

**MARYLAND STATEWIDE**  
**INDIVIDUALIZED EDUCATION PROGRAM (IEP)**  
**PROCESS GUIDE**  
**August 1, 2019**

**Maryland State Department of Education**  
**Division of Early Intervention/Special Education Services**



# Maryland Statewide Individualized Education Program (IEP) Process Guide

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## **Introduction**

The United States Department of Education, Office of Special Education Programs (OSEP), has advised states that each Individualized Education Program (IEP) written on or after July 1, 2005, must comply with the Requirements of the 2004 reauthorization of the Individuals with Disabilities Education Improvement Act (IDEA). The Maryland Statewide IEP addresses that requirement. The Statewide IEP will also aid public agencies with data collection and provide service providers with a student educational services planning tool. Therefore, the Maryland State Department of Education (MSDE) has directed that all IEPs written for students in Maryland be completed on these forms.

## **Statewide IEP Implementation Timeline**

### **July 1, 2005**

- Online IEP pilots

### **July 1, 2006**

- Additional expansion to LSS
- Parallel data collection with online IEP and SSIS
- Web based online IEP expansion for data decision making
- Vendor money to support templates for statewide online IEP usage
- Develop additional modules

### **July 1, 2007**

- Statewide IEP usage of template for all public agencies
- Public agencies required to have print version of the same format
- Parallel data collection continues

### **July 1, 2008**

- Statewide IEP data collection and format implementation required

The IEP is a written document that is developed for each eligible student with a disability who is to receive special education and related services. The federal regulations for IDEA specify, at 34 CFR §§300.320-300.328, the procedures that school districts must follow to develop, review, and revise the IEP for each student. The information contained within this document reflects content found in the resources listed below. Public agency personnel may refer to these documents for additional information to ensure appropriate procedures are followed:

- IDEA 2004, 20 U.S.C. 1400, et seq.
- IDEA federal regulations 34 C.F.R. §§300, et seq.
- Education Articles, §8-401— 418, Annotated Code of Maryland<sup>1</sup>
- COMAR 13A.05.01 Provision of a Free Appropriate Public Education to Student with Disabilities
- COMAR 13A.08.03 Discipline of Student with Disabilities

- “Maryland Assessment, Accessibility & Accommodations Policy Manual, July 2013”
- “Maryland Student Records Manual, 2011”
- “Maryland Online Special Services Information System, October 25, 2014”

The Division of Special Education/Early Intervention Services will be developing professional development materials related to reducing the paperwork related to the development, review, and revision of a student’s IEP. Also, as all materials and brochures are updated special emphasis will be placed on providing direction on how local school systems can reduce any excessive length of IEPs including unnecessary and add-on paperwork.

<sup>1</sup> The Maryland General Assembly may change State law. If changes are made to State law that would impact the student’s IEP or IEP team decisions, the IEP Process Guide will be revised to reflect changes.

## Commonly Used Terms

**Accommodation** – A practice or procedure that provides a student with a disability equitable access during instruction and to assessments in the areas of: presentation; response; setting; and scheduling. Accommodations do not reduce learning expectations.

[20 U.S.C. §1412(a)(16); COMAR 13A.05.01.03B(1); Maryland Assessment, Accessibility & Accommodations Manual, December 2017; State Performance Plan Indicator 3]

**Age of Majority** – IDEA requires that at least one year prior to reaching the age of majority in accordance with State law, the parents and student are to be informed of his or her rights under IDEA, which will transfer to him/her, if any. Rights under IDEA do not transfer to students with disabilities under Maryland State law. In certain limited circumstances, all rights accorded to the parents under IDEA shall transfer to a student with a disability. This transfer occurs when the student reaches the age of 18 years, if the student has not been adjudged incompetent under State law and there is documentation that:

- The parents are unavailable or unknown, and the student requests that the parental rights be transferred to the student rather than have a parent surrogate appointed;
- The parents have not participated in the special education decision making process for the student after repeated attempts by the public agency to involve the parents over the previous year;
- The parents have affirmatively rejected participation in the special education decision making process;
- The parents cannot participate in the special education decision making process due to prolonged hospitalization, institutionalization, or serious illness or infirmity of one or both of the parents and the parents have consented to the transfer of rights to the student;
- The parents cannot participate in the special education decision making process due to extraordinary circumstances beyond their control, and the parents have consented to the transfer of rights to the student; or
- The student is living outside of the parents' home and is not in the care or custody of another public agency.

If the parents of a student with a disability, with whom the student resides, do not consent to the transfer of rights to the student at the age of 18, and the student has not been adjudged incompetent under State law, either party may file for due process to determine whether the rights should be transferred.

If a parent surrogate in accordance with federal and State laws and regulations has represented a student with a disability, the public agency shall provide any written notice required under federal and State laws and regulations to both the student and parent surrogate. All other rights afforded the parent surrogate under IDEA shall transfer to the

student if the student has not been adjudged incompetent under State law and the student requests that the rights transfer to the student.

[Education Article §8-412.1, Annotated Code of Maryland]

**Alternate Assessment Based on Alternate Academic Achievement Standards (AA- AAS)**

–Students with the most significant cognitive disabilities participate in the AA-AAS if through the IEP process it has been determined they cannot participate in the MSA even with accommodations (see participation guidelines below). The AA-AAS assesses and reports student attainment of individually selected indicators and objectives from the reading, mathematics, and science content standards. Students participate in THE AA- AAS in grades 3 through 8, and grade 10. The AA-AAS results are reported in three proficiency levels (Basic, Proficient, and Advanced) as part of the State Accountability program. Results from the AA-AAS are aggregated with those from the MCAP for accountability purposes, but the number of AA- AAS students reported as “proficient” or above will be capped at 1% of the total number of assessed students at each grade and content. Refer to the “Maryland Accommodation Manual,” 2012 for additional information regarding the guidelines for AA-AAS.

Each student’s IEP team makes the decision as to which assessment is appropriate for an individual student. A student with a significant cognitive disability will participate in AA-AAS if he or she meets each of the following criteria:

- The student is learning (at emerging, readiness, or functional literacy levels) extended Maryland reading and extended Maryland mathematics content standards objectives.

**AND**

- The student requires explicit and ongoing instruction in functional skills.

**AND**

- The student requires extensive and substantial modification (e.g., reduced complexity of objectives and learning materials, and more time to learn) of the general education curriculum. The curriculum differs significantly from that of their non-disabled peers. They learn different objectives, may use different materials, and may participate in different learning activities.

**AND**

- The student requires intensive instruction and may require extensive supports, including physical prompts, to learn, apply, and transfer or generalize knowledge and skills to multiple settings.

**AND**

- The student requires extensive support to perform and participate meaningfully and productively in daily activities in school, home, community, and work environments.

**AND**

- The student cannot participate in the MSA even with accommodations.

Students not meeting the criteria above will participate in the MSA, with or without accommodations, as appropriate, based on their IEP.

[Maryland Assessment, Accessibility & Accommodations Policy Manual, July 2012; COMAR 13A.03.02; State Performance Plan Indicator 3]

**Assessing Comprehension and Communication in English State-to-State for English Language Learners (ACCESS for ELLs 2.0 and Alternate ACCESS for ELLS**

– ACCESS for ELLs 2.0® is an English language proficiency test; as such, it is a tool used to assess the construct of ELs' receptive and productive skills in English. Because it focuses on language rather than content area knowledge and skills, some accommodations that might be appropriate for the classroom or content area tests should not be used with ACCESS for ELLs 2.0® or Alternate ACCESS for ELLs® as they will invalidate the construct. In other words, students would be taking a test that is no longer measuring just their English language proficiency, making any interpretation or inferences from the scores invalid.

Refer to Maryland Assessment, Accessibility & Accommodations Policy Manual Appendix P: MD State Assessment and ACCESS for ELLs 2.0® Accommodations Crosswalk for additional information.

[Maryland Assessment, Accessibility & Accommodations Policy Manual, July 2012]

**Assessment** – The process of collecting data for an evaluation to be used by an Individualized Education Program (IEP) team to determine a student's need for special education and related services.

[COMAR 13A.05.01.03B(2)]

**Assistive Technology Device** – 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 a student with a disability. The term does not include a medical device that is surgically implanted, or the replacement of such device.

[20 U.S.C. §1401(1); 34 C.F.R. §300.5; COMAR 13A.05.01.03B(4)(a)]

**Assistive Technology Service** – Any service that directly assists a student with a disability in the selection, acquisition, or use of an assistive technology device. The term includes:

- The evaluation of the needs of such student, including a functional evaluation of the student in the student’s customary environment;
- Purchasing, leasing, or otherwise providing for the acquisition of assistive technology devices by such student;
- Selecting, designing, fitting, customizing, adapting, applying, maintaining, repairing, or replacing assistive technology devices;
- Coordinating and using other therapies, interventions, or services with assistive technology devices, such as those associated with existing education and rehabilitation plans and programs;
- Training or technical assistance for such student, or, where appropriate, the family of such student; and
- Training or technical assistance for professionals (including individuals providing education and rehabilitation services), employers, or other individuals who provide services to, employ, or are otherwise substantially involved in the major life functions of such student.

[20 U.S.C. §1401(2); 34 C.F.R. §300.6; COMAR 13A.05.01.03B(5)(b)]

**Behavioral Intervention Plan (BIP)** – A proactive plan designed to address problem behaviors exhibited by a student in the educational setting through the use of positive behavioral interventions, strategies, and supports.

[COMAR13A.08.04.02B(1)]

**Bridge Validation Program (Bridge Plan)** – The Bridge Validation Program is for students failing to meet the passing score on any one High School Assessment at least twice. Eligible students would also have to meet additional local and state criteria such as minimum GPA, satisfactory attendance, passing grades in all HSA subjects, and participation in academic remediation. Students meeting the eligibility criteria would be permitted to complete an Academic Validation project that demonstrates the content and skills of each assessment they failed to pass. To be eligible for the Bridge Plan, students must have failed an assessment at least twice, passed the HSA-related course, and completed an assistance program offered by their school or school system—for example, tutoring or after-school instruction.

Students must also have an acceptable attendance record and be making satisfactory progress toward graduation. Local school systems will determine when a student may begin work on the Bridge Plan. A local review panel, established by the school district, will evaluate the Academic Validation Project(s) at the end of the assigned work period, and the local superintendent will give final approval. For additional information, see:

[http://mdk12.org/share/pdf/Bridge\\_Final.pdf](http://mdk12.org/share/pdf/Bridge_Final.pdf)

[COMAR13A.03.02.09B(d)(2)]

**COMAR** – Code of Maryland Regulations. Title 13A, State Board of Education, includes all regulations adopted by the State Board of Education for the provision of public education to students in the State of Maryland. Within Title 13A, the following chapters are specifically applicable to students with disabilities:

- COMAR 13A.05.01 Provision of a Free Appropriate Public Education
- COMAR 13A.05.02 Administration of Services for Students with Disabilities
- COMAR 13A.08.03 Discipline of Students with Disabilities
- COMAR 13A.08.04 Student Behavioral Interventions

**Consent** - A public agency is required to ensure the parent has been fully informed of all information relevant to the activity for which consent is sought, in the parent's native language or other mode of communication; understands and agrees in writing to the carrying out of the activity for which the parent's consent is sought, and the consent describes that activity and lists the records, if any, that will be released and to whom; and understand that the granting of consent is voluntary on the part of the parent and may be revoked at any time. Consent includes that if the parent revoke consent, that revocation is not retroactive and does not negate an action that occurred after the consent was given and before the consent was revoked; and if the parent revokes consent in writing for their child's receipt of special education services after the child is initially provided special education and related services, the public agency is not required to amend the student's education records to remove any references to the child's receipt of special education and related services because of the revocation of consent. Consent is now required for participation in the Alternate Framework, the Alternate Assessment and for Restraint and/or Seclusion to be included in a student's Behavior Intervention Plan (BIP).

[34 CFR §§300.9, and 300.300]

**Direct Service** – Instructional and/or related services provided to the student

**Discussion to Support Decision(s) (optional)** – A text field available to an IEP Team to provide additional information relative to an area within the student's IEP where decisions are made. If an IEP Team intends to use the student's IEP to satisfy the requirements for prior written notice (PWN), this text field provides space for that purpose. Please refer to the definition of prior written notice (PWN) below.

[20 U.S.C. §1415; 34 C.F.R §300.503; COMAR 13A.05.01.12]

**Document Basis for Decision(s) (required)** – A required text field for an IEP team to provide additional information to document the basis of the IEP team's decision. If addressed properly, documentation will meet requirements of prior written notice

(PWN), in accordance with 34 C.F.R. §300.503 and COMAR 13A.05.01.12, PWN includes:

- A description of the action proposed or refused;
- An explanation of why the public agency proposes or refuses to take the action;
- A description of the options the public agency considered and the reason the options were rejected;
- A description of each assessment procedure, test, record, or report the public agency uses as a basis for the proposal or refusal;
- A description of any other factors relevant to the proposed or refused action;
- A list of sources a parent may contact to obtain assistance in understanding the provisions of IDEA; and

- If an action proposed by a public agency also requires parental consent, a public agency may provide notice at the same time it requests consent.

[20 U.S.C §1415; 34 C.F.R. §300.503; COMAR 13A.05.01.12]

**Early Childhood Transition** – Children referred by the Local Infants and Toddlers Program (LITP) prior to age 3, who are found eligible for IDEA Part B preschool services, have an IEP developed and implemented on or before their third birthday.

[20 U.S.C. §1412(a)(9); 34 C.F.R. §300.124; 34 C.F.R. §303.211; COMAR 13A.05.01.08A(2); 13A.13.01.09; State Performance Plan Indicator 12]

To ensure a smooth transition for toddlers receiving early intervention services under IDEA Part C to preschool or other appropriate services, the LITP shall notify the local school system of the jurisdiction in which the student resides that the student will shortly reach the age of eligibility for preschool services under IDEA Part B. In the case of the student who may be eligible for IDEA Part B preschool services, with the approval of the family of the student, convene a Transition Planning Meeting among the LITP, the family, and the local school system at least 90 days and at the discretion of all parties, not more than 9 months before the student is eligible for the preschool services, to discuss any services that the student may receive. In the case of a student who may not be eligible for preschool services, with the approval of the family, make reasonable efforts to convene a Transition Planning Meeting among the LITP, the family, and providers of other appropriate services for children who are not eligible for preschool services under IDEA Part B, to discuss the appropriate services that the student may receive.

[20 U.S.C. §1416(a)(3)(B); 34 C.F.R. §§300.101(b); 300.124; 300.323; 34 C.F.R. §303.209; COMAR 13A.05.01.08A(2); COMAR 13A.13.01.09; State Performance Plan Indicators 12]

**Evaluation** – The review of information from parents; existing data; and results of assessment procedures at a meeting of the IEP team and other qualified professionals, as appropriate, to determine whether a student has a disability, and the nature and extent of the special education and related services that the student needs.

[20 U.S.C. §1414(a); 34 C.F.R. §§300.301 – 300.311; COMAR 13A.05.01.06C(1)]

**Extended Individualized Family Service Plan (IFSP) Option** – Prior to a child's third birthday, if a child with a current IFSP is determined eligible for special education and related services, the child's family may choose to continue to receive early intervention services with an educational component that promotes school readiness and incorporates pre- literacy, language, and numeracy through an IFSP until the beginning of the school year following the child's fourth birthday.

[20 U.S.C. §1435(c); 1437(a)(11); 34 C.F. R. §303.211; Education Article §8-416; COMAR 13A.13.01.09C]

**Extended School Year Services (ESY)** – The individualized extension of specific special education and related services provided to a student with a disability beyond the

normal school year of the public agency, in accordance with the IEP, at no cost to the parents of the student which meet the standards of the Maryland State Department of Education. The determination of a student's need for ESY services is made annually on an individual student basis by the student's IEP team.

[34 C.F.R. 300.106; COMAR 13A.05.01.03B(26)]

**Free Appropriate Public Education (FAPE)** – Special education and related services that are provided at public expense, under public supervision and direction, and without charge; meet state and federal requirements; include preschool, elementary school, or secondary school education; and are provided according to an IEP.

[20 U.S.C. §1412(a)(1)(A); 34 C.F.R. §300.101– 300.113; COMAR 13A.05.01.03B(27)]

**Functional Behavioral Assessment (FBA)** - The systematic process of gathering information to guide the development of an effective and efficient behavioral intervention plan for the problem behavior. An FBA includes the identification of the functions of the problem behavior for the student; a description of the problem behavior exhibited in the educational setting; and identification of environmental and other factors and settings that contribute to or predict the occurrence, nonoccurrence, and maintenance of the behavior over time.

[COMAR 13A.08.04.02B (5)]

**Habilitative Services** – Habilitative services are therapeutic services that are provided to children with genetic conditions or conditions present from birth to enhance the child's ability to function. Habilitative services are similar to rehabilitative services that are provided to adults or children who acquire a condition later on. The difference is that rehabilitative services are geared toward reacquiring a skill that has been lost or impaired, while habilitative services are provided to help acquire a skill in the first place, such as walking or talking. Habilitative services include but are not limited to physical therapy, occupational therapy and speech therapy for the treatment of a child with a congenital or genetic birth defect.

[Maryland Insurance Administration (MIA) Parents' Guide to Habilitative Services, 2013]

**Identification** – The decision that a student is eligible for special education and related services as a student with a disability in accordance with the Individuals with Disabilities Education Act (IDEA).

[20 U.S.C. §1414(b)(4) and (5); 34 C.F.R. §300.306; COMAR 13A.05.01.04-.06]

**Indirect Service** – A service provided for or on behalf of the student to ensure implementation of the individualized educational program (IEP) in the least restrictive environment (LRE)

**Individualized Education Program (IEP)** – A written description of the special education and related services for a student with a disability that is developed, reviewed,

and revised by the student's IEP team.

[20 U.S.C. §1414(d); 34 C.F.R. §§300.320 - 300.328; COMAR 13A.05.01.03B(34)]

**IEP Team** – The group of individuals responsible for identifying and evaluating students with disabilities; developing, reviewing, or revising an IEP for a student with a disability; and determining the placement of a student with a disability in the least restrictive environment (LRE). The team may also include, at the discretion of the parent or the local school system, other individuals who have knowledge or special expertise about the student.

[20 U.S.C. §1414(d)(1)(B) – (d)(1)(D); 34 C.F.R. §300.321; COMAR 13A.05.01.03B(35)]

**Individualized Family Service Plan (IFSP)** – a written plan for providing early intervention and other services to an eligible child and the child's family, which shall be consistent with 34 CFR §303.344 and:

- Be developed jointly by the family and appropriate qualified personnel involved in the provision of early intervention services;
- Be based on the multidisciplinary evaluation and assessment of the student, and the assessment of the student's family, as required in 34 CFR §303.322; and
- Include services necessary to enhance the development of the student and the capacity of the family to meet the special needs of the student.

[34 C.F.R. §300.24; 34 C.F.R. §303.211; COMAR 13A.13.01.06 – .08]

**Least Restrictive Environment (LRE)** – An educational environment which meets the needs of a student requiring special education and related services as set forth in the student's IEP and which, to the maximum extent appropriate to the student's needs, ensures that the student will be educated with nondisabled peers. To the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are not disabled, and special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only when the nature or severity of the disability of a student is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

[20 U.S.C. §1412(a)(5); 34 C.F.R. §§300.114 - 300.120; COMAR 13A.05.01.10]

**English Learner** – An individual who does not speak English as his or her primary language and who has a limited ability to read, speak, write, or understand English.

[20 U.S.C. §1401(18); 34 C.F.R. §300.27; COMAR 13A.05.01.03B(37)]

**Maryland State Department of Education (MSDE)** – The State education agency responsible for administration and supervision of local education agencies to ensure the provision of a free appropriate public education is made available to all students with disabilities.

[34 C.F.R. §300; Education Articles §§8-401 – 8-415, Annotated Code of Maryland; COMAR 13A.05.01; COMAR 13A.05.02; COMAR 13A.08.03; COMAR 13A.08.04]

**Medical Assistance Service Coordination** – Case management services assist students with disabilities receiving medical assistance to gain access to the services identified in the student’s IEP/IFSP or waiver plan of care. The Medical Assistance (MA) Service Coordinator is an individual who meets the requirements and provides the services specified in COMAR 10.09.52 and 10.09.40. An MA Service Coordinator shall be an employee or under contract with a provider, hold a current license or certification in the profession most immediately relevant to the student’s needs, and be chosen by the IEP/IFSP team or waiver multidisciplinary team, with the approval of the student’s parent/guardian [10.09.52.03C].

The Service Coordinator is to:

- Participate with the IEP/IFSP/waiver multidisciplinary team to develop, review, or revise the student’s IEP/IFSP or waiver plan of care [10.09.52.03C];
- Be the central point of contact between providers and the student or parent/guardian as it relates to gaining access to services and community linkages, for the student, outlined during the IEP/IFSP/waiver plan of care process [10.09.40.04C and 10.09.52.03C]; and
- Collect and synthesize evaluation reports and other relevant information about the participant that might be needed by an IEP/IFSP/waiver multidisciplinary team [10.09.52.03C].

**Modification** – A practice or procedure that changes, lowers, or reduces learning expectations. Modifications can increase the gap between the achievement of students with disabilities and expectations for proficiency at a particular grade level. Using modifications that result in the student not mastering grade level content, may adversely affect students throughout their educational career.

[Maryland Assessment, Accessibility & Accommodations Policy Manual, July 2013]

**National Assessment of Educational Progress (NAEP)** – The National Assessment of Educational Progress (NAEP) is a standardized assessment of a variety of content areas administered in grades 4, 8, and 12 in selected schools and is used to produce the Nation’s Report Card, to inform the public about the academic achievement of elementary and secondary students in the United States. The NAEP collects and reports academic achievement at the national level, and for certain assessments, at the state and district levels. The results are widely reported by the national and local media, and are an integral part of our nation’s evaluation of the condition and progress of education.

The NAEP program has always endeavored to assess all students selected as a part of its sampling process. In all NAEP schools, accommodations will be provided as necessary for students with disabilities (SWD) and/or English Learners (ELs). Participation of an SWD or EL student is encouraged if that student:

- Participated in the regular state academic assessment in the subject being tested; and
- Can participate in NAEP with allowable accommodations.

