked="" type="checkbox"/> Reject	Student does not attend preschool or daycare due to health issues.
0315 Early Childhood setting 10 hrs/week		
0325 Early Childhood setting Less than 10 hrs/week		
0330 Early Child setting Less than 10 hrs/week		
0355 Residential Facility		
0365 Home	<input checked="" type="checkbox"/> Accept <input type="checkbox"/> Reject	(Student) receives special education services and the related services in his/her home due to (Student's) low immune system and fragile medical condition. Team feels this is the best placement at this time because prolonged exposure to others may compromise his/her health.

Example 5:

0310 - Early Childhood setting 10 hrs/week	<input type="checkbox"/> Accept <input checked="" type="checkbox"/> Reject	Parent/guardian prefers that the child does not attend a preschool until the child is at least 4 years old. At this time parent/guardian provides many opportunities for developmental growth within their daily activities within the home. Because (Student's) developmental growth, except
0315 - Early Childhood setting 10 hrs/week		
0325 - Early Childhood setting Less than 10		

hrs/week 0330 - Early Child setting Less than 10 hrs/week 0335 - Separate Class 0345 - Separate School 0355 - Residential Facility 0365 – Home		articulation, are on target the team rejected separate classroom and school. The team rejected home placement because it is more restrictive and because of distraction from his/her siblings within that setting.
0375 Service Provider Location	<input checked="" type="checkbox"/> Accept <input type="checkbox"/> Reject	The service provider location will provide a quiet environment with fewer distractions, which is needed in order for (Student) to acquire his/her articulation sounds.

Statements That Represent Instructional Need

- Student needs a combination of large and small group instruction.
- Student needs multiple instructional methods and repetitive teaching strategies to acquire and maintain skills.
- Student needs direct strategy instruction with the opportunity to apply these skills in the general classroom/curriculum.
- Student needs skill practice, repetition and guided instruction in the assigned goal area(s).
- Without small group assistance, student may not develop skills needed to be successful in the general education classroom.
- Student lacks the skills necessary for participating independently and successfully in the large group setting.
- Student needs an individualized program tailored to learning style and needs additional practice to master skills.
- Student needs direct instruction to attain the identified goal(s).
- Student needs extended support in managing his/her behavior.
- Student requires small group instruction with repetition and immediate feedback to responses in the goal area(s).
- Student has need for consistency and behavioral monitoring throughout the day.
- Student needs a more intense behavioral intervention program.
- Student needs a setting that provides a therapeutic intervention, immediate feedback for all behaviors, and consistency in programming across the entire day.
- Student needs immediate intervention to process inappropriate behavior.
- Student needs an alternate curriculum in a highly structured setting.
- Student needs an alternate setting to address transition goal(s).

- Student needs direct instruction with an opportunity to apply these skills in the general curriculum/classroom.
- Students developmental needs require direct instruction.
- Student needs more structure and small group instruction.
- Student needs specialized instruction with skill practice, repetition, and guided instruction in assigned goal area(s).
- This placement provides guided activities to stimulate growth in developmental areas.
- This placement provides learning opportunities in developmental areas as identified in the goal(s).
- This placement provides peers to model language skills and usage.
- Student needs extended support in developing study and organizational skills.
- Student needs an educational program tailored to the student's instructional level and learning rate.