Examples of accommodations not allowed in NAEP are giving the reading assessment in a language other than English, or reading the reading passages aloud to the student. Also, extending testing over several days is not allowed for NAEP because NAEP administrators are in each school only one day.)

**Parent/Guardian** – Parent/Guardian means a student’s natural parents; a student’s adoptive parent; a guardian; a person acting as a parent of a student such as a grandparent, stepparent, or other relative with whom the student lives, or an individual who is legally responsible for the student’s welfare. Parent also includes a foster parent, with whom the student lives if the foster parent has been granted limited guardianship for educational decision-making purposes by the court that has placed the student in foster care. A parent includes a parent surrogate who has been appointed in accordance with 20 U.S.C. §1415(b)(2), and Education Article, §8-412, Annotated Code of Maryland. The term “parent” does not include a social worker or other employee of a public agency who is responsible for the education or care of the student.

[20 U.S.C. §1401(23); 34 C.F.R. §300.30; Education Article §8-412, Annotated Code of Maryland; COMAR 13A.05.01.03B(52)]

**Parent Surrogate** – A person who is appointed by the local school superintendent to act in place of a parent of a student in the educational decision making process when a student is a ward of the State, or the student’s parents are unknown or unavailable, in accordance with Education Article §8-412, Annotated Code of Maryland.

[20 U.S.C. §1415(b)(2); 34 C.F.R. §300.519; Education Article §8-412, Annotated Code of Maryland; COMAR 13A.05.01.03B(52)]

### **Partnership for Assessment of Readiness for College and Careers (MCAP) –**

The Partnership for Assessment of Readiness for College and Careers (MCAP) is a group of states working together to develop a set of assessments that measure whether students are on track to be successful in college and their careers. These high quality, computer-based K–12 assessments in Mathematics and English Language Arts/Literacy give teachers, schools, students, and parents better information whether students are on track in their learning and for success after high school, and tools to help teachers customize learning to meet student needs.

**Postsecondary Transition** – A coordinated set of activities for the student with a disability that is designed within a results-oriented process that will facilitate and support the student’s postsecondary goal(s).

[20 U.S.C. §1414(d)(1)(A) and (d)(6); 34 C.F.R. §§300.43; 300.320(b); COMAR 13A.05.01.03B(80); COMAR 13A.05.01.09A(3); State Performance Plan Indicators 13 and 14]

**Prior Written Notice (PWN)** – An IEP team shall provide prior written notice (PWN) to the parent of a student with a disability before the public agency proposes or refuses to

initiate or change the identification, evaluation, educational placement of the student, and/or the provision of FAPE to the student. PWN content includes:

- A description of the action proposed or refused;
- An explanation of why the public agency proposes or refuses to take the action;
- A description of the options the public agency considered and the reason the options were rejected;
- A description of each assessment procedure, test, record, or report the public agency uses as a basis for the proposal or refusal;
- A description of any other factors relevant to the proposed or refused action;
- A statement that the parent has protections under the procedural safeguards of IDEA and the manner in which the parent may obtain a copy of the procedural safeguards;
- A list of sources a parent may contact to obtain assistance in understanding the provisions of this chapter;
- A statement informing a parent of the State written complaint procedures of IDEA;
- If an action proposed by a public agency also requires parental consent, a public agency may provide notice at the same time it requests consent.

[20 U.S.C. §§1415(b)(3) and (4), 1415(c)(1), and 1414(b)(1); 34 C.F.R. §300.503; COMAR 13A.05.01.12]

**Reevaluation** – A review of a student’s IEP by an IEP team at least once every three years, unless the public agency and student’s parents agree otherwise. On the basis of the review, and input from the student’s parents, the IEP team shall identify what additional data, if any, is needed, to determine:

- Whether the student continues to be a student with a disability;
- The educational needs of the student;
- The present levels of academic achievement and related developmental needs of the student;
- Whether additions or modifications to special education and related services are needed to enable the student to meet the measurable annual goals in the student’s IEP and to participate in the general curriculum; and
- Whether the student continues to need special education and related services.

If the IEP team believes additional data is needed, the IEP team shall review the student’s IEP and the additional data within 90 calendar days of the IEP team meeting when the team determined the need for additional data.

[20 U.S.C. §§1401(30); 1414(a)(2); 1414(b)(6); 1414(c); 34 C.F.R. §§300.15; 300.303– 300.305; COMAR 13A.05.01.06E]

**Service Plan** – A service plan is a written statement developed and implemented in accordance with 20 U.S.C. 1412(a)(10)(A) that describes the special education and related services a local school system shall provide a parentally placed private school student with a disability designated to receive services including the location of the services and any transportation necessary.

[20 U.S.C. §1412(a)(10)(A); 34 C.F.R. §§300.130 – 300.144 COMAR 13A.05.01.03B(69)]

**Supplementary Aids, Services, Program Modifications, and Supports –**

Supports and services that enable a student with a disability to have access to and participate in the general education curriculum and the school environment across academic and non-academic settings alongside their nondisabled peers. Appropriate supplementary aids, services, program modifications, and supports may include, but are not limited to the services of various personnel that provide instructional support, indirect consultation, related supportive services, special scheduling, materials, devices, and instructional adaptations as determined appropriate for the individual student.

[20 U.S.C. §1401(33); 34 C.F.R. §§300.42, 300.320(a)(4), 300.324(a)(3)(ii); COMAR 13A.05.01.03B(79); COMAR 13A.05.01.16B]

**Travel Training** – Instruction to students with disabilities, as appropriate, to enable them to: develop an awareness of the environment in which they live; and learn the skills necessary to move effectively and safely from place to place within that environment.

[20 U.S.C. §1401(29); 34 C.F.R. §300.39(a)(4); COMAR 13A.05.01.03B(83)]

## **COVER PAGE**

### **Title**

This identifies the document as the Statewide IEP form/format developed by the Maryland State Department of Education, Division of Special Education/Early Intervention Services for use by each public agency for students with disabilities requiring an Individualized Education Program (IEP).

If a local school system has determined a parentally placed private school student with a disability is to receive services, an IEP team is to develop a Service Plan. See Appendix C for additional information relative to parentally placed private school students with disabilities.

### **Type of Document**

Three options are available. Only those sections that are pertinent to the student should be completed and only those sections need to be included in the final (APPROVED) document. The three options identify the document are as follows:

**Draft** – A proposed program for development, review, or revision by the IEP team at an IEP team meeting.

#### **NOTE:**

Consistent with Education Article §8-405 of the Annotated Code of Maryland "Provision of Accessible Copies of Documents to Parents" school personnel are required to provide parent(s) with an accessible copy of each assessment, report, data chart(s), draft Individualized Education Program (IEP), or other document the IEP team or other multidisciplinary team plans to discuss at that meeting, at least five (5) business days before the scheduled meeting (Ed. Art. §8-405 and Appendix H Technical Assistance Bulletin 20 Provision of Accessible Copies of Documents to Parents).

**Approved** – A document that has been developed, reviewed, and or revised by an IEP team that delineates a student's program of services.

#### **NOTE:**

School personnel are also required to provide the parent(s) an accessible copy of the completed IEP not later than five (5) business days after the scheduled IEP or other multidisciplinary team meeting. If the IEP has not been completed by the fifth business day after the IEP team meeting, the parent(s) is to be provided an accessible draft copy of the IEP at that time.

(Ed. Art. §8-405 and Appendix H Technical Assistance Bulletin 20 Provision of Accessible Copies of Documents to Parents).

**Amended** – Changes to the IEP may be made by creating an addendum that revises the student's IEP since the last approved document. Amendments to the IEP may be made either:

- By the entire IEP team, or
- As provided in 20 U.S.C. §1414(d)(3)(D); 34 C.F.R. §300.324(a)(4); COMAR 13A.05.01.08B(4), if the student's parent and public agency agree not to convene an IEP

team meeting, but instead develop a written document to amend or modify the student's IEP rather than redrafting the entire IEP.

The purpose of an addendum is to make minor changes to the student's IEP with the approval of both the parent and the public agency. Only those sections pertinent to the changes the parents and public agency agree to make are completed and only those sections need to be included with the previously approved document.

[20 U.S.C. §1414(d)(3)(D); 34 C.F.R. §§300.324(a)(4) COMAR 13A.05.01.08B(4)]

The public agency must ensure that the student's service providers are informed of the amendment or modifications. The student's parent must be provided a revised copy of the IEP with the amendments incorporated.

[20 U.S.C. §1414(d)(3)(F); 34 C.F.R. §300.324(a)(6)]

When the student's IEP is amended, a public agency is required to maintain documentation reflecting the amendments and the agreement of both parties in accordance with local policies and procedures.

[34 C.F.R. §§300.324(a)(4); 300.324(a)(6); COMAR 13A.05.01.08B(6)]

**NOTE:**

34 C.F.R. §300.324(a)(6), consistent with 20 U.S.C. §1414(d)(3)(F) requires the public agency to, upon request of the parent, provide the parent with a revised copy of the IEP with the amendments incorporated.

**NOTE:**

School personnel are also required to provide the parent(s) an accessible copy of the completed IEP not later than five (5) business days after the scheduled IEP or other multidisciplinary team meeting. If the IEP has not been completed by the fifth business day after the IEP team meeting, the parent(s) is to be provided an accessible draft copy of the IEP at that time (Ed.Art. §8-405 and Appendix H Technical Assistance Bulletin 20 Provision of Accessible Copies of Documents to Parents).

*Heading*

The heading on this page and all subsequent pages identifies the document as a student's IEP using the Statewide IEP form and format. The heading includes:

- Student's Name;
- Agency the student currently attends; and
- IEP team Meeting Date when the document was developed, reviewed, or revised by the student's IEP team. The most recent date on which the IEP team approved an IEP must be provided to Online Special Services Information System (SSIS) as "IEP Date."

## Student and School Information

The intent of this section is to provide a quick summary of student and school information. This information is initially completed within other sections of the IEP. The information includes:

- Demographic information about the student;
- Student's disability;
- Areas affected by the disability;
- Important relative dates for past and future IEP team meetings, as appropriate;
- Exit information if the student has exited special education services; and
- A list of the IEP team members present.

### *Student Information*

Enter Student Name:

#### **First Name:**

Enter up to fifteen (15) characters of the student's first name.

#### **Middle Initial:**

Enter the student's middle name, if available. If the student does not have a middle name, enter "NMN." "NMN" means "No Middle Name." Entering "NMN" assures local school personnel and the local data manager that school personnel have overtly responded to the requirement to provide a student's middle name and have verified that the student does not have a middle name.

#### **Last Name:**

Enter up to twenty-five (25) characters of the student's last name.

#### **Address:**

Address where the student resides, including City Name, State, and Zip Code

Provision has been made for the student's address. It is intended that the address of the student's primary residence, i.e., where he or she spends most of his or her time, be entered on the Student Address line. This convention was adopted to help public agency staff identify where the student is to be transported if special transportation is required. It is recognized that there are various forms of living arrangements and guardianships for students.

Public agencies fill in these fields with the most appropriate information aligned with the data maintained in your larger public agency database of all students. Additionally, spaces are provided for phone numbers and public agencies should, likewise, use them for their convenience.

#### **Grade**

This is the student's grade level during the timeframe in which the IEP will be in effect. The two-digit number of the grade in which the student is placed for the school year in which the document is in effect.

Preschool, Ages 3-5  
Kindergarten  
01 through 12 = grades 1 through 12

### **Unique Student Identification Number (State)**

MSDE has developed a system of unique student identification numbers for ALL students. Each public agency will access a unique student identification number for each student. Please contact your local school system data managers if you have a question in regard to the process of selecting a unique student identification number.

### **Student ID Number**

The number assigned by the local education agency. The number can be any combination of numbers and letters, but not more than 10 characters in length. If fewer than 10 characters are used, zeros fill the remaining positions.

A public agency may also use a student's social security number. If the social security number is unavailable, the public agency should provide a 9-digit pseudo code, which begins with "9", followed by the public agency 2-digit identifier, and an additional 6 digits.

#### **NOTE:**

Please follow local public agency policies and procedures relative to the use of the social security number or developing and assigning pseudo codes, as applicable.

#### *Date of Birth*

The birth date of the student. (month, day, and year)

### **Age**

Indicate the student's age in years and months calculated from the student's date of birth to the date of the IEP team meeting for the document.

### **Gender**

Indicate Male or Female

### **Race Codes**

The race of the student. Note that one or more races may be selected, as appropriate.

Ethnicity: Hispanic or Latino

A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.

Indicate:

Yes, student is Hispanic or Latino;  
or No, student is not Hispanic or Latino

Following the Hispanic question ("yes" or "no") a "Race Code" must also be selected.

**American Indian or Alaska Native** - A person having origins in any of the original peoples of North and South America (including Central America), and who maintains a tribal affiliation or community attachment.

**Asian** - A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.

**Black or African American** - A person having origins in any of the black racial groups of Africa.

**Native Hawaiian or Other Pacific Islander** - A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

**White** - A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.

**Limited English Proficient-**

Limited English proficient is defined as an individual who does not speak English as his or her primary language and who has a limited ability to read, speak, write, or understand English.

[COMAR 13A.05.01.03B(37)]

When completing the English Learner field, the response entered must be based on information obtained from the parent or student. Most typically, this information is collected when a student is first enrolled and parents complete language survey forms, or when a student is evaluated to determine his or her dominant language. Please follow local public agency policies and procedures relative to language identification.

Indicate:

YES (English Learner);  
or NO (not English Learner)

**Student's Native Language**

If YES is indicated above, identify the student's native language. Native language is defined as the language normally used by an individual who is limited English proficient, or the language normally used by the parent of the student. On the Student Record Card 1 Side 1 school personnel are to document the language spoken in the home.

[COMAR 13A.08.02.01; and Student Records Manual 2008]

**Residence County**

The public jurisdiction where the parent or legal guardian of the student resides.

## **Residence School**

The school the student would attend if not disabled. This includes:

- Students identified as receiving home instruction;
- Parentally placed in a private school; and
- Homeless, unknown school.

## **Service County**

The public agency responsible to provide the special education services. This includes local school systems, Department of Juvenile Services (DJS), Adult Correctional Facilities, Edison Schools, Maryland School for Blind (MSB), and Maryland School for Deaf (MSD).

## **Service School**

The public agency school, nonpublic school, or private school that identifies where the student receives special education service(s). In addition to public and nonpublic schools, this includes:

- Students identified as receiving home instruction;
- Students parentally placed in a private school; and
- Homeless students, unknown school.

## **Emergency Evacuation Accommodations**

The public agency school, nonpublic school, or private school are required to consider whether a student with an IEP requires an accommodation during an emergency.

Indicate:

YES (accommodation is needed);  
or NO (no accommodation is needed)

If yes, briefly describe the evacuation accommodation(s) needed. The emergency evacuation plan should be filed in the student's electronic IEP folder. This plan should be reviewed annually and revised, as appropriate, to meet the needs of the student.

IEP teams are required to develop an emergency evacuation plan that is comprehensive and accounts for the needs of students with disabilities. The plan should be shared with all staff who may be with the student throughout the day (not just the classroom teacher).

## **Financially Responsible**

### **Out of County Living Arrangement Jurisdiction**

The financially responsible county is the county where the parent or legal guardian of a student in an out-of-county living arrangement resides. If the parents of the student live apart, the financially responsible county is:

- The county where the parent who has been awarded custody of the student resides;
- If custody has not been awarded, the county where the parent with whom the student lives when not in a foster care home or residential facility resides;
- If custody has been awarded to both parents and the parents reside in different counties, both counties shall be considered financially responsible and shall pay one-half the amount; or
- If custody has been awarded to both parents and one parent resides in a county and the other resides out-of-state, the county shall be considered the financially responsible county.

### **Informal Kinship Care**

"Informal kinship care" means a living arrangement in which a relative of a student, who is not in the care, custody, or guardianship of the local department of social services, provides for the care and custody of the student due to a serious family hardship.

"Serious family hardship" means:

- Death of a parent or legal guardian of the student;
- Serious illness of a parent or legal guardian of the student;
- Drug addiction of a parent or legal guardian of the student;
- Incarceration of a parent or legal guardian of the student;
- Abandonment by a parent or legal guardian of a student; or
- Assignment of a parent or legal guardian of a student to active military duty.

"Receiving agency" means the local education agency for the county where the relative of a student in an informal kinship care relationship resides.

"Sending agency" means the local education agency for a county where the parent or legal guardian of a student in an informal kinship care relationship resides, and as further defined in Education Article, §4-122.1, Annotated Code of Maryland. A local school superintendent shall allow the student, who is a Maryland resident to attend a public school in a county other than the county where the student is domiciled with the student's parent or legal guardian if:

- The student lives with a relative providing informal kinship care in the county; and
- The relative verifies the informal kinship care relationship through a sworn affidavit.

The relative providing informal kinship care shall make the full range of educational decisions for the student unless the court:

- Appoints a guardian for the student; or
- Awards custody of the student to someone other than the relative providing informal kinship care.

The parent or legal guardian of a student in an informal kinship care relationship shall have final decision-making authority regarding the educational needs of the student.

Education funding of a student in informal kinship care shall be provided in accordance with Education Article, §4-122.1, Annotated Code of Maryland.

The student in an informal kinship care relationship shall receive an appropriate education from the receiving agency.

The receiving agency shall include a student enrolled as the result of an informal kinship care relationship in its full-time equivalent enrollment as provided by Education Article, §5-202(a), Annotated Code of Maryland.

### **Care and Custody of a State Agency**

Indicate YES or NO.

**YES**, if a court has appointed a state agency the responsibility for care or custody of a student. The public agency may need to invite the student’s caseworker to attend the student’s IEP team meetings. The public agency may also need to determine whether or not the public agency may need to appoint a parent surrogate to represent the student.

**NO**, if the student is represented by a parent/guardian.

### **Name of State Agency**

If YES was indicated above for “Custody and Care of a State Agency,” enter the name of the state agency.

### **Parent Surrogate**

Indicate the name of the person appointed to act as the student’s parent in educational decision-making. This individual shall be invited to IEP team meetings.

[34 C.F.R. §300.519; Education Article §8-412, Annotated Code of Maryland COMAR 13A.05.01.03B(52)]

### **Parent/ Guardian 1 and 2**

Enter the name of the parent/guardian with whom the student lives. It is recognized that there are various forms of living arrangements and guardianships for students. Additionally, spaces have been provided for phone numbers and public agencies should, likewise, use them for their convenience.

#### **NOTE:**

A public agency may collect more than two sets of information for parent/guardian. The Maryland online tool will only display information for two parent/guardians.

### **Parent's Native Language**

An individual's primary language or the language normally used by an individual who has a limited ability to read, speak, write, or understand English. This includes American Sign Language for individuals who are deaf or hard of hearing, as appropriate. On the Student Record Card 1 Side 1 school personnel are to document the language spoken in the home.

[COMAR 13A.08.02.01; and Student Records Manual 2008]

### **Interpreter Needed**

If a parent is limited English proficient or deaf indicate whether an interpreter/transliteration is provided to assure the parent's access to information and equitable participation in IEP team meeting.

[34 C.F.R. §300.503; COMAR 13A.05.01.12C]

### **Case Manager**

School personnel responsible for managing the special education paperwork and requirements in accordance with local public agency policies and procedures.

### **IEP Team Meeting Date(s)**

Enter the date of the most recent IEP team meeting on which the IEP team met to develop, review, or revise the student's IEP, as appropriate.

#### **NOTE:**

Additional dates may also be listed to identify the date(s) of additional IEP team meetings to develop, review, or revise the student's IEPs, and dates of IEP addendums.

### **IEP Annual Review Date**

A student's IEP is reviewed at least once within a calendar year. This is called the annual review. Enter the date of the previous annual review of the student's IEP, if applicable.

### **Procedural Safeguards Document**

Document the parent's receipt of the Procedural Safeguards – Parental Rights document. A copy of the Procedural Safeguards – Parental Rights document must be given to the parent of the student only one time a school year. An additional copy must also be given to the student's parent:

- Upon initial referral or parent request for evaluation;
- At their child's initial evaluation IEP team meeting;
- Upon receipt of the first State complaint under 34 C.F.R. §§300.151 – 300.153 in a school year;
- Upon receipt of the first due process complaint under 34 C.F.R. §300.507 in a school year;
- In accordance with the discipline procedures in §300.530(h); and
- Upon request by a parent.

## **Verbal and Written Explanation of the Parents' Rights and Responsibilities in the IEP Process**

### **INITIAL ELIGIBILITY IEP TEAM MEETING**

Document the parent's receipt of verbal and written explanation of the parent's rights in the IEP team process and a copy of Parents' Rights and Responsibilities in the Individualized Education Program Process

In accordance with an amendment to Education Article §8-405, adopted during the Maryland 2014 General Assembly, as a results of House Bill (HB 413), at a child's initial evaluation meeting, the parents are to be provided a verbal and written explanation of the:

- Parents' Rights and Responsibilities in the Individualized Education Program Process; and
- The Parental Rights: Maryland Procedural Safeguards Notice

### **NOTE:**

The initial evaluation meeting is the IEP team meeting when an IEP team determines whether a child is a child with a disability who requires special education services, in accordance with the 34 CFR §300.8 and COMAR 13A.05.01.03B(78).

### **Parent Request at Any Subsequent IEP Team Meeting**

Document the parents' receipt of a verbal and written explanation of the parent's rights in the IEP team process and a copy of *Parents' Rights and Responsibilities in the individualized Education Program Process* if requested by the parent at any subsequent IEP team Meeting.

## **Verbal and Written Explanation of the Parents' Guide to Habilitative Services**

As a results of Senate Bill (SB 701), the 2014 Maryland General Assembly adopted Education Article §8-418. Local school systems are to provide the parents of a child with a disability verbal and written information about access to habilitative services, including a copy of the Maryland Insurance Administration's Parents' Guide to Habilitative Services, at the following times:

- The transition meeting for a child moving from the Maryland Infants and Toddlers program to a local school system;
- A child's initial Individualized Education Program (IEP) meeting;
- At least one time each year at a child's Individualized Education Program meeting; and
- On the approval or denial of a parent's request for a related service to enable a child with a disability to benefit from special education.

**NOTE:**

The verbal explanation is: "Local school systems are required to share with you that your child may be eligible to access additional habilitative services through your private insurance carrier. Additional information is included in the Maryland Insurance Administration's Parents' Guide to Habilitative Services."

The Maryland Insurance Administration's Parents' Guide to Habilitative Services may be accessed at

<http://www.mdinsurance.state.md.us/sa/docs/documents/consumer/publicnew/parents'-guide-to-habilitative-services.pdf>

**Native Language**

If the native language spoken by the parents is spoken by more than one percent (1%) of the student population in the local school system, school system staff must provide the parents with the translated documents within thirty (30) calendar days after the date of request.

**Parent Informed**

Indicate:

YES (parents were informed that documents could be translated into their native language);  
NO (parents were not informed that documents could be translated into their native language); or  
NA (the parents' native language is not at or above the 1% threshold).

**Parent Requested**

Indicate:

YES (parent requests document be translated);  
or NO (parent declined translation)

**Projected Annual Review Date**

Enter a projected date for reviewing the current IEP within one calendar year of the date of the IEP team meeting.

**Most Recent Evaluation Date**

**Initial Evaluation**

The date the student's IEP team met to consider existing data, information from parents, and additional data to complete an initial evaluation of a student within:

- Sixty (60) days of parental consent for assessments; and
- Ninety (90) days of the public agency receiving a written referral.

[34 C.F.R §300.300; COMAR 13A.05.01.06A]

## **Reevaluation**

The date the IEP team met to consider existing data, information from parents, additional data, if determined needed. A reevaluation shall occur:

- Not more frequently than once a year, unless the parent and public agency agree otherwise; and
- At least once every three years, unless the parent and public agency agree that a reevaluation is not necessary.

If after the review of existing data and information from the parents, the IEP team and parents agree no additional data or assessments are necessary to determine whether the student continues to be a student with a disability requiring the provision of special education and related services that date is the date of the reevaluation.

If the IEP team determines the need for additional data, the public agency shall conduct assessment procedures. The results of assessment procedures shall be used by the IEP team in reviewing, and, as appropriate, revising the student's IEP within 90 days of the IEP team meeting when the IEP team determined that additional data was needed to determine whether the student continues to be a student with a disability requiring the provision of special education and related services.

[20 U.S.C. §§1401(30); 1414(b)(6); 34 C.F.R. §§300.15; 300.303 – 305 COMAR 13A.05.01.06E]

### *Projected Evaluation Date*

Subsequent evaluations are called reevaluations and shall occur:

- Not more frequently than once a year, unless the parent and public agency agree otherwise; and
- At least once every three years, unless the parent and public agency agree that a reevaluation is not necessary.

[20 U.S.C. §§1401(30); 1414(b)(6); 34 C.F.R. §§300.15; 300.303 – 300.311(d); COMAR 13A.05.01.06E(2)]

## **Primary Disability**

A student is a student with a disability under IDEA if the team determines that he or she has one of the disabilities listed below and as a result requires special education. Select the primary disability, although it is possible that a student may have more than one disability, enter the disability most indicative of the student's primary disability. Determination of primary disability is required as a part of the eligibility process, however, all decisions about Goals, Supports, Services, and Placement are made by the IEP team based on the individual student's needs and not the disability category:

- Autism,
- Deaf-blindness,
- Deafness,
- Developmental delay,<sup>1</sup>
- Emotional disability,

- Hearing impairment,
- Intellectual disability,
- Multiple disabilities,<sup>2</sup>
- Orthopedic impairment,
- Other health impairment,
- Specific learning disability,
- Speech or language impairment,
- Traumatic brain injury, or
- Visual impairment, including blindness

**NOTE:**

<sup>1</sup> Please refer to local policies, procedures, and practices relative to students with a developmental delay.

<sup>2</sup> 1. Specify each disability from any of the three categories of disabling conditions the student’s IEP team identifies as concomitant that causes such severe educational problems that the student cannot be accommodated in special education instructional services solely for one of the impairments.

- Cognitive includes: Autism, Emotional Disability, Intellectual Disability, Specific Learning Disability, Speech or Language Impairment, and Traumatic Brain Injury.
- Sensory includes: Deaf-Blindness, Deafness, Hearing Impairment, and Visual Impairment including Blindness.
- Physical includes: Orthopedic Impairment, and Other Health Impairment.

2. Concomitant means happening or existing along with or at the same time as something else.

3. A student is not required to be identified as a student with an intellectual disability as one of the disabilities.

**Autism**

A developmental disability which:

- Does not include emotional disability;
- Significantly affects verbal and nonverbal communication and social interaction;
- Is generally evident before 3 years old;
- Adversely affects a student's educational performance; and
- May be characterized by:
  - Engagement in repetitive activities and stereotyped movements,
  - Resistance to environmental change or change in daily routines, and
  - Unusual responses to sensory experiences.

[34 C.F.R. §300.8(c)(1) COMAR 13A.05.01.03B(8)]

**Deaf-Blindness**

A concomitant hearing and visual impairments, the combination of which causes such severe communication and other developmental and educational needs that the student

cannot be accommodated solely as a student with deafness or a student with blindness.

[34 C.F.R. §300.8(c)(2) COMAR 13A.05.01.03B(17)]

### **Deafness**

Deafness means a hearing impairment which:

- a. Is so severe that the student is impaired in processing linguistic information through hearing, with or without amplification; and
- b. Adversely affects the student's educational performance.

[34 C.F.R. §300.8(c)(3) COMAR 13A.05.01.03B(18)]

### **Developmental Delay, ages three - seven**

This code may be used by a public agency utilizing the MSDE developmental delay definition. A student from three through seven years old assessed and evaluated as having:

- a. A 25 percent or greater delay in adaptive, cognitive, communicative, emotional, physical, or social development;
- b. Atypical development or behavior; or
- c. A diagnosed physical or mental condition.

#### **NOTE:**

Please refer to local policies, procedures, and practices relative to students with a developmental delay.

[34 C.F.R. §300.8(b) COMAR 13A.05.01.03B(77)]

### **Emotional Disability**

A condition exhibiting one or more of the following characteristics over a long period of time and to a marked degree, that adversely affects a student's educational performance:

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

Emotional disability includes schizophrenia. Emotional disability does not include a student who is socially maladjusted, unless it is determined that the student has an emotional disability.

[34 C.F.R. §300.8(c)(4) COMAR 13A.05.01.03.B(22)]

## **Hearing Impairment**

An impairment in hearing, whether permanent or fluctuating, that adversely affects a student's educational performance.

[34 C.F.R. §300.8(c)(5) COMAR 13A.05.01.03.B(29)]

### *Intellectual Disability*

General intellectual functioning, adversely affecting a student's educational performance, which:

- a. Is significantly sub average;
- b. Exists concurrently with deficits in adaptive behavior; and
- c. Is manifested during the developmental period.

[34 C.F.R. §300.8(c)(6) COMAR 13A.05.01.03B(42)]

## **Intellectual Disabilities**

"Intellectual disability" means general intellectual functioning, adversely affecting a student's educational performance, that is significantly sub average, exists concurrently with deficits in adaptive behavior; and is manifested during the developmental period.

[34 C.F.R. §300.8(c)(6) COMAR 13A.05.01.03B(36)]

## **Multiple Disabilities**

The term "multiple disabilities" is reserved for concomitant impairments, the combination of which causes such severe educational needs that they cannot be accommodated in special education programs solely for one of the impairments. Concomitant means that two or more distinct disabilities exist alongside one another at the same time. A commonality of students who are multiply disabled is that they generally need support across a number of skill areas. The analysis does not end there, however. The disabilities must also combine to create such severe educational needs that special education and related services designed to address one disability would not be sufficient to meet the unique educational needs created by the other disability. Examples include intellectual disability-blindness and intellectual disability-orthopedic impairment, but this is not an exhaustive list. While an intellectual disability will generally be one of the disabilities, the term "multiple disabilities" is not so restrictive that another combination cannot be used. In any event, the multiple disabilities involved must be both concomitant and cause severe educational needs as described above. Please note that this does not include deaf-blindness because that has its own disability category.

[34 C.F.R. §300.8(c)(7) COMAR 13A.05.01.03B(44)]

## **Orthopedic Impairment**

A severe orthopedic impairment that adversely affects a student's educational performance. Orthopedic impairment includes impairments:

- a. Caused by congenital anomaly, such as clubfoot or absence of some member;
- b. Caused by disease such as poliomyelitis or bone tuberculosis; and
- c. From other causes such as cerebral palsy, amputations, and fractures or burns which cause contractures.

[34 C.F.R. §300.8(c)(8) COMAR 13A.05.01.03B(50)]

### **Other Health Impairment**

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 adversely affecting a student's educational performance, due to chronic or acute health problems such as:

- Asthma;
- Attention deficit disorder or attention deficit hyperactivity disorder;
- Diabetes;
- Epilepsy;
- A heart condition;
- Hemophilia;
- Lead poisoning;
- Leukemia;
- Nephritis;
- Rheumatic fever;
- Sickle cell anemia; or
- Tourette Syndrome.

[34 C.F.R. §300.8(c)(9); COMAR 13A.05.01.03B(51)]

### **Specific Learning Disability**

A disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, that may manifest itself in the imperfect ability to listen, think, speak, read, write, spell, or do mathematical calculations. It includes conditions such as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia.

It does not include students who have learning problems primarily the result of:

- Visual Impairment;
- Hearing Loss/Deafness;
- Motor impairment;
- Intellectual disability;
- Emotional disability;
- Environmental Factors;
- Cultural Factors; or
- Economic disadvantage.

[34 C.F.R. §300.8(c)(10); COMAR 13A.05.01.03B(7)]

## **Speech or Language Impairment**

A communication disorder such as stuttering, impaired articulation, voice impairment, or language impairment that adversely affects a student's educational performance.

[34 C.F.R. §300.8(c)(11); COMAR 13A.05.01.03B(74)]

## **Traumatic Brain Injury**

An acquired injury to the brain, caused by an external force, resulting in total or partial functional disability or psychosocial impairment, or both, that adversely affects a student's educational performance. Traumatic brain injury includes 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.

Traumatic brain injury does not include brain injuries that are congenital, degenerative, brain injuries induced by birth trauma.

[34 C.F.R. §300.8(c)(12); COMAR 13A.05.01.03B(82)]

## **Visual Impairment, including Blindness**

An impairment in vision, which, even with correction, adversely affects a student's educational performance.

Visual impairment includes partial sight and blindness.

[34 C.F.R. §300.8(c)(13) COMAR 13A.05.01.03B(84)]

## **Areas Affected by Disability**

The identified academic, health, physical, and behavioral area(s), as appropriate, identified by the IEP team as areas affected by the disability, including developmental, and functional needs of the student to enable the student to be involved in and progress in the general curriculum.

[34 C.F.R. §300.320; COMAR 13A.05.01.04 – .06; COMAR 13A.05.01.09A(1)(a)]

## EXIT INFORMATION

### **Exit Date**

Date student exited special education. All student data submitted in the annual June Exit Report must have exit dates ranging from July 1 of the previous year to June 30 of the reporting year. All services must be ended in the June data submission. Date of exit must be the same as, or after the date of the last IEP.

[MSDE Student Records Manual 2008; SSIS Manual, October 2009]

### **Exit Category**

Enter the reason the student exited from special education program:

**A = Returned to general education** - student who was served in special education during the previous reporting year, but at some point during that 12-month period, returned to general education as a result of the IEP team's determination that the student no longer qualifies to receive special education services under IDEA. This is a student who no longer has an IEP and is receiving all educational services from a general education program.

This Exit category also includes a student who no longer receives special education and related services because the student has been approved by the district to receive home instruction [COMAR 13A.10.01.01], which requires an annual agreement between the parent (s) and the district.

For any student who is exited using Exit Code A, no Child County Eligibility Code should be chosen.

**B = Graduated with Maryland High School Diploma** - student who exited an educational program through receipt of a high school diploma identical to that for which students without disabilities are eligible.

**C = Received Maryland High School Certificate of Program Completion** - student who exited an educational program through receipt of a Maryland High School Certificate of Program Completion or IEP Team determination that the student has developed appropriate skills for the individual to enter the world of work.

**D = Reached 21 years of age** - student who exited special education because of reaching the maximum age.

**E = Deceased** - student who died.

**F = Moved, known to be continuing** - student who moved out of the catchment area and is KNOWN to be continuing in another educational program. There need not be evidence that the student is continuing in special education, only that he/she is continuing in a general education program.

**H = Dropped out** - student who was enrolled at some point in the reporting year, was not enrolled at the end of the reporting year, and did not exit through any other basis (returned to general education, graduated, received certificate, reached maximum age, died, or moved).

Includes GED recipients.

**I = Special Case** - Other reasons with superintendent's approval. For students under 16 years of age. This code may be used for students who withdraw in grade 8 for religious reasons.

**J = Parent Revokes Consent for Services** – For use when a parent revokes consent for the provision of special education and related services after special education and related services have been implemented.

[MSDE, SSIS Manual draft October 2009]

## **IEP TEAM PARTICIPANTS**

### **IEP Team Participants**

The IEP team for a student with a disability includes:

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, or not less than one special education provider of the student;
4. A representative of the public agency who is:
  - Qualified to provide, or supervise the provision of specially designed instruction to meet the unique needs of students with disabilities, and
  - Knowledgeable about the general curriculum and is knowledgeable about the availability of resources of the public agency;
5. An individual who can interpret the instructional implications of evaluation results, who may be a member of the team described in Numbers 2 – 4 above;
6. Other individuals, at the discretion of the parent or public agency, who have knowledge or special expertise regarding the student, including related service personnel, as appropriate; and
7. The student, if appropriate.

If a student does not have a general education teacher, or is younger than school age, the regular educator shall be an individual qualified to teach a student of the student's age.

#### **NOTE:**

The parent or public agency may invite other individuals to attend and participate as a member of an IEP team. The determination of the knowledge or special expertise of an

individual is made by the party who invited the individual.

[34 C.F.R. §300.321(a); COMAR 13A.05.01.07A]

### **Transition from Part C to Part B**

For parents of a child possibly transitioning from the Part C early intervention services provided by an Infants and Toddlers Program to Preschool Special Education Services, a Part C early intervention services representative is a required team member at the IEP team meeting where a child's eligibility for preschool special education is determined. A Part C early intervention services representative may be invited to attend the IEP team meeting for the development of a child's IEP, at the request of the family.

[34 C.F.R. §300.321(f); COMAR 13A.13.01.09B]

### **Additional IEP Team Members for Determination of an SLD**

The determination of whether the student suspected of having a specific learning disability is a student with a disability as defined in § 300.8, must be made by the student's parents and a team of qualified professionals, which must include:

1. The student's general education teacher; or
2. If the student does not have a general education teacher, a regular classroom teacher qualified to teach a student of his or her age; or
3. For a student of less than school age, an individual qualified by the SEA to teach a student of his or her age; and
4. At least one person qualified to conduct individual diagnostic examinations of children, such as a school psychologist, speech-language pathologist, or remedial reading teacher.

[34 C.F.R. §300.308; COMAR 13A.05.01.06D]

### **Secondary Transition**

The public agency must invite the student with a disability to attend the student's IEP team meeting if a purpose of the meeting will be the consideration of the postsecondary goals for the student and the transition services needed to assist the student in reaching those goals under § 300.320(b). If the student does not attend the IEP team meeting, the public agency must take other steps to ensure that the student's preferences and interests are considered.

To implement the requirements for post-secondary transition, the public agency must invite a representative of any participating agency that is likely to be responsible for providing or paying for transition services, with the consent of the student's parent, or student, if applicable.

[34 C.F.R. §300.321(b); COMAR 13A.05.01.07]

### **Nonpublic School Placements by Public Agencies**

Before a local school system places a student with a disability in, or refers a student to, a nonpublic school or facility, the local school system must initiate and conduct a meeting to

develop an IEP for the student. The agency must ensure that a representative of the nonpublic school or facility attends the meeting. If the representative cannot attend, the agency must use other methods to ensure participation by the nonpublic school or facility, including individual or conference telephone calls. A nonpublic school must contact the fiscally responsible local school system to request IEP team meetings to review the student's IEP, as appropriate. The fiscally responsible local school system remains responsible for compliance with federal and State regulations.

[34 C.F.R. §300.325; COMAR 13A.05.01.16A]

### **Parentally Placed Private School Service Plan Meeting**

Each parentally placed private school student with a disability who has been designated to receive services must have a services plan that describes the specific special education and related services that the local school system will provide to the student in light of the services that the local school system has determined it will make available to parentally-placed private school students with disabilities.

The services plan must, to the extent appropriate:

- a. Meet the requirements of the IEP with respect to the services provided; and
- b. Be developed, reviewed, and revised consistent with requirements for IEP team membership, Parent Participation, In Effect, and Development Review, and Revision of the IEP.

If a student with a disability is enrolled in a religious or other private school by the student's parents and will receive special education or related services from a local school system, the local school system must:

1. Initiate and conduct meetings to develop, review, and revise a services plan for the student; and
2. Ensure that a representative of the religious or other private school attends each meeting. If the representative cannot attend, the LEA shall use other methods to ensure participation by the religious or other private school, including individual or conference telephone calls.

[34 C.F.R. §§300.137(c); 300.138(b); COMAR 13A.05.01.16B]

# **SECTION I: MEETING AND IDENTIFYING INFORMATION**

## **ELIGIBILITY**

### **INITIAL ELIGIBILITY**

Upon completion of the administration of assessments and other evaluation measures, a group of qualified professionals, including the student's parent, determine whether the student is a student with a disability and the educational needs of the student. The public agency is required to provide a copy of the evaluation report to the parent, including the documentation of determination of eligibility.

An IEP team shall complete an initial evaluation of a student within:

- Sixty (60) days of parental consent for assessments; and
- Ninety (90) days of the public agency receiving a written referral.

The evaluation must consist of procedures to determine if the student is a student with a disability under 34 CFR 300.8 and to determine the educational needs of the student.

[20 U.S.C. §1414(a)(1)(C); 34 CFR §300.301(c); COMAR 13A.05.01.06A]

### **Exception to the Timeline for Completion of Initial Evaluation.**

The timeline for completion of the initial evaluation described shall not apply, in accordance with 20 U.S.C. §1414(a)(1)(C)(ii); 34 C.F.R. §300.300, and COMAR 13A.05.01.06A if:

- The parent of the student repeatedly fails or refuses to produce the student for assessments;
- A student enrolls in a different public agency prior to the completion of the initial evaluation started in the student's former public agency of enrollment; or
- The student's parent and the IEP team extend the timeframe by mutual written agreement.

The exceptions to the timeline with regards to a student who enrolls in another public agency after consent for an initial evaluation was obtained, exception to the 60 day initial evaluation timeframe applies only if:

- The subsequent public agency is making sufficient progress to ensure a prompt completion of the evaluation;
- The parent and subsequent public agency agree to a specific time for completion of the evaluation.

### **NOTE:**

In accordance with 34 C.F.R. §300.323(f), if a child with a disability (who had an IEP that was in effect in a previous public agency in another State) 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 [emphasis added] 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, adopts, and implements a new IEP, if appropriate, that meets the applicable requirements in §§ 300.320 through 300.324.

Also within the Analysis of Comments and Changes relative to §300.323(f) OSEP states, "The evaluation conducted by the new public agency would be to determine if the child is a child with a disability and to determine the educational needs of the child. Therefore, the evaluation would not be a reevaluation, but would be an initial evaluation by the new public agency, which would require parental consent." [Analysis of Comments and Changes, page 46682]

If the new local school system determines that no additional or new data/assessments are needed and that the existing data from another state shows that the student meets the criteria for eligibility for services as a students with a disability in Maryland and adequately addresses the student's educational needs, the IEP team entering the data into the Statewide IEP, is to consider this an initial evaluation not a reevaluation and obtain parental consent for the initiation of services.

### **Initial Evaluation Eligibility Data**

A student with a suspected disability who may need special education shall be referred, in writing, to an IEP team by the student's parent or a public agency [20 U.S.C. §1414(a); 34 C.F.R. §300.301(b)].

### **Transition from Part C to Part B**

A public agency shall convene an IEP team meeting to determine if a student in transition from a Local Infants and Toddlers Program (LITP) has a disability or developmental delay that requires the provision of special education and related services.

In the case of a student who was previously or is currently served under Part C, an invitation to the initial IEP meeting shall, at the request of the parent, be sent to the Part C service coordinator or other representatives of the LITP to assist with the smooth transition of services.

[20 U.S.C. §1412(a)(9); 34 C.F.R. §§300.124; 300.321(f); 300.323(b); 34 C.F. R. §303.211; COMAR 13A.05.01.07A(8); COMAR 13A.05.01.08(2); 13A.13.01.09; State Performance Plan Indicator 12]

### **Areas Impacted by Student's Suspected Disability**

Identify the academic, functional, developmental, physical, sensory, social, or behavioral issues that prompted school personnel or the parent to refer the student for an initial assessment.

[34 C.F.R. §300.321(a) COMAR 13A.05.01.04-.06; COMAR 13A.05.01.09A(1)(a)]

### **Discussion to Support Decision (optional)**

If it is the intent of a public agency use the student's IEP to satisfy the requirements for prior written notice (PWN), this text field provides space for the IEP team to document its decision(s) relative to the areas affected by the student's disability that requires special education services. Refer to local public agency policies and procedures.

### **Determinant Factors**

In accordance with 20 U.S.C. §1414(b)(5) a student may not be identified as a student with a disability if an IEP team determines the lack of educational performance is the result of:

- A lack of instruction in reading, including the essential components of reading instruction, including explicit and systematic instruction in:
  - Phonemic awareness,
  - Phonics,
  - Vocabulary development,
  - Reading fluency and oral reading skill, and
  - Reading comprehension strategies;
- A lack of instruction in math; or
- A lack of English proficiency; and

If yes to any of the above, the student must otherwise meet the eligibility criteria as a student with an identified disability. 34 CFR §300.8

[20 U.S.C. §1414(b)(5); 34 C.F.R. §300.306(b); Analysis of Comments pg. 46646; COMAR 13A.05.01.06C(3)]

### **Specialized Designed Instruction**

Indicate:

**YES** – If the IEP team determines the student is a student with a disability requiring the provision of special education; or

**NO** – If the IEP team determines the student is NOT a student with a disability requiring the provision of special education services.

[34 C.F.R. §300.306(c)]

### **Initial Eligibility (Prior to Age 3)**

Page 2 of the Statewide IEP form and format is ONLY for use for children under the age of 3 AND receiving early intervention from a local Infants and Toddlers Program Prior to receiving services under Part B of IDEA or services through an Extended IFSP, an Individualized Education Program (IEP) team must determine whether a child is a child with a disability or developmental delay who requires special education and related services, in accordance with Code of Maryland Regulations (COMAR) 13A.05.01.06B. This is referred to as the eligibility determination. To make this eligibility determination, the local school

system or public agency is required to assess and evaluate the child within 60 calendar days of the parent's consent to evaluate the child.

To conduct an evaluation, the local school system or public agency must first conduct an assessment. In accordance with COMAR 13A.05.01.03B(3), an assessment is the process of collecting data to be used by the IEP team to determine a student's need for special education and related services. Following an assessment, it is the responsibility of the child's IEP team to conduct the evaluation. In accordance with COMAR 13A.05.01.03B(25), an evaluation is the process of an IEP team and other qualified professionals, as appropriate, meeting to review information from the child's parent, existing data, results of assessment procedures used to determine whether a child has a disability, and the nature and extent of the special education and related services that the child needs.

Under Maryland's Early Childhood Intervention and Education Service Model, the Part B eligibility determination outcomes are:

1. Children who are determined not eligible for Part B preschool special education and related services; and
2. Children who are determined eligible for Part B preschool special education and related services and will receive early intervention services under an IFSP; and
3. Children who are determined eligible for Part B preschool special education and related services and will receive special education and related services under an IEP.

### **Date of Parent Consent for Initial Evaluation**

A public agency must obtain written parental consent before conducting assessment procedures, if additional data is needed to determine the student's initial eligibility for special education services under IDEA. An IEP team must complete an initial evaluation to determine the student's eligibility for services as a student with a disability within 60 (calendar) days of receiving parental consent.

#### **NOTE:**

Identify the date of parental consent and compare that date to the date of the IEP team's determination of the student's eligibility for services. There should be no more than 60 calendar days between the two dates. If the date of the IEP team meeting to determine the student's eligibility for initial services under IDEA exceeds 60 calendar days from the date of parental consent to conduct assessments, the IEP is required to provide an explanation for the delay that resulted in noncompliance. Refer to Reasons for Delay.

- If a student is a ward of the State and not residing with a parent, reasonable efforts shall be made to obtain parental consent (does not include a student with a foster parent). Parent consent is not required if the parent cannot be found, parental rights have been terminated, or a judge has appointed an individual with educational authority. As a ward of the State, the student may require the appointment of a parent surrogate.

[34 C.F.R. §300.300COMAR 13A.05.01.06]

### **Date of Initial Evaluation**

A student with a suspected disability who may need special education shall be referred, in

writing, by a parent of a student or a public agency to an IEP team. The written referral begins an overall 90-day timeline for completion of the initial evaluation. Within this timeframe the student's initial evaluation must be completed within 60 calendar days of parental consent to conduct assessments.

[34 C.F.R. §300.300COMAR 13A.05.01.06A]

### **Eligibility as a Student with a Disability**

Indicate:

**YES** – If IEP team determines the student is a student with a disability requiring the provision of special education services;

**NO** – If the IEP team determines the student is NOT a student with a disability requiring the provision of special education services.

[34 C.F.R. §300.306(c)]

### **Indicate Primary Disability**

Although it is possible that a student may have more than one disability, enter the disability most indicative of the student's primary disability. A student evaluated and determined by an IEP team to be a student with a disability or a student with a developmental delay, who, because of the disability requires special education and related services as listed below:

- Autism,
- Deaf-blindness,
- Deafness,
- Developmental delay, for students three through seven,<sup>1</sup>
- Emotional disability,
- Hearing impairment,
- Intellectual disability,
- Multiple disabilities,<sup>2</sup>
- Orthopedic impairment,
- Other health impairment,
- Specific learning disability (dyscalculia, dyslexia, dysgraphia other),
- Speech or language impairment,
- Traumatic brain injury, or
- Visual impairment, including blindness

#### **NOTE:**

<sup>1</sup>Please refer to local policies, procedures, and practices relative to students with a developmental delay.

<sup>2</sup>1. Specify each disability from any of the three categories of disabling conditions the student's IEP team identifies as concomitant that causes such severe educational problems that the student cannot be accommodated in special education instructional services solely for one of the impairments.

- Cognitive includes: Autism, Emotional Disability, Intellectual Disability,

Specific Learning Disability, Speech or Language Impairment, and Traumatic Brain Injury.

- Sensory includes: Deaf-Blindness, Deafness, Hearing Impairment, and Visual Impairment including Blindness.
- Physical includes: Orthopedic Impairment, and Other Health Impairment.

2. Concomitant means happening or existing along with or at the same time as something else.

3. A student is not required to be identified as a student with an intellectual disability as one of the disabilities.

[34 C.F.R. §300.300.8]

### **Document Basis for Decision(s) (required)**

A required text field for an IEP team to provide additional information to document the basis of the IEP team's decision. If addressed properly, documentation will meet requirements of prior written notice (PWN), in accordance with 34 C.F.R. §300.503 and COMAR 13A.05.01.12, PWN includes:

- A description of the action proposed or refused;
- An explanation of why the public agency proposes or refuses to take the action;
- A description of the options the public agency considered and the reason the options were rejected;
- A description of each assessment procedure, test, record, or report the public agency uses as a basis for the proposal or refusal;
- A description of any other factors relevant to the proposed or refused action;
- A list of sources a parent may contact to obtain assistance in understanding the provisions of IDEA; and
- If an action proposed by a public agency also requires parental consent, a public agency may provide notice at the same time it requests consent.

[20 U.S.C §1415; 34 C.F.R. §300.503; COMAR 13A.05.01.12]

### **Date of Parent Consent – Continue Early Intervention Services through an IFSP at age 3**

Before the age of three, if a child with a current IFSP is determined eligible for special education and related services, the child's family may choose for their child:

- The Maryland Extended IFSP Option – The child and family would continue to receive early intervention services with an educational component that promotes school readiness and incorporates pre-literacy, language, and numeracy skills through an IFSP until the beginning of the school year following the child's fourth birthday; or
- Special education preschool services through an Individualized Education Program (IEP) as a student with a disability.

### **Date of Initial IEP Development**

Complete only if the child is determined eligible for Part B preschool special education and related services and the child's family chose for their child to receive special education and related services through an IEP.

The IEP must be developed within 30 days of the date the student is determined eligible and in need of specialized instruction under IDEA.

[34 C.F.R. §300.323(c); COMAR 13A.05.01.08A(1)]

### **Date of Parent Consent for Initiation of Services**

Complete only if the child is determined eligible for Part B preschool special education and related services and the child's family chose for their child to receive special education and related services through an IEP.

An IEP team shall obtain written parental consent before the initial provision of special education and related services to the student. (Statewide IEP, pg. 21, "Consent for Initiation of Services")

[34 C.F.R. §300.300(b); COMAR 13A.05.01.13B(1)]

### **NOTE:**

IDEA prohibits a public agency from providing special education and related services to the student if the parents fail to respond or do not provide consent to initiate services. The IDEA gives parents the ultimate choice as to whether their student should receive special education and related services. IDEA relieves public agencies of any potential liability for failure to convene an IEP team meeting or for failure to provide the special education and related services for which consent was requested but withheld. Beyond consent for initiation of services, parental consent for services is not required.

[34 C.F.R. §300.300(b)(4); COMAR 13A.05.01.13B(2)-(5)]

### **Date of Initial IEP in Effect**

Complete only if the child is determined eligible for Part B preschool special education and related services and the child's family chose for their child to receive special education and related services through an IEP.

A public agency shall ensure that an IEP is in effect before special education and related services are provided to the student with a disability within its jurisdiction.

A public agency shall have an IEP in effect for a student with a disability at the beginning of a school year. A public agency shall implement the student's IEP as soon as possible after the meeting where the IEP is developed or revised. Exceptions include:

- When the meeting occurs during the summer or a vacation period;

- When there are circumstances that require a short delay, such as arranging for the provision of transportation.

**NOTE:**

If the student's IEP is in effect AFTER the student's third birthday, the IEP team is required to explain WHY the effective date of the student IEP violates federal and State requirements.

Each public agency, as applicable, will participate in transition planning conferences arranged by the designated local Infants and Toddlers Program.

[34 C.F.R. §300.124; COMAR 13A.05.01.08A(2)]

## **Transition from Infants and Toddlers**

### **(Part C) to Preschool (Part B)**

Indicate:

**YES** – If the student is a toddler, between 30 – 36 months of age, transitioning from Part C to Part B as a student with a disability or developmental delay.

**NO** – For all other students.

Each local school system shall convene an IEP team meeting to determine if a student in transition from a Local Infants and Toddlers program (LITP) has a disability that requires the provision of special education and related services.

**NOTE:**

- If the child is determined eligible for preschool special education services and the child's family does not choose the Extended IFSP Option, the child will be referred to the local school system IEP team for the development of an IEP to address the child's special education and related services needs.
- For children exiting Part C at age three who are determined to be eligible for Part B services, and the child's family does not choose the Extended IFSP Option, an IEP must be developed and in effect on or before the student's third birthday.
- If the IEP team meeting occurred after the student's third birthday, the IEP team must document the reason for the delay.
- The date of the initial IEP development and the date of the initial IEP is in effect may be the same or different, but in no case beyond the date of the student's third birthday, unless good cause for the delay is documented. Refer to Reason for Delay.

Therefore all steps in the process – eligibility determination, and if found eligible,

development of the IEP, and parental consent for initiation of services – must be completed prior to the actual date the child turns three years of age.

### **Reason(s) for Delay of Initial Evaluation**

Select one of the following, if applicable:

- Eligibility not determined due to withdrawal of consent, moved from district, child unavailable as a result of chronic condition or illness;
  
- Initial Evaluation prior to age 3 was delayed because:
  - Parent repeatedly failed or refused to make the child available
  - Parent refusal to provide consent caused delay in evaluation or initial services
  - Parent requested delay - Parent and IEP team extend the timeframe by mutual written agreement
  - School /Facility Closure
  - Inclement weather
  - Other:
    - Staffing issues
    - Paperwork error
    - Inconclusive testing results
    - Other, please specify:

**NOTE:**

“Other” reasons for delay are not acceptable reasons for delay and will have an impact on Indicator 11 data at the Local and State level.

**NOTE:**

The IEP team must document the reason for delay when:

- The student transitioning from Part C to Part B’s IEP is NOT developed AND in effect on or before the student's third birthday.

[State Performance Plan Indicator 12]

### **School Closure**

**NOTE:**

School Closure is applicable only in the event that the school is closed for an entire day or part of a day for unanticipated reasons such as, but not limited to, power outage, water outage, natural disaster, or other exceptional circumstance, as determined necessary by the local school system or public agency. In the event of such a closure, the school is expected to facilitate and maintain communication with the parent to reschedule the meeting at a mutually agreeable time for the parent and school. If this rescheduled meeting occurs beyond the required timeline, the IEP team is to document that the parent was notified of the:

- Local school system’s/Public agency’s need to reschedule the meeting beyond a compliance timeline as a result of the unexpected school closure; and
- Any compliance timeline standards.

It is advised that all meetings be initially scheduled well within established timelines to allow for the possibility of an unexpected need to reschedule a meeting.

### **Inclement Weather**

#### **NOTE:**

Inclement Weather is applicable only in the event that the school is closed for an entire day, delays the opening of school, or dismisses school early as a result of severe weather, as determined necessary by the local school system or public agency. In the event of school being closed, delayed opening or early dismissal, the school is expected to facilitate and maintain communication with the parent to reschedule the meeting at a mutually agreeable time for the parent and school. If this rescheduled meeting occurs beyond the required timeline, the IEP team is to document that the parent was notified of the:

- Local school system's/Public agency's need to reschedule the meeting beyond a compliance timeline as a result of the unexpected delay in opening school or the early dismissal; and
- Any compliance timeline standards.

It is advised that all meetings be initially scheduled well within established timelines to allow for the possibility of an unexpected need to reschedule a meeting.

### **Two Applicable Scenarios Initial Eligibility PRIOR to Age 3**

1. Student is transitioning from C to B and getting an IEP at age 3 (Fill out left hand column)
  - Choose "Yes" to "Is this student transitioning from Infants and Toddlers (Part C) to Preschool (Part B) and receiving services through an IEP?"
  - Green dates should be filled in.
  - Red dates should not be filled in.
  - Reason for delay required if "Date of initial evaluation" > "Third Birthday"



**Initial Eligibility (Prior to Age 3)**

Child is eligible for preschool special education and related services through an IEP.  Yes  No

Indicate primary disability

<input type="radio"/> AUTISM	<input type="radio"/> HEARING IMPAIRMENT	<input type="radio"/> SPEECH OR LANGUAGE IMPAIRMENT
<input type="radio"/> DEAF	<input type="radio"/> INTELLECTUAL DISABILITY	<input type="radio"/> TRAUMATIC BRAIN INJURY
<input type="radio"/> DEAF - BLINDNESS	<input type="radio"/> ORTHOPEDIC IMPAIRMENT	<input type="radio"/> VISUAL IMPAIRMENT
<input type="radio"/> DEVELOPMENTAL DELAY	<input type="radio"/> OTHER HEALTH IMPAIRMENT	<input type="radio"/> MULTIPLE DISABILITIES
<input type="radio"/> EMOTIONAL DISTURBANCE	<input type="radio"/> SPECIFIC LEARNING DISABILITY	<input type="radio"/> Cognitive (specify) _____
		<input type="radio"/> Sensory (specify) _____
		<input type="radio"/> Physical (specify) _____

Document basis for decision(s): \_\_\_\_\_

Date of parent consent for initial evaluation:  (MM-DD-YYYY)

Date of initial evaluation:  (MM-DD-YYYY)

Date of Parent Consent-Continue Early Intervention Services through an IFSP at age 3:  (MM-DD-YYYY)

Date of initial IEP development:  (MM-DD-YYYY)

Date of parent consent for initiation of services:  (MM-DD-YYYY)

Date initial IEP is in effect:  (MM-DD-YYYY)

Is this student transitioning from Infants and Toddlers (Part C) to Preschool (Part B) and receiving services through an IEP?  YES  NO

Reason(s) for delay: Transition C to B

Eligibility not determined due to withdrawal of consent, moved from district, child unavailable as a result of chronic condition or illness.

Initial evaluation prior to age 3

If evaluation for child prior to age 3 was delayed, indicate reason(s) for delay:

Parent repeatedly failed or refused to make the child available

Parent refusal to provide consent caused delay in evaluation or initial services

Parent requested delay - Parent and IEP team extend the timeframe by mutual written agreement

School/facility closure

Other:

Inclement weather  Staffing issues

Paperwork error  Other, please specify: \_\_\_\_\_

Inconclusive testing results

Should be Yes

Required

**Reason(s) for Delay of IEP in Effect by Age 3**

Select one of the following, if applicable:

- Eligibility not determined due to withdrawal of consent, moved from district, child unavailable as a result of chronic condition or illness;
- Initial IEP in effect by age 3:
- If IEP not in effect by age 3, indicate reason for delay:
  - Parent repeatedly failed or refused to make the child available
  - Parent refusal to provide consent caused delay in evaluation or initial services
  - Parent requested delay - Parent and IEP team extend the timeframe by mutual written agreement
  - School /Facility Closure
  - Inclement weather
  - Other:
    - Staffing issues

**NOTE:**

- Paperwork error
- Inconclusive testing results
- Other, please specify:

“Other” reasons for delay are not acceptable reasons for delay and will have an impact on Indicator 11 data at the Local and State level.

**NOTE:**

The IEP team must document the reason for delay when:

- The student transitioning from Part C to Part B’s IEP is NOT developed AND in effect on or before the student's third birthday.

[State Performance Plan Indicator 12]

**School Closure**

**NOTE:**

School Closure is applicable only in the event that the school is closed for an entire day or part of a day for unanticipated reasons such as, but not limited to, power outage, water outage, natural disaster, or other exceptional circumstance, as determined necessary by the local school system or public agency. In the event of such a closure, the school is expected to facilitate and maintain communication with the parent to reschedule the meeting at a mutually agreeable time for the parent and school. If this rescheduled meeting occurs beyond the required timeline, the IEP team is to document that the parent was notified of the:

- Local school system’s/Public agency’s need to reschedule the meeting beyond a compliance timeline as a result of the unexpected school closure; and
- Any compliance timeline standards.

It is advised that all meetings be initially scheduled well within established timelines to allow for the possibility of an unexpected need to reschedule a meeting.

**Inclement Weather**

**NOTE:**

Inclement Weather is applicable only in the event that the school is closed for an entire day, delays the opening of school, or dismisses school early as a result of severe weather, as determined necessary by the local school system or public agency. In the event of school being closed, delayed opening or early dismissal, the school is expected to facilitate and maintain communication with the parent to reschedule the meeting at a mutually agreeable time for the parent and school. If this rescheduled meeting occurs beyond the required timeline, the IEP team is to document that the parent was notified of the:

- Local school system's/Public agency's need to reschedule the meeting beyond a compliance timeline as a result of the unexpected delay in opening school or the early dismissal; and
- Any compliance timeline standards.

It is advised that all meetings be initially scheduled well within established timelines to allow for the possibility of an unexpected need to reschedule a meeting.

### **Initial Eligibility (Student Ages 3-21)**

Page 3 of the Statewide IEP form and format is to be used for:

- Child transitioning from a local Infants and Toddlers Program ON or AFTER the child's third birthday; and
- Students ages three (3) through 21 NOT transitioning from a local Infants and Toddlers Program.

### **Date of Parent Consent for Initial Evaluation**

A public agency must obtain written parental consent before conducting assessment procedures, if additional data is needed to determine the student's initial eligibility for special education services under IDEA. An IEP team must complete an initial evaluation to determine the student's eligibility for services as a student with a disability within 60 (calendar) days of receiving parental consent.

**NOTE:** Identify the date of parental consent and compare that date to the date of the IEP team's determination of the student's eligibility for services. There should be no more than 60 calendar days between the two dates. If the date of the IEP team meeting to determine the student's eligibility for initial services under IDEA exceeds 60 calendar days from the date of parental consent to conduct assessments, the IEP is required to provide an explanation for the delay that resulted in noncompliance. Refer to Reasons for Delay.

- If a student is a ward of the State and not residing with a parent, reasonable efforts shall be made to obtain parental consent (does not include a student with a foster parent). Parent consent is not required if the parent cannot be found, parental rights have been terminated, or a judge has appointed an individual with educational authority. As a ward of the State, the student may require the appointment of a parent surrogate.

[34 C.F.R. §300.300COMAR 13A.05.01.06]

### **Date of Initial Evaluation**

A student with a suspected disability who may need special education shall be referred, in writing, by a parent of a student or a public agency to an IEP team. The written referral begins an overall 90-day timeline for completion of the initial evaluation. Within this timeframe the student's initial evaluation must be completed within 60 calendar days of parental consent to conduct assessments.

## **Eligibility as a Student with a Disability**

Indicate:

**YES** – If IEP team determines the student is a student with a disability requiring the provision of special education services;

**NO** – If the IEP team determines the student is NOT a student with a disability requiring the provision of special education services.

[34 C.F.R. §300.306(c)] [34 C.F.R. §300.300COMAR 13A.05.01.06A]

## **Indicate Primary Disability**

Although it is possible that a student may have more than one disability, enter the disability most indicative of the student's primary disability. A student evaluated and determined by an IEP team to be a student with a disability or a student with a developmental delay, who, because of the disability requires special education and related services as listed below:

- Autism,
- Deaf-blindness,
- Deafness,
- Developmental delay, for students three through seven,<sup>1</sup>
- Emotional disability,
- Hearing impairment,
- Intellectual disability,
- Multiple disabilities,<sup>2</sup>
- Orthopedic impairment,
- Other health impairment,
- Specific learning disability (dyslexia, dysgraphia, dyscalculia, other),
- Speech or language impairment,
- Traumatic brain injury, or
- Visual impairment, including blindness

### **NOTE:**

<sup>1</sup>Please refer to local policies, procedures, and practices relative to students with a developmental delay.

<sup>2</sup>1. Specify each disability from any of the three categories of disabling conditions the student's IEP team identifies as concomitant that causes such severe educational problems that the student cannot be accommodated in special education instructional services solely for one of the impairments.

- Cognitive includes: Autism, Emotional Disability, Intellectual Disability, Specific Learning Disability, Speech or Language Impairment, and Traumatic Brain Injury.
- Sensory includes: Deaf-Blindness, Deafness, Hearing Impairment, and Visual Impairment including Blindness.
- Physical includes: Orthopedic Impairment, and Other Health Impairment.

2. Concomitant means happening or existing along with or at the same time as something else.

3. Student is not required to be identified as a student with an intellectual disability as one of the disabilities.

[34 C.F.R. §300.300.8]

### **Document Basis for Decision(s) (required)**

A required text field for an IEP team to provide additional information to document the basis of the IEP team's decision. If addressed properly, documentation will meet requirements of prior written notice (PWN), in accordance with 34 C.F.R. §300.503 and COMAR 13A.05.01.12, PWN includes:

- A description of the action proposed or refused;
- An explanation of why the public agency proposes or refuses to take the action;
- A description of the options the public agency considered and the reason the options were rejected;
- A description of each assessment procedure, test, record, or report the public agency uses as a basis for the proposal or refusal;
- A description of any other factors relevant to the proposed or refused action;
- A list of sources a parent may contact to obtain assistance in understanding the provisions of IDEA; and
- If an action proposed by a public agency also requires parental consent, a public agency may provide notice at the same time it requests consent.

[20 U.S.C §1415; 34 C.F.R. §300.503; COMAR 13A.05.01.12]

### **Reason(s) for Delay of Initial Evaluation**

The student's initial evaluation is required to occur within 60 days of the date of parental consent for evaluation [State Performance Plan Indicator 11]. If there is a delay in meeting this required compliance timeline, the IEP team must document the reason for the delay.

Select one of the following, if applicable:

- Eligibility not determined due to withdrawal, i.e., transfer, dropout, parent withdrew consent.
- Initial evaluation for student, ages 3-21 was delayed because:
  - Parent repeatedly failed or refused to make the child available
  - Student is enrolled after 60-day timeframe began and prior to determination by LSS. Receiving LSS made sufficient progress to complete the evaluation and parent and LSS agreed to a specific time to complete the evaluation (All conditions must be met)
  - Parent requested delay - Parent and IEP team extend the timeframe by mutual written agreement
  - School/Facility Closure
  - Inclement weatherOther:
    - Child not available (not parent failure)/child refusal
    - Paperwork error

- Staffing issues
- Inconclusive testing results
- Other, please specify:

**NOTE:**

“Other” reasons for delay are not acceptable reasons for delay and will have an impact on Indicator 11 data at the Local and State level.

**School Closure**

**NOTE:**

School Closure is applicable only in the event that the school is closed for an entire day or part of a day for unanticipated reasons such as, but not limited to, power outage, water outage, natural disaster, or other exceptional circumstance, as determined necessary by the local school system or public agency. In the event of such a closure, the school is expected to facilitate and maintain communication with the parent to reschedule the meeting at a mutually agreeable time for the parent and school. If this rescheduled meeting occurs beyond the required timeline, the IEP team is to document that the parent was notified of the:

- Local school system’s/Public agency’s need to reschedule the meeting beyond a compliance timeline as a result of the unexpected school closure; and
- Any compliance timeline standards.

It is advised that all meetings be initially scheduled well within established timelines to allow for the possibility of an unexpected need to reschedule a meeting.

**Inclement Weather**

**NOTE:**

Inclement Weather is applicable only in the event that the school is closed for an entire day, delays the opening of school, or dismisses school early as a result of severe weather, as determined necessary by the local school system or public agency. In the event of school being closed, delayed opening or early dismissal, the school is expected to facilitate and maintain communication with the parent to reschedule the meeting at a mutually agreeable time for the parent and school. If this rescheduled meeting occurs beyond the required timeline, the IEP team is to document that the parent was notified of the:

- Local school system’s/Public agency’s need to reschedule the meeting beyond a compliance timeline as a result of the unexpected delay in opening school or the early dismissal; and
- Any compliance timeline standards.

It is advised that all meetings be initially scheduled well within established timelines to allow for the possibility of an unexpected need to reschedule a meeting.

**Date of Parent Consent Continue Early Intervention Services through an IFSP at Age 3**

ON a child’s third birthday or AFTER, IF Initial evaluation was delayed, a child with a current IFSP is determined eligible for special education and related services, AND the family chose for their child to continue to receive early intervention services through an IFSP.

**Date Local School System was Notified of Parent Decision to Request Services through an IEP**

Enter date local school system was notified of the family's choice for their child to receive Part B special education and related services through an IEP.

**Date Extended IFSP Services Ended**

Enter date a child’s Extended IFSP Services ended. Complete ONLY when a child’s Extended IFSP Services end.

**Date of Initial IEP Development**

The IEP must be developed within 30 days of the date the student is determined eligible and in need of specialized instruction under IDEA.

[34 C.F.R. §300.323(c); COMAR 13A.05.01.08A(1)]

**Date of Parent Consent for Initiation of Services**

An IEP team shall obtain written parental consent before the initial provision of special education and related services to the student. (Statewide IEP, pg. 26, “Consent for Initiation of Services”)

[34 C.F.R. §300.300(b); COMAR 13A.05.01.13B(1)]

**NOTE:**

IDEA prohibits a public agency from providing special education and related services to the student if the parents fail to respond or do not provide consent to initiate services. The IDEA gives parents the ultimate choice as to whether their student should receive special education and related services. IDEA relieves public agencies of any potential liability for failure to convene an IEP team meeting or for failure to provide the special education and related services for which consent was requested but withheld. Beyond consent for initiation of services, parental consent for services is not required.

[34 C.F.R. §300.300(b)(4); COMAR 13A.05.01.13B(2)-(5)]

**Date of Initial IEP in Effect**

A public agency shall ensure that an IEP is in effect before special education and related services are provided to the student with a disability within its jurisdiction.

A public agency shall have an IEP in effect for a student with a disability at the beginning

of a school year. A public agency shall implement the student's IEP as soon as possible after the meeting where the IEP is developed or revised. Exceptions include:

- When the meeting occurs during the summer or a vacation period;
- When there are circumstances that require a short delay, such as arranging for the provision of transportation.

[34 C.F.R. §300.124; COMAR 13A.05.01.08A(2)]

### **Transition from Infants and Toddlers (Part C) to Preschool (Part B)**

Indicate:

YES – If the student is a toddler, between 30 – 36 months of age, transitioning from Part C to Part B as a student with a disability or developmental delay.

NO – For all other students.

Each local school system shall convene an IEP team meeting to determine if a student in transition from a Local Infants and Toddlers program (LITP) has a disability that requires the provision of special education and related services.

#### **NOTE:**

- If the child is determined eligible for preschool special education services and the child's family does not choose the Extended IFSP Option, the child will be referred to the local school system IEP team for the development of an IEP to address the child's special education and related services needs.
- For children exiting Part C at age three who are determined to be eligible for Part B services, an IEP must be developed and in effect on or before the student's third birthday.
- If the IEP team meeting occurred after the student's third birthday, the IEP team must document the reason for the delay.
- The date of the initial IEP development and the date of the initial IEP is in effect may be the same or different, but in no case beyond the date of the student's third birthday, unless good cause for the delay is documented. Refer to Reason for Delay.

Therefore, all steps in the process – eligibility determination, and if found eligible, development of the IEP, and parental consent for initiation of services – must be completed prior to the actual date the child turns three years of age.

If the parent fails to respond or refuses consent to the initial provision of special education and related services, the public agency shall not provide special education and related services to the student and will not be considered in violation of the requirement to make FAPE available in accordance with 34CFR§300.

## **Continued Eligibility Data (Reevaluation)**

In accordance with 20 U.S.C. §1414(a)(2)(B) a reevaluation shall occur:

- Not more frequently than once a year, unless the parent and public agency agree otherwise; and
- At least once every three years, unless the parent and public agency agree that a reevaluation is not necessary.

The IEP team shall review existing assessment data. On the basis of the review, and input from the student's parents, the IEP team shall identify what additional data, if any, is needed, to determine:

- Whether the student continues to be a student with a disability;
- The educational needs of the student;
- The present levels of academic achievement and related developmental needs of the student;
- Whether additions or modifications to special education and related services are needed to enable the student to meet the measurable annual goals in the student's IEP and to participate in the general curriculum; and
- Whether the student continues to need special education and related services.

If the IEP team determines the need for additional data, the public agency shall conduct assessment procedures. The results of assessment procedures shall be used by the IEP team in reviewing, and, as appropriate, revising the student's IEP within 90 days of the meeting when the IEP team determined the need for additional data.

The IEP team shall provide the parents with prior written notice if the IEP team determines that no additional data is needed to determine:

- Whether the student with a disability continues to be a student with a disability; and
- The student's educational needs.

A public agency shall conduct assessment procedures before determining the student is no longer a student with a disability. A public agency is not required to conduct assessment procedures:

- Unless requested to do so by the student's parent; or
- Before the termination of the student's eligibility due to:
  - Graduation from a secondary school with a Maryland High School Diploma (the same diploma nondisabled peers receive); or
  - Exceeding the age of eligibility (21) for FAPE.

A public agency shall consolidate a reevaluation meeting with other IEP team meetings for a student with a disability to the extent possible. An IEP team shall complete a reevaluation involving new assessment data within 90 (calendar) days of the date the IEP team determined new data was needed in order to determine the student's continued eligibility for special education services.

[34 C.F.R. §§300.300(c)-(d); 300.303; 300.305COMAR 13A.05.01.06E]

**NOTE:**

Compare the date when the reevaluation process began to the date the IEP team reviewed existing data to determine whether the student continues to be eligible for special education services in accordance with IDEA. After initial consent for the initiation of special education services, parental consent is not required for the continuation of special education services.

**Areas Identified for Reevaluation**

The IEP team reviews existing data and identifies what additional data, if any, is needed, to determine:

- Whether the student continues to be a student with a disability;
- The present levels of educational performance; and
- Whether modifications to special education and related services are needed.

**Discussion to Support Decision (optional)**

This text field is available for the student's IEP team to provide additional information relative to the areas affected by the student's disability that require special education services. If an IEP team intends to use the student's IEP to satisfy the requirements for PWN, this text field provides space for that purpose.

**Evaluation Date**

This is the most recent date on which the IEP team completed a full and comprehensive review of data to determine the student's continued need for special education and related services.

[34 C.F.R. §300.305(a); COMAR 13A.05.01.06.)E(2)]

**NOTE:**

Reevaluation DOES NOT REQUIRE new assessment(s) unless the IEP team believes additional data is necessary.

**Continued Eligibility**

The student's IEP team must document whether the student continues to be a student with a disability.

Indicate:

YES – if the IEP team determines the student continues to be a student with a disability

NO – if the IEP team determines the student no longer requires the provision of special education and related services in order to receive a FAPE.

**NOTE:**

- Identify and compare the date of the previous eligibility determination to the date of the current eligibility determination to ensure a reevaluation occurred at least once every three years, unless the parent and the public agency have agreed and documented that a

reevaluation was not necessary.

- Reevaluation does not necessarily require the administration of new assessment procedures. It is the responsibility of the student's IEP team to document the need for additional data.

### **Additions or Modifications to Special Education and Related Services**

Respond YES or NO to the IEP team's consideration of any additions or modifications to special education and related services needed to enable the student to meet the measurable annual goals set out in the student's IEP and to participate, as appropriate, in the general education curriculum.

[34 C.F.R. §300.305(a)]

### **Eligibility**

Indicate:

YES – if the IEP team determines the student continues to be a student with a disability who requires special education and related services.

NO – if the IEP team determines the student no longer requires the provision of special education and related services as a student with a disability.

### **NOTE:**

If NO is marked, complete the portion of "Student Information" entitled "Exit Information" by identifying the appropriate exit category.

### **Document Basis for Decision(s) (required)**

A required text field for an IEP team to provide additional information to document the basis of the IEP team's decision. If addressed properly, documentation will meet requirements of prior written notice (PWN), in accordance with 34 C.F.R. §300.503 and COMAR 13A.05.01.12, PWN includes:

- A description of the action proposed or refused;
  - An explanation of why the public agency proposes or refuses to take the action;
  - A description of the options the public agency considered and the reason the options were rejected;
  - A description of each assessment procedure, test, record, or report the public agency uses as a basis for the proposal or refusal;
  - A description of any other factors relevant to the proposed or refused action;
  - A list of sources a parent may contact to obtain assistance in understanding the provisions of IDEA; and
- 
- If an action proposed by a public agency also requires parental consent, a public agency may provide notice at the same time it requests consent.

[20 U.S.C §1415; 34 C.F.R. §300.503; COMAR 13A.05.01.12]

## **Primary Disability**

Although it is possible that a student may have more than one disability, enter the disability that is most indicative of the student's primary disability. A student evaluated and determined by an IEP team to be a student with a disability or a student with a developmental delay, who, because of the disability requires special education and related services under IDEA as listed below.

- Autism,
- Deaf-blindness,
- Deafness,
- Developmental Delay, students three through seven.<sup>1</sup>
- Emotional disability,
- Hearing impairment,
- Intellectual disability,
- Multiple disabilities<sup>2</sup>
- Orthopedic impairment,
- Other health impairment,
- Specific learning disability(dyslexia, dysgraphia, dyscalculia, other),
- Speech or language impairment,
- Traumatic brain injury, or
- Visual impairment, including blindness

### **NOTE:**

<sup>1</sup>Please refer to local policies, procedures, and practices relative to students with a developmental delay.

<sup>2</sup>1. Specify each disability from any of the three categories of disabling conditions the student's IEP team identifies as concomitant that causes such severe educational problems that the student cannot be accommodated in special education instructional services solely for one of the impairments.

- Cognitive includes: Autism, Emotional Disability, Intellectual Disability, Specific Learning Disability, Speech or Language Impairment, and Traumatic Brain Injury.
- Sensory includes: Deaf-Blindness, Deafness, Hearing Impairment, and Visual Impairment including Blindness.
- Physical includes: Orthopedic Impairment, and Other Health Impairment.

2. Concomitant means happening or existing along with or at the same time as something else.

3. A student is not required to be identified as a student with an intellectual disability as one of the disabilities.

[34 C.F.R §300.8; COMAR13A.05.01.06C(1)-(2)]

# **STUDENT PARTICIPATION ON DISTRICT / STATEWIDE ASSESSMENTS AND GRADUATION INFORMATION**

## **Graduation**

Each principal shall inform all students and their parents or guardians annually at a minimum of the following:

- Maryland's graduation requirements;
- The student's progress on fulfilling the credit, Maryland High School Assessment, service, and applicable IEP requirements for graduation;
- The results of each Maryland High School Assessment taken by the student;
- A plan for appropriate assistance, if applicable; and
- The Department's schedule for Maryland High School Assessments (HSA), and Partnership for Assessment of Readiness for College and Careers (MCAP)

[COMAR 13A.03.02.12C].

## **Maryland High School Diploma**

Students pursuing a Maryland High School Diploma shall complete the requirements for graduation, including enrollment, credits, services, additional local requirements, if applicable, and assessments.

[COMAR 13A.03.02.09B]

## **Maryland High School Certificate of Program Completion**

This certificate shall be awarded only to students with disabilities who cannot meet the requirements for a diploma but who meet the following standards:

- The student is enrolled in an education program for at least 4 years beyond grade 8 or its age equivalent, and is determined by an IEP team, with the agreement of the parents of the student with disabilities, to have developed appropriate skills for the individual to enter the world of work, act responsibly as a citizen, and enjoy a fulfilling life, including but not limited to:
  - Gainful employment;
  - Post-secondary education and training;
  - Supported Employment; and
  - Other services integrated in the community; or
- The student has been enrolled in an education program for 4 years beyond grade 8 or its age equivalent and will have reached age 21 by the end of the student's current school year.

[COMAR 13A.03.02.09D]

The final decision to award a student with disabilities a Maryland High School Certificate of Program Completion will not be made until after the beginning of the student's last year in high school.

**NOTE:** A student with significant cognitive disability may not meet high school graduation requirements, if a student: Participates in an Alternate Assessment based on Alternate Academic Achievement Standards (AA-AAAS); and continues to receive instruction based on Alternate Academic Achievement Standards through high school.

[COMAR 13A.03.02.09D(3) – (4)].

Upon completion of a secondary school program, the student with a disability will receive an the Maryland Summary of Performance to accompany the Maryland High School Diploma or the Maryland High School Certificate of Program Completion that describes the student's skills.

[COMAR 13A.03.02.09D(5)].

## **Enrollment**

The student shall satisfactorily complete 4 years of approved study beyond the eighth grade unless the student has satisfied the requirements for:

- Early admission to college; or
- An approved vocational, technical, or postsecondary program as specified in COMAR 13A.03.02.10.

[COMAR 13A.03.02.03]

## **Service Learning**

Students shall complete one of the following:

- 75 hours of student service that includes preparation, action, and reflection components and that, at the discretion of the local school system, may begin during the middle grades; or
- A locally designed program in student service that has been approved by the State Superintendent of Schools

[COMAR 13A.03.02.06]

## **Credit**

To be awarded a diploma, a student shall be enrolled in a Maryland public school system

and shall have earned a minimum of 21 credits that include the following specified core credits:

- English—four credits of organized instruction in listening and speaking, reading and literature, and written composition and use of language;
- Fine arts—one credit in visual arts, music, theater, or dance, or a combination of these;
- Mathematics—three credits, including one with instruction in algebra/data analysis and one with instruction in geometry;
- Physical education—one-half credit;
- Health education—one-half credit;
- Science—three credits of which one shall be in biology and two from the earth, life, or physical sciences, or all of the above, in which laboratory experiences are an integral component;
- Social studies—three credits including one credit in United States history, one credit in world history, and one credit in local, State, and national government;
- Technology education—one credit that includes the application of knowledge, tools, and skills to solve practical problems and extend human capabilities; and
- Earn 5 credits from one of the following options:
- Option 1- Credits 2 Foreign Language Credits and 3 Elective Credits
- Option 2- Credits 2 American Sign Language Credits and 3 Elective Credits
- Option 3- Credits 2 Advanced Technology Education Credits and 3 Elective Credits
- Option 4-Credits 4 State Approved Career and Technology Program Credits and 1 Elective Credit

[COMAR 13A.03.02.03B]

In addition to earning credits during the regular school day and year, credits may be earned, at the discretion of the local school system, through the following means:

- Summer School
- Evening School
- Correspondence and Online Courses
- Tutoring
- Work Study Programs, Job Entry Training Programs, or Experience Outside the School
- College Courses
- Independent Study/Internship
- Credit through Examination
- A student who receives credit for algebra/data analysis, biology, English, or government through the options listed above shall take the requisite Maryland High School Assessment during its next regular administration.

[COMAR 13A.03.02.04]

## **High School Graduation Assessments**

- High School Graduation Requirements
- College and Career Ready College Completion Act of 2013

## **Transition Courses 2016-2017 School Year**

The MSDE develops and implements transition courses for 12th grade students who have not achieved college and career readiness by the end of 11th grade

*It is important to note that according to COMAR 13A.03.02, students must take the assessment at least twice before submitting the Bridge Academic Validation Plan. Students may begin work on their Bridge Projects after the first assessment attempt.*

## **Additional Local School System Graduation Requirements**

Identify any additional local school system graduation requirements, if applicable.

**NOTE:** A list of additional local school system graduation requirements may be attached to the closed IEP document. If you are attaching a document to the paper copy of the IEP, summarize what is being attached and maintain a copy of that attachment with the paper copy of the IEP within the student's record.

## **Graduation Requirements Explained to Parents**

Indicate:

YES – if you explained the graduation requirements to the parent

NO – if you did not explain the graduation requirements to the parent.

## **Plan for Participation in the Maryland Comprehensive Assessment Program (MCAP) to be Administered During the Term of the Current IEP**

### **Participation and Performance on District/Statewide Assessments**

All students must be included to the fullest extent possible in all statewide assessment programs and their assessment results are a part of Maryland's accountability system. The MSDE requires all students to participate in Statewide assessment programs unless documented

as described in the "Maryland Accessibility Features and Accommodations Manual. The Maryland participation requirement is supported by federal legislation requiring the participation of students with disabilities in standards-based instruction and assessment initiatives. Two key federal acts governing student participation in assessments include the Every Student Succeeds Act (ESSA), the Individuals with Disabilities Education Act (IDEA).

For specific information relative to each assessment, please refer to either the "Maryland Assessment, Accessibility & Accommodations Manual," October 2017 or the manual applicable to each assessment. Maryland Assessments include the following, as applicable to the student:

Alternate Assessment based on Alternate Academic Achievement Standards (AA-AAAS)

- Alt MISA – Grade 5, 8 & 11, Science Only
- HSA- biology and government
- MCAP General Assessment - Grades 3-8 and High School
- Bridge Validation Program (Bridge Plan)
- Access for ELLs
- Alternate Access for ELLs

## **Student Participation in Statewide Assessment**

Indicate YES or NO to all applicable Statewide assessments, in which the student will participate, including applicable content areas.

**NOTE:** MSDE requires all students to participate in either the General or the Alternate Statewide assessment programs. The Maryland Accessibility Features and Accommodations Manual delineates special exemption conditions for:

- English Learners (ELs) who are in their first year of enrollment in a U.S. school may substitute their test results on the English language proficiency assessment or the MCAP English Language Arts/Literacy rather than sitting for the MCAP English Language Arts/Literacy test itself. Such students must still participate in the MCAP Mathematics and MSA Science tests.
- Special Medical Exemption Conditions for students when they cannot take the assessment during the entire testing window, including the make-up dates, because of a significant medical emergency. A significant medical emergency is a significant health impairment that renders the student incapable of participating in ANY academic activities.

## **Has the IEP Team Determined That the Student Should Participate in an Alternate Assessment Based on Alternate Academic Achievement Standards**

Indicate:

YES- with date of written consent;

NO- with date of written refusal;

or No response

**Note:** IEP team are required to complete the Appendix A of *Maryland Guidance for IEP Teams on Participation Decisions for the Alternate Assessments* annually and Appendix A must be filed in the student's electronic IEP folder.

## **Has the IEP Team Determined That the Student Will Be Instructed Using Alternate Standards Which, if Continued Will Result in Not Earning Credits Towards a Maryland High School Diploma**

Indicate:

YES- with date of written consent;

NO- with date of written refusal;  
or No response

### **Document Basis for Assessment Decision(s) (required)**

Document the basis of the IEP team's decision relative to the student's participation in MCAP, HSA, or Alternate Assessment based on alternate academic achievement standards, as applicable.

A required text field for an IEP team to provide additional information to document the basis of the IEP team's decision. If addressed properly, documentation will meet requirements of prior written notice (PWN), in accordance with 34 C.F.R. §300.503 and COMAR 13A.05.01.12, PWN includes:

- A description of the action proposed or refused;
- An explanation of why the public agency proposes or refuses to take the action;
- A description of the options the public agency considered and the reason the options were rejected;
- A description of each assessment procedure, test, record, or report the public agency uses as a basis for the proposal or refusal;
- A description of any other factors relevant to the proposed or refused action;
- A list of sources a parent may contact to obtain assistance in understanding the provisions of IDEA; and
- If an action proposed by a public agency also requires parental consent, a public agency may provide notice at the same time it requests consent.

[20 U.S.C §1415; 34 C.F.R. §300.503; COMAR 13A.05.01.12]

To ensure that students with disabilities receive the appropriate provision of accommodations, IEP Teams, which includes the parent, must employ good decision making when determining accommodations for a student based on his/her instructional needs in the classroom and for assessments.

Beginning with the Maryland IEP that will be in effect July 1, 2012, in Section 2 of the Instructional and Testing Accommodations page, the IEP Team must complete the Document Basis for Assessment Decision(s) text field. This field documents the IEP Team's decision relative to the student's participation in the MCAP, MSA, HSA, or the Alternate Assessment, as applicable.

In addition, in Section 2, for accommodations noted with an asterisk, the IEP Team must complete the Provide specific description stating the type of accommodation and how the accommodation will be administered text field. This dialogue box is required for IEP Teams to specify the type of accommodation(s) that will be administered, and how the accommodation(s) will be administered (i.e., Visual Cues: Teacher will gesture to the student and/or point to assignments to support the student to stay on task when experiencing difficulty with attention or behavior). For information regarding the use of specific accommodations for online testing, the IEP Team must refer to Section 5 of the Maryland Assessment, Accessibility & Accommodations Policy Manual Issue, July 2012.

## **Participation in National/International Assessments**

**NOTE:** A student may be asked to participate in National or International Assessments. Only allowable accommodations on National / International Assessments are permitted however, this should not preclude the student from taking the National or International Assessment without those accommodations. See Commonly Used Terms, page 10.

## **Pursuing a High School Diploma or Certificate of Program Completion**

Indicate whether the student is pursuing a:

- Maryland High School Diploma; or
- Maryland High School Certificate of Program Completion

### **NOTE:**

The final decision to award a student with disabilities a Maryland High School Certificate of Program Completion will not be made until after the beginning of the student's last year in high school.

[COMAR 13A.03.02.09E(3)]

## **Complete for High School Seniors that may be Eligible for HSA**

**Waiver** By April 1, the school principal shall consider whether to recommend to the local superintendent a waiver of the HSA graduation requirements that the student has not fulfilled if the senior may fail to graduate because:

1. The student has taken none of the required HSAs; or
2. The student has taken some or all of the HSAs and failed some or all of them, and
  - (a) The student has or will meet all other graduation requirements;
  - (b) The student has or will take all required HSAs before the graduation date; and
  - (c) If the student had an opportunity to participate in one or more interventions, or remediation opportunities, including the Bridge Plan, the student participated in them; and
3. The student is prevented from meeting the HSA graduation requirements because:
  - (a) Of a decision made by the local school system about scheduling, course sequencing, test taking, or provision of interventions as required.
  - (b) The student experienced a special, extraordinary, or extenuating circumstance or combination of circumstances preceding the administration of the most recent HSA, such as a recent death in the immediate family, a serious or prolonged illness or pregnancy with medical complications, an accident causing serious injury, or a destructive house fire; or
  - (c) The student moved to the United States in the junior or senior year and the student is literate in the student's native language but not literate in English.

[COMAR 13A.03.02.12]

If a student with a disability who is a high school senior may be eligible for an HSA waiver, the IEP team is to discuss the criteria of the waiver decision-making process for the student

and indicate whether or not it supports an HSA waiver recommendation to the local superintendent.

Indicate:

- YES (If yes, specify date recommended); or
- NO

## **PERFORMANCE SUMMARY**

### **English Language Proficiency Summary**

Indicate YES or NO to the question, "Is the student an English Learner?"

### **Student Performance on the English Language Proficiency**

If applicable, indicate the date of the student's participation in the English Language Proficiency Assessment. The score is the student's overall score as indicated on the student's score report.

The student's performance as:

- Entering
- Emerging
- Developing
- Expanding
- Bridging
- Reaching

**NOTE:** If student took the WIDA Screener, it is suggested that the relevant information be documented in the Service for English Learners document basis for decision text field, within the Special Considerations and Accommodations section of the IEP.

### **Student Performance on the Alternate English Language Proficiency Assessment**

If applicable, indicate the date of the student's participation in the Alternate English Language Proficiency Assessment. The score is the student's overall score as indicated on the student's score report.

The student's performance as:

- Initiating
- Exploring
- Engaging
- Entering
- Emerging

**NOTE:** If student took the WIDA Screener, it is suggested that the relevant information be documented in the Special Considerations and Accommodations section of the IEP in the *Services for Students who are English Learners* section under "Document Basis for Decision."

## **Statewide Maryland Comprehensive Assessment Program (MCAP) Performance Summary**

### **Kindergarten Readiness Assessment (KRA)**

Indicate most current date of the student's participation on the Kindergarten Readiness Assessment.

Indicates the student's overall performance level and composite score on the Kindergarten Readiness Assessment. Additionally, enter individual Domain Level Performance (scores for the domains, Language and Literacy, Mathematics, Social Foundations, and Physical Well-Being and Motor Development).

- Emerging
- Approaching
- Demonstrating
- Incomplete Assessment (some or all items were not complete)

**NOTE:** A Not Scorable rating may impact a child's overall and domain scores.

### **Student Performance on Grades 3-8 Assessments**

Enter most current date of the student's participation within the assessment window that corresponds to the most current available individual student performance scores and level of achievement.

### **Grades 3-8 Assessment Performance**

Enter the proficiency level that corresponds to the most current test window in which the student participated, if applicable. Indicate English Language Arts / literacy and mathematics proficiency levels as:

- Level 1
- Level 2
- Level 3
- Level 4
- Level 5

### **Student Performance on Maryland Integrated Science Assessment (MISA)**

Enter grade and scale score: Proficiency level cut scores to be determined in the 2018-2019 School Year.

### **Student Performance on Alternate Assessments**

Enter most current date of the student's participation within the Alternate Assessment window that corresponds to the most current individual student performance scores and level of achievement.

### **Alternate Assessment Results and Performance**

If applicable, enter the student's most current proficiency level for English Language Arts and mathematics Alternate Assessments. Indicate English Language Arts and mathematics proficiency levels as:

- Level 1
- Level 2
- Level 3
- Level 4

If applicable, enter the student's most current proficiency level for science alternate assessment:

- Emerging
- Approaching the Target
- Target, or
- Advanced

### **Student Performance on High School Assessments (HSAs)**

Enter most current date for participation in HSA that corresponds to the most current test window in which the student participated. If applicable, check Mod (if taken during the 2014- 2015 school year or prior). Indicate by YES or NO for participation of either the Bridge Plan, Mod- HSA, or substitute assessment.

### **HSA Assessment Scores and Passing Status on HSA**

If a student has participated in previous HSAs, enter available scores and whether or not the student has met the standard for each assessment in which the student has participated.

### **Maryland Comprehensive Assessment Program (MCAP) Summary**

Enter most current date for participation in the Maryland Comprehensive Assessment Program (MCAP) assessments.

Enter the grade and scaled score for the current year and if applicable, the previous year's administration of the MCAP. Indicated the most current proficiency level:

- Level 1
- Level 2
- Level 3
- Level 4
- Level 5

<b>Combined Score Option</b>
<p><b>A. Combined Score-2 PARCC Assessments</b></p> <ul style="list-style-type: none"> <li>• Starting in 2016-2017 all current 7th-12th grade students may use the following combined score option.</li> <li>• Combined minimum scores for English 10 and Algebra I = 1450</li> </ul>
<p><b>B. Combined Score- 4 Former HSAs</b> 1602 for Algebra I, English 10, biology, government</p>
<p><b>C. Combined Score-3 Former HSAs</b></p> <ul style="list-style-type: none"> <li>• 1208 for Algebra I, English 10, biology</li> <li>• 1206 for Algebra I, biology, government</li> <li>• 1190 for English, biology, government</li> <li>• 1202 for English 10, Algebra I, government</li> </ul>
<p><b>D. Combined Score-2 Former HSAs</b></p> <ul style="list-style-type: none"> <li>• 808 for English 10, Algebra I</li> <li>• 812 for Algebra I and biology</li> <li>• 806 for Algebra I and government</li> <li>• 796 for English 10 and biology</li> <li>• 790 for English 10 and government</li> <li>• 794 for biology and government</li> </ul>

With the variations in participation versus passing requirements over the last several years, calculations of the combined-score options change from year to year.

<b>Combined Score Option</b>
<p><b>A. Combined Score-2 PARCC Assessments</b></p> <ul style="list-style-type: none"> <li>Starting in 2016-2017 all current 7th-12th grade students may use the following combined score option.</li> <li>Combined minimum scores for English 10 and Algebra I = 1450</li> </ul>
<p><b>B. Combined Score- 4 Former HSAs</b></p> <p>1602 for Algebra I, English 10, biology, government</p>
<p><b>C. Combined Score-3 Former HSAs</b></p> <ul style="list-style-type: none"> <li>1208 for Algebra I, English 10, biology</li> <li>1206 for Algebra I, biology, government</li> <li>1190 for English, biology, government</li> <li>1202 for English 10, Algebra I, government</li> </ul>
<p><b>D. Combined Score-2 Former HSAs</b></p> <ul style="list-style-type: none"> <li>808 for English 10, Algebra I</li> <li>812 for Algebra I and biology</li> <li>806 for Algebra I and government</li> <li>796 for English 10 and biology</li> <li>790 for English 10 and government</li> <li>794 for biology and government</li> </ul>

With the variations in participation versus passing requirements over the last several years, calculations of the combined-score options change from year to year.

## **SECTION II: PRESENT LEVEL OF ACADEMIC ACHIEVEMENT AND FUNCTIONAL PERFORMANCE**

In order to address the educational needs of the student, the IEP team needs to have a comprehensive picture of the student's academic achievement and functional performance in order to develop the IEP. For children transitioning from Part C or entering school as a child with a disability between three (3) and five (5) years of age, the IEP team should consider early developmental skills. The IEP team's determination of how the student's disability affects his or her involvement and progress in the general education curriculum or in age-appropriate activities is a primary consideration in the development of the student's annual IEP goals and the supports and services the student will receive. Federal regulation, 34 C.F.R. §300.320(a)(1)(i), consistent with 20 U.S.C. §1414(d)(1)(A)(I)(I)(aa) and COMAR13A.05.01.08, requires the statement of the student's present levels of academic achievement and functional performance in the IEP to include how the student's disability affects the student's involvement and progress in the general education curriculum. This directly corresponds with the provision in 34 §300.320(a)(2)(i)(A) and 20 U.S.C. §1414(d)(1)(A)(I)(II)(aa), which requires the IEP to include measurable annual goals designed to meet the student's needs that result from the student's disability to enable the student to be involved in and make progress in the general education curriculum.

In developing each student's IEP, the IEP team, shall consider the:

- Strengths of the student;
- Concerns of the parents for enhancing the education of their student;
- Results of the initial evaluation or most recent evaluation of the student; and
- Academic, developmental, and functional needs of the student.

The "Present Levels of Academic Achievement and Functional Performance" (PLAAPF) should integrate information from multiple sources to provide a comprehensive description of the student's characteristics as a learner, current demonstration of skills relative to grade-level standards and/or age-appropriate expectations, and intervention history. The information needed to create this picture may include standardized psychological, academic, and other assessments, current classroom-based assessments, curriculum-based measures, work samples and other data collected by teachers and service providers, and focused observations of the student in academic and other environments, as well as parent, student and general education teacher input in all relevant areas. Information on interventions and specially designed instruction that have been provided, including implementation fidelity data and data on the student's response and the impact on performance, should be included. This information allows the IEP team to make data-informed decisions about future specially-designed instruction.

For a review or revision of the student's current IEP, the current level of performance should also include a description of the student's progress toward meeting the annual goals of the current/previous IEP.

It is particularly important to include student strengths, as well as areas of concern/needs that were identified during the assessment, including parent, student and general education teacher input related to strengths and concerns/needs. The IEP team should focus on how the student's strengths and concerns/needs affect the student's involvement and progress

in the general curriculum. As part of the process of defining the student's current level of performance, the IEP team should identify what the student currently knows and can do and how areas of strength can be leveraged to support the student's growth in areas of difficulty.

The IEP team should provide a narrative summary of performance rather than a listing of assessment procedures and results. Detailed assessment information should be found in separate assessment reports. For any data that is recorded in this section, the IEP team must document the source of the data (classroom-based assessments, district and/or state assessments, and classroom-based observations, parent, student and general education teacher input, etc.).

"Present Level of Academic Achievement and Functional Performance" provides the foundation for the IEP team's design of the student's specially designed instruction. The remaining components of the IEP are based on the information documented in this section.

Areas that impact the student's academic or functional performance must be addressed in the IEP, typically through corresponding goals and objectives, as well as through accommodations and supplementary aides, services, supports, and program modifications. According to 20 U.S.C. §1414(d) (1) (A) (i) (II), goals and short-term objectives or benchmarks are designed to meet the student's needs that result from the student's disability. Therefore, the concerns/needs detailed in this section that have a marked impact on the student's educational performance and requires specially designed instruction should result in a corresponding annual goal. If there are concerns raised that do not rise to the level of needing specially designed instruction, then the IEP team may note these areas and the reasons for the team's decision "Under options discussed and considered by the IEP team but rejected in favor of the proposed actions" corresponds to the requirements of Prior Written Notice (PWN).

## **EARLY LEARNING SKILLS**

### **Child's educational and functional performance**

Document child's educational and functional performance levels in areas, as appropriate:

- Social Foundations
- Language and literacy
- Mathematics
- Science
- Social studies
- Physical well-being and motor development
- Fine arts

### **Sources**

If applicable, identify the sources of the data used to assess the student's educational and functional performance. Sources may include, but are not limited to current classroom-based assessments, district and/or state assessments, and classroom-based observations, parent information, student inputs, and general education teacher input in all relevant areas.

### **Summary of Assessment Findings**

Summarize formal and informal assessment findings in terms of how the child's performance impacts his/her ability to participate in preschool activities, including dates of administration.

### **Level of Educational and Functional Performance**

Describe the child's educational and functional performance as compared to typically developing peers.

### **Impact on Educational and/or Functional Performance**

If applicable, indicate YES or NO if the student's disability impacts the student's educational and functional performance in the identified area such that the student requires the provision of special education and related services in order to participate in appropriate activities.

Does this area impact the child's educational and/or functional performance? Indicate:

- YES (the area impacts the child's performance); or
- NO (the area does not impact the child's performance)

## **ACADEMIC**

### **Sources**

If applicable, identify the sources of the data used to assess the student's academic achievement and functional performance. Sources may include, but are not limited to current classroom-based assessments, district and/or state assessments, and classroom-based observations, parent information, student and general education teacher input in all relevant areas.

### **Instructional Grade Level Performance**

If applicable, identify the student's instructional grade level.

**NOTE:** The student's instructional performance may not be on grade level. If not, this may be an indicator that the student's IEP team needs to consider supplementary aids, services, program modifications, and supports and/or to target this area through one or more goals designed to narrow the gap between the student's performance and grade-level expectations and standards. Although a student's performance may not be at grade level, the student is to receive instruction in grade level content.

### **Summary of Assessment Findings**

If applicable, summarize the assessment findings, including the date(s) of administration. Assessment findings include data and information from, but not limited to: current classroom-based assessments, district and/or state assessments, classroom-based

observations, parent information, and student and general education teacher input in all relevant areas.

### **Impact on Academic Achievement and Functional Performance**

If applicable, indicate YES or NO if the student's disability impacts the student's academic achievement or functional performance in the identified area that requires the provision of specially designed instruction.

## **HEALTH**

Identify, as applicable, information, including teacher and/or parent concerns, regarding the student's health, including vision, hearing, allergies, and/or medical conditions that adversely affect the student's ability to access or participate in the general curriculum and that may require the provision of special education and related services. Include sources of information and summary of assessment findings, including the dates of administration. Assessment findings include, but not limited to: current classroom-based assessments, district and/or state assessments, classroom-based observations, reports from the school nurse and/or other health care providers, parent information, and student and general education teacher input in all relevant areas.

### **Sources**

If applicable, identify the sources of the data used to determine the impact of health-related factors on the student's access to and participation in the curriculum and school environment.

### **Level of Performance**

If applicable, identify the student's level of performance.

### **Summary of Assessment Findings**

If applicable, summarize the assessment findings, including the date(s) of administration. Assessment findings include data and information from, but not limited to: medically-based testing, observations, and reports, current classroom-based assessments, district and/or state assessments, classroom-based observations, parent information, and student and general education teacher input in all relevant areas.

### **Impact on Academic Achievement and Functional Performance**

If applicable, indicate YES or NO if the student's disability impacts the student's academic achievement or functional performance in the identified area that requires the provision of specially designed instruction.

## **PHYSICAL**

Identify, as applicable, any issues, including parents and/or teacher concerns, regarding the student's fine or gross motor abilities that may adversely affects the student's ability to

access or participate in the general curriculum that may require the provision of special education and related services. Include sources of information, summary of assessment findings, including the dates of administration. Assessment findings include, but not limited to: current classroom-based assessments, district and/or state assessments, classroom-based observations, parent information, and student and general education teacher input in all relevant areas.

### **Sources**

If applicable, identify the sources of the data used to assess the student's academic achievement and functional performance. Sources may include, but not limited to current classroom-based assessments, district and/or state assessments, classroom-based observations, parent information, and student, related service provider, and general education teacher input in all relevant areas.

### **Level of Performance**

If applicable, identify the student's level of performance.

### **Summary of Assessment Findings**

If applicable, summarize the assessment findings, including the date(s) of administration. Assessment findings includes data and information from, but not limited to: current classroom-based assessments, district and/or state assessments, other standardized assessments, classroom-based observations, parent information, and student and general education teacher input in all relevant areas.

### **Impact on Academic Achievement and Functional Performance**

If applicable, indicate YES or NO if the student's disability impacts the student's academic achievement or functional performance in the identified area that requires the provision of specially designed instruction.

## **BEHAVIORAL**

Identify, as applicable, any issues, including teacher and/or parent concerns, regarding the student's social, emotional, and behavioral performance that may adversely affects the student's ability to access or participate in the general curriculum and/or impedes the student's learning or the learning of others that may require the provision of special education and related services, including a functional behavioral assessment and behavioral intervention plan to reduce inappropriate behavior through the use of positive intervention strategies. Include sources of information, summary of assessment findings, including the dates of administration.

### **Sources**

If applicable, identify the sources of the data used to assess the student's academic achievement and functional performance. Sources may include, but not limited to current

classroom-based assessments, district and/or state assessments, classroom-based observations, and data collection, including data from previously implemented behavioral support strategies, parent information, and student and general education teacher input in all relevant areas.

### **Level of Performance**

If applicable, identify the student's level of performance.

### **Summary of Assessment Findings**

If applicable, summarize the assessment findings, including the date(s) of administration. Assessment findings includes data and information from, but not limited to: current classroom- based assessments, district and/or state assessments, classroom-based observations, parent information, and student and general education teacher input in all relevant areas.

### **Impact on Academic Achievement and Functional Performance**

If applicable, indicate YES or NO if the child's disability impacts the student's academic achievement or functional performance in the identified area that requires the provision of special education and related services.

## **PRESCHOOL-AGED PRESENT LEVEL OF EDUCATIONAL AND FUNCTIONAL PERFORMANCE**

### **Where Does the Child Spend Time?**

Identify all of the places where the child spends his/her time.

- Child care center;
- Child's home;
- Early Head Start/Head Start;
- Family Child Care;
- Family Support Center;
- Home of family member;
- Judy Center;
- Library;
- Parent's place of employment;
- Parks and Recreation program or activities;
- Preschool playgroup;
- Private Pre-K/Nursery school;
- Public Pre-K program;
- Religious Setting;
- Shelter; and/or
- Other

### **Parents Concerns/Priorities**

Describe the parent's input, concerns, and priorities. The parent's input, concerns, and priorities must be considered in the development of their child's IEP.

## **How the child's disability affects his/her access to and participation**

Describe how and in what settings the child's disability(ies) affects his/her access or participation in age appropriate activities.

## **Strengths and Needs Summary – Only for Preschool-Aged Students**

For children to be active and successful participants at home, in the community, and in places like child care or preschool programs, they need to develop skills in three functional areas:

- (1) Developing positive social-emotional skills
- (2) Acquiring and using knowledge and skills
- (3) Using appropriate behaviors to meet needs

Multiple sources of information are used to understand the child's individual progress in relation to him/herself and to same age peers. These sources include the family's concerns and priorities and the child's educational and functional performance across settings.

Describe the child's strengths and needs across three functional areas: developing positive social-emotional skills; acquiring and using knowledge and skills; and using appropriate behaviors to meet needs. Consider the prompts provided in each of the three functional areas.

Complete the Child Outcome Summary.

Choose if this is an Entry, Interim, Exit or Not Applicable (a COS rating is not being completed). Document the COS Completed Date. Indicate the Sources of information used to complete the COS rating (i.e., evaluation results, authentic assessment results, parent input, Early Learning Assessment/other formative assessment results). If parents are not a part of the COS rating discussion/process check the box - Collected without parent input.

**For each of the three outcomes areas, Developing Positive Social-Emotional Skills and Relationships, Acquiring and Using Knowledge and Skills, and Using Appropriate Behaviors to Meet Needs, choose a rating/statement from the list based on how the child's development relates to his/her same-age peers. Relative to same age peers: \_\_\_\_\_**

If updating the entry strengths and needs summary at an interim/annual review or exit answer the question: *Has the child shown any new skills or behaviors related to (outcome area) since the last Strengths and Needs Summary?* This must be completed for each of the three outcome areas. Typically the answer to this question is "Yes" unless the child's skills have regressed.

## **SCHOOL-AGE PRESENT LEVEL OF ACADEMIC ACHIEVEMENT AND FUNCTIONAL PERFORMANCE**

### **Parent Input**

Describe the parent's input, concerns, and priorities for their child's education, including immediate concerns and long-term goals. In many cases, it will be helpful to gather this information through conversations, interviews, surveys, etc., in advance on the meeting, as well as discussing it at the IEP table. The input and concerns from parents and students must be considered in the development of the IEP. The IEP team should specifically record input from parents and student.

### **Student strengths, interest areas, significant personal attributes, and personal accomplishments**

Strengths may include a relatively strong area for the student, a strength when compared to peers, or particular motivational or interest area. Include specific information about academic and functional skills and interests, rather than broad statements about the student's personality or attributes. The student's strengths can support instructional decisions by helping the IEP team match strategies to the student's motivation, learning styles, and learning preferences. If the student's strength is supported by the use of supplemental aids and services including assistive technology, the IEP team should document that information

### **How does the student's disability affect his/her involvement in the general curriculum?**

Describe how the student's disability specifically impacts his or her involvement and progress in the general curriculum. Avoid simply restating the diagnosis; instead describe how the characteristics of the disability affect various aspects of the student's learning and participation in a variety of school environments.

Think in terms of "if-then" statements. (i.e., if there is a concern, then what is the impact on the student's participation and progress in that area?)

## **SECTION III: SPECIAL CONSIDERATIONS AND ACCOMMODATIONS**

IDEA 2004 emphasizes the involvement of students with disabilities in the general curriculum, including appropriate preschool activities, with nondisabled peers to the maximum extent appropriate. Federal statute 20 U.S.C. §1414(d)(IV) requires the IEP to include a statement of the program modifications or supports for school personnel that will be provided to enable the student to:

- Advance appropriately toward attaining his or her annual goals;
- Be involved in and make progress in the general education curriculum;
- Participate in extracurricular and other non-academic activities; and
- Be educated and participate with other students with and without disabilities.

Section III of the IEP allows the IEP team to document a variety of adaptations and supports that allow the student to access and participate in instructional and non-instructional contexts. These adaptations are selected by the IEP based on their knowledge of the student, the general education standards and curriculum, and the educational environment(s) in which the student participates or may participate. The purpose of accommodations and other supports is to minimize the impact of the student's disability (as documented in the PLAAFP) on his or her access, participation, and progress.

Some of the supports listed as "Instructional and Testing Accommodations" or "Supplementary Aides, Services, Program Modifications, and Supports" are effective instructional practices that embody the principles of Universal Design for Learning and are used for all students by effective teachers. For some students with disabilities, however, these accommodations/supports are more than instructional tools; they are necessities for access. If a student requires the use of a particular accommodation to remove or minimize a barrier caused by his or her disability in order to have equal access to the curriculum, that accommodation or support should be documented in the IEP and must be implemented consistently across the school environment. (For example, many students enjoy composing class writing assignments on the computer as opposed to writing by hand and many teachers provide this option to promote student engagement. If a student is unable to write by hand due to her fine motor weakness resulting from her orthopedic impairment, using a computer for writing should be included in her IEP, and she should be provided this accommodation at all times, even if computers are not being offered as an option to other students in a particular activity. The accommodation should be noted in the IEP even if the student's current teacher or school always allows for keyboarding.)

Conversely, not all effective instructional strategies, although they enhance the instruction of the student with a disability, are necessary to address the student's needs that arise from the disability. IEP teams should be judicious in the decisions regarding accommodations, assistive technology, and other supports in order to ensure that the selection specifically addresses the learning needs of an individual student as they relate to the student's disability and the student's participation and progress in general education curriculum, appropriate preschool activities, extra-curricular and non-academic activities, and participation with students without disabilities and nondisabled peers, as appropriate.]

## **Special Considerations**

In accordance with 34 C.F.R. §300.324(a)(2) and COMAR 13A.05.01.08A(3) through(7) the student's IEP team shall consider the following special circumstances, as applicable, when the student's IEP is developed, reviewed, or revised:

### **COMMUNICATION (required for ALL students)**

#### **Special Communication Needs (required for ALL students)**

Each student's IEP team is to address the communication needs of each student with a disability. Indicate YES or NO

#### **If YES, Describe Specific Needs**

Provide a narrative description of the student's special communication need(s) in the text field.

**NOTE:** In this field the IEP Team may indicate where within the IEP more detailed descriptive information related to communication needs may be located.

### **ASSISTIVE TECHNOLOGY (AT) (required for ALL students)**

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 a child with a disability." An assistive technology services is "any service that directly assists an individual with a disability in selection, acquisition or use of an assistive technology device." Each public agency must ensure that assistive technology devices or assistive technology services, or both are made available to a student with a disability if needed as a part of the student's:

- Special education;
- Related services;
- Supplementary aids, services, program modifications, and supports or
- Instructional and Testing Accommodations

On a case-by-case basis, the use of school-purchased assistive technology devices in a student's home or in other settings is required if the student's IEP Team determines that the student needs access to those devices in order to receive FAPE.

[COMAR 13A.05.01.03(65)]

COMAR states "In developing an IEP, the IEP team SHALL consider and document whether the student requires AT devices and services."

[COMAR 13A.05.01.08A(3)(e)].

IEP teams must:

- Document the results of their consideration of need for AT during each IEP meeting
- Describe the AT devices and AT services required in the IEP if consideration discussions indicate there is a need.
- Provide the AT devices and services as specified in the IEP.

Reconsider the student's AT requirements 'as needed, or at least yearly' (*COMAR 13A.05.01.08B(1)*) making adjustments to the IEP as indicated.

Consideration of AT device(s) and service(s) that are needed to increase, maintain or improve functional capabilities of a student with a disability.

When considering AT, four outcomes are possible:

1. The student does not require AT devices or services.
2. The student may require AT and further investigation is needed.
3. The student does require AT devices and services.
4. The student does require an AT device but does not require services.

Description of each outcome is below.

**1. The Student Does Not Require AT Devices or Services**

If the student is making adequate progress toward IEP objectives and/or the data does not indicate a specific barrier to progress that could be addressed with technology, then the team may determine that no AT is required.

**2. The Student May Require AT and Further Investigation is Needed**

If the team believes that AT may be needed, but lacks data to identify needed AT, then additional data collection with trials is needed.

**3. The Student Does Require AT Device(s) and Service(s)**

If an AT device is required for the student to access the curriculum or overcome some barrier to progress toward an IEP goal, then "Yes" for "The student requires an AT device(s) will be selected. "Yes", services may address the required device(s) or additional data collection with trials is needed.

**4. The Students Does Require AT Device(s) but does not require AT Services(s).**

If an AT device is required for the student to access the curriculum, communicate, or overcome some barrier to progress toward an IEP goal, "Yes" for the student needs an AT device(s) will be selected and "No" does not require an AT service.

**AT Device(s)**

Indicate YES if the IEP team determines the student needs an AT device(s).

If YES, identify how the use of AT device(s) will be addressed:

- Goals and objectives
- Supplementary Aids, Services, Program Modifications, and Supports; and/or
- Instructional and Testing Accommodations

Indicate NO if the IEP team determines the student does not need an AT device(s).

### **AT Service(s)**

Indicate YES if the IEP team determines the student needs an AT service(s).

If YES, identify how the AT service(s) will be addressed: (select all that apply)

- Goals and objectives
- Supplementary Aids, Services, Program Modifications, and Supports;
- Related Service\*
- Instructional and Testing Accommodations

Each public agency must ensure that hearing aids worn in school by students with hearing impairments, including deafness, are functioning properly.

**NOTE:** The Services Page identifies the location, service nature, service description, begin and end date, and the provider of each AT service(s) to be provided as a related service.

Indicate NO if the IEP team determines the student does not need an AT service(s).

## **SERVICES FOR STUDENTS WHO ARE BLIND OR VISUALLY IMPAIRED**

### **The student is blind or visually impaired**

Indicate YES or NO. (If the student has deaf blindness or multiple disabilities if one the disabilities is visual impairment, indicate YES).

In the case of a student who is blind or visually impaired, including students with deaf-blindness or multiple disabilities if one of the disabilities is visual impairment, the IEP team shall address the provision of instruction in Braille and the use of Braille unless the IEP Team determines, after an evaluation of the student's reading and writing skills, needs, and appropriate reading and writing media (including an evaluation of the student's future needs for instruction in Braille or the use of Braille), that instruction in Braille or the use of Braille is not appropriate for the student.

### **Evaluation Date**

Indicate date of evaluation of the student's reading and writing media.

### **Appropriateness of Instruction in Braille**

Indicate YES or NO

In the case of a student who is blind or visually impaired, including students with deaf-blindness or multiple disabilities if one of the disabilities is visual impairment, the IEP team shall address the provision of instruction in Orientation and Mobility (O&M) unless the IEP

Team determines after an evaluation by a qualified O&M specialist of the student's current and future travel needs that instruction in O&M is not appropriate.

### **Evaluation Date**

Indicate date of evaluation of the student's need for Orientation and Mobility instruction.

### **Appropriateness of Orientation and Mobility Instruction**

Indicate YES or NO

### **Document Basis for Decision(s) (required)**

A required text field for an IEP team to provide additional information to document the basis of the IEP team's decision.

If addressed properly, documentation will meet requirements of prior written notice (PWN), in accordance with 34 C.F.R. §300.503 and COMAR 13A.05.01.12, PWN includes:

- A description of the action proposed or refused;
- An explanation of why the public agency proposes or refuses to take the action;
  
- A description of the options the public agency considered and the reason the options were rejected;
- A description of each assessment procedure, test, record, or report the public agency uses as a basis for the proposal or refusal;
- A description of any other factors relevant to the proposed or refused action;
- A list of sources a parent may contact to obtain assistance in understanding the provisions of IDEA; and
- If an action proposed by a public agency also requires parental consent, a public agency may provide notice at the same time it requests consent.

[20 U.S.C §1415; 34 C.F.R. §300.503; COMAR 13A.05.01.12]

### **Parents Provided Information Regarding the Maryland School for the Blind (MSB)**

Indicate YES or NO

## **SERVICES FOR STUDENTS WHO ARE DEAF OR HEARING IMPAIRED**

### **The student is deaf or hearing impaired**

Indicate YES or NO. Is the student has deafblindness or multiple disabilities and one of the disabilities is deafness/hearing impairment, indicate YES.

### **Considerations**

In the case of the student who is deaf or hearing impaired, including students with deafblindness or multiple disabilities, if one of the disabilities includes deafness/hearing impairment, the IEP team shall 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.

### **Document Basis for Decision(s) (required)**

A required text field for an IEP team to provide additional information to document the basis of the IEP team's decision.

If addressed properly, documentation will meet requirements of prior written notice (PWN), in accordance with 34 C.F.R. §300.503 and COMAR 13A.05.01.12, PWN includes:

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- An explanation of why the public agency proposes or refuses to take the action;
- A description of the options the public agency considered and the reason the options were rejected;
- A description of each assessment procedure, test, record, or report the public agency uses as a basis for the proposal or refusal;
- A description of any other factors relevant to the proposed or refused action;
- A list of sources a parent may contact to obtain assistance in understanding the provisions of IDEA; and
- If an action proposed by a public agency also requires parental consent, a public agency may provide notice at the same time it requests consent.

[20 U.S.C §1415; 34 C.F.R. §300.503; COMAR 13A.05.01.12]

### **Parents Provided Information Regarding the Maryland School for the Deaf (MSD)**

Indicate YES or NO.

## **BEHAVIORAL INTERVENTION**

In the case of a student whose behavior impedes the student's learning or that of others, the IEP team shall consider the use of positive behavioral interventions and supports, and other strategies, to address that behavior. A functional behavioral assessment (FBA) must be conducted. If an FBA has been conducted that addressed the behavior that is impeding the student's learning or the learning of others, a behavioral intervention plan (BIP) may be needed to specify interventions to address the behavior(s).

If an FBA has not been conducted, the IEP team needs to plan for conducting the FBA prior to developing a BIP. If the student's IEP team has identified the student's behavior(s) that impedes the student's learning or that of others, the IEP team must document the consideration and need for a BIP and/or annual measurable goals designed to address the behavior(s) of concern.

## **Functional Behavioral Assessment (FBA) Assessment Date**

Indicate date of most recent FBA

## **Behavioral Intervention Plan (BIP)**

Indicate YES or NO

## **Behavioral Intervention Plan (BIP) Implementation Date**

Indicate date of BIP Implementation.

## **Restraint and/or Seclusion**

The team has determined that restraint and/or seclusion may be required as a part of the Behavior Intervention Plan.

Indicate YES or NO

Parent consents to the use of restraint as a part of the Behavior Intervention Plan?

YES (with parent date of consent); or  
NO (date of parent refusal)

Indicate if no response was received within fifteen (15) business days.

Parent consents to the seclusion as a part of the Behavior Intervention Plan?

YES (with parent date of consent); or  
NO (date of parent refusal)

Indicate if no response was received within fifteen (15) business days.

## **Document Basis for Decision(s) (required)**

A required text field for an IEP team to provide additional information to document the basis of the IEP team's decision. If addressed properly, documentation will meet requirements of prior written notice (PWN), in accordance with 34 C.F.R. §300.503 and COMAR 13A.05.01.12, PWN includes:

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- A description of each assessment procedure, test, record, or report the public agency uses as a basis for the proposal or refusal;
- A description of any other factors relevant to the proposed or refused action;
- A list of sources a parent may contact to obtain assistance in understanding the provisions of IDEA; and
- If an action proposed by a public agency also requires parental consent, a public agency may provide notice at the same time it requests consent.

[20 U.S.C §1415; 34 C.F.R. §300.503; COMAR 13A.05.01.12]

## **SERVICES FOR STUDENTS WHO ARE ENGLISH LEARNERS**

In the case of a student who is an English learner, consider the language needs of the student as such needs relate to the student's IEP.

### **Document Basis for Decision(s) (required)**

A required text field for an IEP team to provide additional information to document the basis of the IEP team's decision. If addressed properly, documentation will meet requirements of prior written notice (PWN), in accordance with 34 C.F.R. §300.503 and COMAR 13A.05.01.12, PWN includes:

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- An explanation of why the public agency proposes or refuses to take the action;
- A description of the options the public agency considered and the reason the options were rejected;
- A description of each assessment procedure, test, record, or report the public agency uses as a basis for the proposal or refusal;
- A description of any other factors relevant to the proposed or refused action;
- A list of sources a parent may contact to obtain assistance in understanding the provisions of IDEA; and
- If an action proposed by a public agency also requires parental consent, a public agency may provide notice at the same time it requests consent.

[20 U.S.C §1415; 34 C.F.R. §300.503; COMAR 13A.05.01.12]

## **INSTRUCTIONAL AND TESTING ACCOMMODATIONS**

Accommodations are practices or procedures that provide a student with a disability equitable access during instruction and to assessments in the areas of: presentation, response, setting, and scheduling. Accommodations do not reduce learning expectations. Accommodations include changes to instruction (such as materials, content enhancements, and tasks) that change how a student learns, in addition to changes in how students demonstrate their learning and adaptations to the learning/assessment environment. Accommodations may include assistive technology devices and services. Accommodations must be specific and appropriate to meet the needs of the student as defined in the IEP.

Accommodations for instruction and assessment are integrally intertwined. Additionally, the use of accommodations does not begin and end in school. Students who need accommodations for instruction and assessments will generally need them at home, in the community, and as they get older, in postsecondary education and work.

### **Accommodations**

- Enable students to participate more fully in instruction and assessments and to better demonstrate their knowledge and skills.
- Must be based upon individual student needs and not upon a category of disability, level of instruction, time spent in general classroom, or program setting.
- Must be justified and documented in the student's IEP.
- Must be justified and documented in Section II Special Considerations for Services for students with disabilities who are also English Learners. For students with disabilities who are English Learners, the IEP is the controlling document for accommodations.
- Must be implemented as soon as possible after completion of the IEP and must be aligned with and be a part of daily instruction. Accommodations MUST NOT be introduced for the first time during the testing of the student.
- Must be approved as specified in the *Maryland Assessment, Accessibility, and Accommodations Policy Manual*.
- Are not a reason to exempt students from assessments, even if the student requires an accommodation not explicitly mentioned in the "Maryland Assessment, Accessibility & Accommodations Policy Manual" and/or multiple accommodations. The School Test Coordinator (STC) must coordinate with the Local Accountability Coordinator (LAC) prior to testing to address issues caused by the need to provide multiple accommodations.

The student's IEP team should decide on the appropriate accommodation(s) at the IEP development or review meeting for the year in which the student is scheduled to participate in district or Statewide assessments and indicate the decision on the student's IEP. The student's IEP team shall forward recommended accommodations to the School Test Coordinator. Accommodations must be justified, utilized within the instructional setting, and documented in the student's IEP. [*Maryland Assessment, Accessibility, and Accommodations Policy Manual, 2018*]

It is critical for students with disabilities to understand their disabilities and learn self-advocacy strategies for success in school and throughout life. Some students have had limited experience expressing personal preferences and advocating for themselves. Teachers and other IEP team members can play a key role in providing guidance and feedback to students with disabilities on skills needed to effectively advocate for themselves in the selection, use, and evaluation of accommodations. The ability to advocate for him or herself is a skill each student with a disability will need in their post-school adult life in order to identify and request reasonable accommodations under the Americans with Disabilities Act

(ADA).

The more students are involved in the selection process, the more likely the accommodations will be used, especially as students reach adolescence and the desire to be more independent increases. Self-advocacy skills become critical here. Students need opportunities to learn which accommodations are most helpful for them, and then they need to learn how to make certain those accommodations are provided in all of their classes and wherever they need them outside of school.

The questions below to guide the selection of appropriate accommodations for students receiving special education services for the first time and for students who are currently using accommodations:

- What are the student's learning strengths and areas of further improvement?
- How do the student's learning needs affect the achievement of grade-level content standards?
- What specialized instruction (e.g., learning strategies, organizational skills, reading skills) does the student need to achieve grade-level content standards?
- What accommodations will increase the student's access to instruction and assessment by addressing the student's learning needs and reducing the effect of the student's disability? These may be new accommodations or accommodations the student is currently using.
- What accommodations does the student regularly use during instruction and assessments?
- What are the results for assignments and assessments when accommodations were used and not used?
- What is the student's perception of how well an accommodation "worked?"
- Are there effective combinations of accommodations?
- What difficulties did the student experience when using accommodations?
- What are the perceptions of parents, teachers, and specialists about how the accommodation worked?
- Should the student continue to use an accommodation, are changes needed, or should the use of the accommodation be discontinued?

Of the accommodations that match the student's needs, consider:

- The student's willingness to learn to use the accommodation;

- Opportunities to learn how to use the accommodation in classroom settings; and
- Conditions for use on state assessments.

Plan how and when the student will learn to use each new accommodation. Be certain there is ample time to learn to use instructional and assessment accommodations before an assessment takes place. Finally, plan for the ongoing evaluation and improvement of the student's use of accommodations. Refer to Maryland Assessment, Accessibility Features, and Accommodations Manual.

### **Features for All Students**

Features for All students are available through the online platform or may be externally delivered by a test administrator or other adult. Students should determine whether they wish to use the feature on an item-by-item basis based on the features they use during classroom instruction and in daily life.

### **Document Basis for Decision(s) (required)**

A required text field for an IEP team to provide additional information to document the basis of the IEP team's decision. If addressed properly, documentation will meet requirements of prior written notice (PWN), in accordance with 34 C.F.R. §300.503 and COMAR 13A.05.01.12, PWN includes:

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- A description of any other factors relevant to the proposed or refused action;
- A list of sources a parent may contact to obtain assistance in understanding the provisions of IDEA; and
- If an action proposed by a public agency also requires parental consent, a public agency may provide notice at the same time it requests consent.

[20 U.S.C §1415; 34 C.F.R. §300.503; COMAR 13A.05.01.12]

### **Accessibility Features for All Students**

Accessibility features for all students are available through the online platform or may be externally delivered by a test administrator or other adult. These accessibility features must be identified in advance and documented in the Student Registration / Personal Needs Profile (SR/PNP). Students should determine whether they wish to use the feature on an item-by-item basis based on the features they use during classroom instruction and in daily life.

### **Document Basis for Decision(s) (required)**

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prior written notice (PWN), in accordance with 34 C.F.R. §300.503 and COMAR 13A.05.01.12, PWN includes:

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- If an action proposed by a public agency also requires parental consent, a public agency may provide notice at the same time it requests consent.

[20 U.S.C §1415; 34 C.F.R. §300.503; COMAR 13A.05.01.12]

### **Presentation Accommodations for Students with Disabilities**

Allow students to access information in ways that do not require them to visually read standard print. These alternate modes of access are auditory, multi-sensory, tactile, and visual.

**NOTES:** The human reader, text-to-speech, ASL video, and human signer accommodations for the ELA/Literacy assessments are available only for students who meet specific criteria. The IEP team must complete Appendix D to document the student's eligibility for these accommodations. The human reader and text to speech accommodations are not allowable accommodations for selected sections on the MCAP assessments.

### **Document Basis for Decision(s) (required)**

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- A description of any other factors relevant to the proposed or refused action;
- A list of sources a parent may contact to obtain assistance in understanding the provisions of IDEA; and
- If an action proposed by a public agency also requires parental consent, a public agency may provide notice at the same time it requests consent.

[20 U.S.C §1415; 34 C.F.R. §300.503; COMAR 13A.05.01.12]

## **Response Accommodations for Students with Disabilities**

Allow students to complete activities, assignments, and assessments in different ways or to solve or organize problems using some type of assistive device or organizer.

## **Document Basis for Decision(s) (required)**

A required text field for an IEP team to provide additional information to document the basis of the IEP team's decision. If addressed properly, documentation will meet requirements of prior written notice (PWN), in accordance with 34 C.F.R. §300.503 and COMAR 13A.05.01.12, PWN includes:

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- A description of each assessment procedure, test, record, or report the public agency uses as a basis for the proposal or refusal;
- A description of any other factors relevant to the proposed or refused action;
- A list of sources a parent may contact to obtain assistance in understanding the provisions of IDEA; and
- If an action proposed by a public agency also requires parental consent, a public agency may provide notice at the same time it requests consent.

[20 U.S.C §1415; 34 C.F.R. §300.503; COMAR 13A.05.01.12]

## **Timing and Scheduling Accommodations for Students with Disabilities**

Increase the allowable length of time to complete an assessment or assignment and activities and perhaps change the way the time is organized.

## **Document Basis for Decision(s) (required)**

A required text field for an IEP team to provide additional information to document the basis of the IEP team's decision. If addressed properly, documentation will meet requirements of prior written notice (PWN), in accordance with 34 C.F.R. §300.503 and COMAR 13A.05.01.12, PWN includes:

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- A description of each assessment procedure, test, record, or report the public agency uses as a basis for the proposal or refusal;
- A description of any other factors relevant to the proposed or refused action;
- A list of sources a parent may contact to obtain assistance in understanding the provisions of IDEA; and
- If an action proposed by a public agency also requires parental consent, a public

agency may provide notice at the same time it requests consent.

[20 U.S.C §1415; 34 C.F.R. §300.503; COMAR 13A.05.01.12]

### **Instructional or Testing Accommodations Considered**

Indicate, as applicable, if the IEP team considered the student's need for instructional and testing accommodations, and determined that accommodations were not required.

### **Document Basis for Decision(s) (required)**

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- A description of any other factors relevant to the proposed or refused action; A list of sources a parent may contact to obtain assistance in understanding the provisions of IDEA; and
- If an action proposed by a public agency also requires parental consent, a public agency may provide notice at the same time it requests consent.

[20 U.S.C §1415; 34 C.F.R. §300.503; COMAR 13A.05.01.12]

### **SUPPLEMENTARY AIDS, SERVICES, PROGRAM MODIFICATIONS, AND SUPPORTS**

Supplementary Aids, Services, Program Modifications, and Supports are a key component of specially designed instruction that enables students with disabilities to access and participate in the school environment. This section of the IEP describes a wide variety of changes to instructional materials and delivery, student responses, the classroom and school environment, and the actions of adults in the school setting to support the student's engagement and progress. Also included are consultative services, training, and other supports that enable school staff and/or parents to meet the student's educational needs.

Before recommending services for the student outside of the general education classroom or other general education setting, the IEP team must first consider supplementary aids, services, program modifications, and supports that can be provided to the student in general education classes or settings or to school personnel on behalf of the student.

Supplementary aids and services may include, but or not limited to materials, devices, and instructional adaptations, such as:

- Instructional considerations, i.e., cross-age tutoring, peer partnerships, 1:1 assistance and support
- Behavior intervention and support
- Instructional adaptations, i.e., adaptations in the manner in which information is presented, paced, or sequenced
- Curricular accommodations that change how a student accesses information and demonstrates learning
- Methods to measure performance, i.e., a calculator or word processor
- Curricular modifications, i.e., redesigning the size, breadth, or focus of the assignment
- Individualized supports, i.e., rephrasing questions and instruction, allowance for additional time to respond
- Additional time for movement between classes
- Special seating arrangements
- Curricular aids
- Provide time frame for assignments with interim dates for deliverables
- Allow re-test
- Computer assisted writing technology/software
- Electronic books
- Pre-written class notes, summaries, study guides, main idea summaries
- Organizational aids
- Delivery of consultative services (indirect) to staff on behalf of the student
- Professional development for staff and or parents

Some adaptations included in this section of the IEP are accommodations, in that they reduce or remove barriers created by the student's disability without fundamentally altering the nature or rigor of the learning activity. Others, such as those listed as "Program Modifications" are practices or procedures that may change, lower, or reduce learning expectations. Modifications can increase the gap between the achievement of students with disabilities and expectations for proficiency at a particular grade level. Using modifications may result in implications that could adversely affect students throughout their educational career.

Examples of modifications include:

- requiring a student to learn less material (e.g., fewer objectives, shorter units or lessons, fewer pages or problems);
- reducing assignments and assessments so a student only needs to complete the easiest problems or items;
- revising assignments or assessments to make them easier (e.g., crossing out half of the response choices on a multiple-choice test so that a student only has to pick from two options instead of four); or
- giving a student hints or clues to correct responses on assignments and tests.

Providing modifications to students during classroom instruction and/or classroom assessments may have the unintended consequence of reducing their opportunity to learn critical content. If students have not had access to critical, assessed content, they may be at risk for not meeting graduation requirements. Providing a student with a modification during a state accountability assessment may constitute a test irregularity and may result in an

investigation into the school's or public agency's testing practices.

Some students may require other support services, such as the service of a paraprofessional either in the general education classroom, in a special class, or other setting to address specific management issues related to behavior, health, communication, etc. In another situation a paraprofessional may be needed to address specific instructional areas. The same level of support is not necessary in all situations. A student may need support in a math class, but no additional supports during the remainder of the school day. The IEP team should consider and document the settings and/or activities in which the support is required.

The services for each student should be tailored to address the unique needs that affect the student's ability to make progress in the general curriculum and participate in the school environment. With respect to preschool students, the term "appropriate activities" refers to typical activities that students of that age engage in as part of a preschool program, i.e., coloring, story- time, pre-reading activities, play time, sharing, etc.

The frequency and duration indicated as appropriate within the IEP must be tailored to address the unique needs that affect the student's ability to make progress in the general curriculum.

Factors such as "administrative convenience" or specific staffing issues are not acceptable reasons for utilizing frequencies such as 20 times yearly or 20 times only. A more accurate description of the frequency of a service should be utilized to provide families and service providers a clear understanding of how often and under what circumstances a service is to be provided.

See Appendix H Technical Assistance Bulletin 21 Documentation of Delivery of Related Services for guidance relative to frequency.

### **Supplementary Aids, Services, Program Modifications, and Supports**

The student's IEP should clearly identify the specific supplementary aids, services, program modifications and supports provided to the student or on behalf of the student. This includes services that are provided to parents or teachers to assist them in effectively working with the student.

### **Nature of Service: Instructional Support**

Each supplementary aid, service, program modifications, or support must be identified.

- Allow use of highlighters during instruction and assignments
- Allow use of manipulatives
- Allow use of organizational aids
- Check for understanding
- Frequent and/or immediate feedback
- Have student repeat and/or paraphrase information
- Limit amount to be copied from board
- Monitor independent work

- Paraphrase questions & instruction
- Peer tutoring/paired work arrangement
- Picture schedule
- Provide alternative ways for students to demonstrate learning
- Provide assistance w/ organization
- Provide home sets of textbooks/materials
- Provide proofreading checklist
- Provide student w/ copy of student/teacher notes
- Repetition of directions
- Use of word bank to reinforce vocabulary and/or when extended writing is required
- Other:

**NOTE:** The “other” option should be selected to allow for the inclusion of a support needed by an individual student that is not included on the IEP form. The items included on the form are among the most frequently selected supports and are not an exhaustive list.

## **Frequency**

Describes how often each service is to occur in terms of:

- Daily
- Weekly
- Monthly
- Yearly
- Only Once
- Periodically
- Quarterly
- Semi-Annually
- Other, (text field)

The frequency and duration indicated as appropriate within the IEP must be tailored to address the unique needs that affect the student’s ability to make progress in the general curriculum.

Factors such as “administrative convenience” or specific staffing issues are not acceptable reasons for utilizing frequencies such as 20 times yearly or 20 times only. A more accurate description of the frequency of a service should be utilized to provide families and service providers a clear understanding of the frequency of service.

See Appendix H Technical Assistance Bulletin 21 Documentation of Delivery of Related Services for guidance relative to frequency and duration.

## **Begin Date**

The month, day and year this service will begin. This date must be equal to or after the IEP team meeting date.

## **End Date**

The month, day, and year the service ends.

## **Duration**

Indicate the total number of weeks of service.

The frequency and duration indicated as appropriate within the IEP must be tailored to address the unique needs that affect the student's ability to make progress in the general curriculum and participate in the school environment.

Factors such as "administrative convenience" or specific staffing issues are not acceptable reasons for utilizing frequencies such as 20 times yearly or 20 times only. A more accurate description of the frequency of a service should be utilized to provide families and service providers a clear understanding of the frequency of service.

See Appendix H Technical Assistance Bulletin 21 Documentation of Delivery of Related Services for guidance relative to frequency and duration.

## **Providers**

### **Primary**

Indicate the provider/agency with the primary responsibility for the delivery, documentation and accountability for the provision of the service to the student with a disability.

### **Other**

If more than one provider/agency is responsible for the provision of the service, identify the other provider/agency responsible for delivery, documentation, and accountability for the provision of the service to the student with a disability.

## **Location and Manner of Delivery**

Document the LOCATION and MANNER (how) in which supplementary aids, services, program modifications, and supports will be provided in the text field. Include enough information that someone who is not familiar with the student could implement the support appropriately based on the IEP. "As needed" or "throughout the day" is not sufficient information in most cases.

## **Nature of Service: Program Modifications(s)**

Each program modification(s) must be identified:

- Altered/modified assignments
- Break down assignments into smaller units
- Chunking of text(s)
- Delete extraneous information on assignments and assessment, when possible
- Limit amount of required reading
- Modified content
- Modified grading system
- Open book exams
- Oral exams
- Reduce number of answer choices

- Reduced length of exams
- Remove “except” and “not” questions, when possible
- Revise format of test (i.e. fewer questions, fill-in-the-blank)
- Separate long paragraph questions into bullets, whenever possible
- Simplified sentence structure, vocabulary, and graphics on assignments and assessments
- Use pictures to support reading passages, whenever possible
- Other:

**NOTE:** The “other” option should be selected to allow for the inclusion of a support needed by an individual student that is not included on the IEP form. The items included on the form are among the most frequently selected supports and are not an exhaustive list.

### **Frequency**

Describes how often each service is to occur in terms of:

- Daily
- Weekly
- Monthly
- Yearly
- Only Once
- Periodically
- Quarterly
- Semi-Annually
- Other

The frequency and duration indicated as appropriate within the IEP must be tailored to address the unique needs that affect the student’s ability to make progress in the general curriculum and participate in the school environment.

Factors such as “administrative convenience” or specific staffing issues are not acceptable reasons for utilizing frequencies such as 20 times yearly or 20 times only. A more accurate description of the frequency of a service should be utilized to provide families and service providers a clear understanding of the frequency of service.

### **Begin Date**

The month, day and year this service will begin. This date must be equal to or after the IEP team meeting date.

### **End Date**

The month, day, and year the service ends.

### **Duration**

Indicate the total number of weeks of service.

The frequency and duration indicated as appropriate within the IEP must be tailored to

address the unique needs that affect the student's ability to make progress in the general curriculum and participate in the school environment.

Factors such as "administrative convenience" or specific staffing issues are not acceptable reasons for utilizing frequencies such as 20 times yearly or 20 times only. A more accurate description of the frequency of a service should be utilized to provide families and service providers a clear understanding of the frequency of service.

See Appendix H Technical Assistance Bulletin 21 Documentation of Delivery of Related Services for guidance relative to frequency and duration.

## **Providers**

### **Primary**

Indicate the provider/agency with the primary responsibility for the delivery, documentation and accountability for the provision of the service to the student with a disability.

### **Other**

If more than one provider/agency is responsible for the provision of the service, identify the other provider/agency responsible for delivery, documentation, and accountability for the provision of the service to the student with a disability.

## **Location and Manner of Delivery**

Document the LOCATION and MANNER (how) in which Program Modifications(s), will be provided in the text field. Include enough information that someone who is not familiar with the student could implement the support appropriately based on the IEP. "As needed" or "throughout the day" is not sufficient information in most cases.

## **Nature of Service: Social/ Behavioral Support(s)**

Each Social/Behavioral Support(s) must be identified:

- Adult support
- Advance preparation for schedule changes
- Anger management training
- Check for understanding
- Crisis intervention
- Encourage student to ask for assistance when needed
- Encourage/reinforce appropriate behavior in academic and non-academic settings
- Frequent eye contact/ proximity control
- Frequent reminder of rules
- Home-school communication system
- Implementation of behavior contract
- Monitor use of agenda book and/or progress report
- Provide frequent changes in activities or opportunities for movement
- Provide manipulatives and/or sensory activities to promote listening and focusing skills
- Provide structured time for organization of materials
- Reinforce positive behavior through non-verbal/verbal communication
- Social skills training

- Strategies to initiate and sustain attention
- Use of positive/concrete reinforcers
- Other:

**NOTE:** The “other” option should be selected to allow for the inclusion of a support needed by an individual student that is not included on the IEP form. The items included on the form are among the most frequently selected supports and are not an exhaustive list.

### **Frequency**

Describes how often each service is to occur in terms of:

- Daily
- Weekly
- Monthly
- Yearly
- Only Once
- Periodically
- Quarterly
- Semi-Annually
- Other, (text field)

The frequency and duration indicated as appropriate within the IEP must be tailored to address the unique needs that affect the student’s ability to make progress in the general curriculum and participate in the school environment. Factors such as “administrative convenience” or specific staffing issues are not acceptable reasons for utilizing frequencies such as 20 times yearly or 20 times only. A more accurate description of the frequency of a service should be utilized to provide families and service providers a clear understanding of the frequency of service.

See Appendix H Technical Assistance Bulletin 21 Documentation of Delivery of Related Services for guidance relative to frequency and duration.

### **Begin Date**

The month, day and year this service will begin. This date must be equal to or after the IEP team meeting date.

### **End Date**

The month, day, and year the service ends.

### **Duration**

Indicate the total number of weeks of service.

The frequency and duration indicated as appropriate within the IEP must be tailored to address the unique needs that affect the student’s ability to make progress in the general curriculum.

Factors such as “administrative convenience” or specific staffing issues are not acceptable reasons for utilizing frequencies such as 20 times yearly or 20 times only. A more accurate description of the frequency of a service should be utilized to provide families and service providers a clear understanding of the frequency of service.

See Appendix H Technical Assistance Bulletin 21 Documentation of Delivery of Related Services for guidance relative to frequency and duration.

### **Providers**

#### **Primary**

Indicate the provider/agency with the primary responsibility for the delivery, documentation and accountability for the provision of the service to the student with a disability.

### **Other**

If more than one provider/agency is responsible for the provision of the service, identify the other provider/agency responsible for delivery, documentation, and accountability for the provision of the service to the student with a disability.

### **Location and Manner of Delivery**

Document the LOCATION and MANNER (how) in which Social/Behavioral Support(s), will be provided in the text field. Include enough information that someone who is not familiar with the student could implement the support appropriately based on the IEP. “As needed” or “throughout the day” is not sufficient information in most cases.

### **Nature of Service: Physical/ Environmental Support(s)**

Each Physical/Environmental Support(s) must be identified:

- Access to elevator
- Adaptive equipment
- Adaptive feeding devices
- Adjustments to sensory input (i.e. light, sound)
- Allow extra time for movement between classes
- Environmental aids (i.e. classroom acoustics, heating, ventilation)
- Preferential locker location
- Preferential seating
- Reduce paper/pencil tasks
- Sensory diet
- Picture schedule
  
- Other:

**NOTE:** The “other” option should be selected to allow for the inclusion of a support needed by an individual student that is not included on the IEP form. The items included on the form are among the most frequently selected supports and are not an exhaustive list.

## **Frequency**

Describes how often each service is to occur in terms of:

- Daily
- Weekly
- Monthly
- Yearly
- Only Once
- Periodically
- Quarterly
- Semi-Annually
- Other, (text field)

The frequency and duration indicated as appropriate within the IEP must be tailored to address the unique needs that affect the student's ability to make progress in the general curriculum.

Factors such as "administrative convenience" or specific staffing issues are not acceptable reasons for utilizing frequencies such as 20 times yearly or 20 times only. A more accurate description of the frequency of a service should be utilized to provide families and service providers a clear understanding of the frequency of service.

See Appendix H Technical Assistance Bulletin 21 Documentation of Delivery of Related Services for guidance relative to frequency and duration.

## **Begin Date**

The month, day and year this service will begin. This date must be equal to or after the IEP team meeting date.

## **End Date**

The month, day, and year the service ends.

## **Duration**

Indicate the total number of weeks of service.

The frequency and duration indicated as appropriate within the IEP must be tailored to address the unique needs that affect the student's ability to make progress in the general curriculum.

Factors such as "administrative convenience" or specific staffing issues are not acceptable reasons for utilizing frequencies such as 20 times yearly or 20 times only. A more accurate description of the frequency of a service should be utilized to provide families and service providers a clear understanding of the frequency of service.

See Appendix H Technical Assistance Bulletin 21 Documentation of Delivery of Related Services for guidance relative to frequency and duration.

## **Providers**

### **Primary**

Indicate the provider/agency with the primary responsibility for the delivery, documentation and accountability for the provision of the service to the student with a disability.

### **Other**

If more than one provider/agency is responsible for the provision of the service, identify the other provider/agency responsible for delivery, documentation, and accountability for the provision of the service to the student with a disability.

## **Location and Manner of Delivery**

Document the LOCATION and MANNER (how) in which Physical/Environmental Support(s), will be provided in the text field. Include enough information that someone who is not familiar with the student could implement the support appropriately based on the IEP. "As needed" or "throughout the day" is not sufficient information in most cases.

## **Nature of Service: School Personnel/ Parental Support(s)**

Each School Personnel/Parental Support(s) must be identified:

- AT consult
- Audiologist consult
- Classroom instruction consult
- Coordination of support services for crisis prevention and interventions
- Extracurricular/non-academic providers support
- Occupational therapist consult
- Orientation and mobility consult
- Parent counseling and/or training
- Physical education consult
- Physical therapist consult
- Psychologist consult
- School health consult
- Social worker consult
- Speech/language pathologist consult
- Travel training
  
- Other:

**NOTE:** The "other" option should be selected to allow for the inclusion of a support needed by an individual student that is not included on the IEP form. The items included on the form are among the most frequently selected supports and are not an exhaustive list.

## **Frequency**

Describes how often each service is to occur in terms of:

- Daily
- Weekly
- Monthly
- Yearly
- Only Once
- Periodically
- Quarterly
- Semi-Annually
- Other, (text field)

The frequency and duration indicated as appropriate within the IEP must be tailored to address the unique needs that affect the student's ability to make progress in the general curriculum.

Factors such as "administrative convenience" or specific staffing issues are not acceptable reasons for utilizing frequencies such as 20 times yearly or 20 times only. A more accurate description of the frequency of a service should be utilized to provide families and service providers a clear understanding of the frequency of service.

See Appendix H Technical Assistance Bulletin 21 Documentation of Delivery of Related Services for guidance relative to frequency and duration.

### **Begin Date**

The month, day and year this service will begin. This date must be equal to or after the IEP team meeting date.

### **End Date**

The month, day, and year the service ends.

### **Duration**

Indicate the total number of weeks of service.

The frequency and duration indicated as appropriate within the IEP must be tailored to address the unique needs that affect the student's ability to make progress in the general curriculum.

Factors such as "administrative convenience" or specific staffing issues are not acceptable reasons for utilizing frequencies such as 20 times yearly or 20 times only. A more accurate description of the frequency of a service should be utilized to provide families and service providers a clear understanding of the frequency of service.

See Appendix H Technical Assistance Bulletin 21 Documentation of Delivery of Related Services for guidance relative to frequency and duration.

## **Providers**

### **Primary**

Indicate the provider/agency with the primary responsibility for the delivery, documentation and accountability for the provision of the service to the student with a disability.

### **Other**

If more than one provider/agency is responsible for the provision of the service, identify the other provider/agency responsible for delivery, documentation, and accountability for the provision of the service to the student with a disability.

## **Location and Manner of Delivery**

Document the LOCATION and MANNER (how) in which School Personnel/Parental Support(s), will be provided in the text field. Include enough information that someone who is not familiar with the student could implement the support appropriately based on the IEP. "As needed" or "throughout the day" is not sufficient information in most cases.

## **Documentation to Support Decision**

Documentation of the basis of the IEP team's decision(s) relative to the student's use of supplementary aids, services, program modifications, and supports for school personnel or parents, including a description of the manner in which the frequency of service will occur.

## **Supplementary Aids, Services, Program Modifications, and Supports Considered**

Specify the IEP team's decision relative to the consideration of supplementary aids, services, program modifications, and supports, and the IEP team's decision that NONE were needed at the time of the IEP Team Meeting.

YES – The IEP team determined the student does not require the provision of supplementary aids, services, program modifications or supports.

NO – The IEP team CONSIDERED the student's need for supplementary aids, services, program modifications or supports and recommended appropriate services.

## **Discussion to Support Decision(s) (optional)**

Documentation of the basis of the IEP team's decision(s) relative to the consideration of supplementary aids, services, program modifications, and supports, and the IEP team's decision that NONE were needed at this time.

### **NOTE:**

Please be advised that if the student's specialized instruction and related service(s) occur in a setting or settings other than general education, and the IEP team has not considered the need for supplementary aids, services, program modifications and supports the IEP team

must sufficiently document WHY the student CANNOT be educated in the general education setting with the provision of supplementary aids, services, program modifications, and supports and services.

## **EXTENDED SCHOOL YEAR**

Each public agency must ensure that extended school year services are available as necessary to provide FAPE. A public agency may not—

- Limit extended school year services to particular categories of disability; or
- Unilaterally limit the type, amount, or duration of those services.

The need for Extended School Year (ESY) services must be considered for each student. This does not mean that these services must be provided for every student, only that the need for ESY services must be considered for each special education student. If required, the specific services, the starting and ending dates of these services, the site where services will be provided, and, if needed, the description of instructional service delivery should be recorded on the service page of the IEP.

The IEP team must determine on a case-by case basis if any of the factors below in isolation or in some combination will significantly jeopardize the student's ability to receive some benefit from the student's educational program during the regular school year, if the student does not receive extended school year services.

[34 C.F.R. 300.106; COMAR13A.05.01.03B(26); COMAR 13A.05.01.08B(2)]

### **ESY Decision Deferred**

If an IEP team believes it is too early in a school year to adequately address a student's possible need for ESY, the IEP team may defer this decision to a later date.

If the decision is deferred, the IEP team must reconvene to consider the student's need for ESY services at a later date, yet early enough in order to provide the parent sufficient time to appeal the IEP team decision, if necessary.

### **ESY Question 1**

After IEP team consideration answer YES or NO

### **Discussion to Support Decision (optional)**

A text field is available to an IEP team to provide additional information relative to ESY Question 1 regarding critical life skills on the student's IEP. If an IEP team intends to use the student's IEP to satisfy the requirements for prior written notice (PWN), this text field provides space for that purpose. Please refer to the definition of prior written notice (PWN).

### **ESY Question 1a**

After IEP team consideration, answer YES or NO

### **Discussion to Support Decision (optional)**

A text field is available to an IEP team to provide additional information relative to ESY Question 1a regarding whether or not there is a likely chance of substantial regression and failure to recover those lost skills in a reasonable time. If an IEP team intends to use the student's IEP to satisfy the requirements for prior written notice (PWN), this text field provides space for that purpose. Please refer to the definition of prior written notice (PWN).

### **ESY Question 1b**

After IEP team consideration, answer YES or NO

### **Discussion to Support Decision (optional)**

A text field is available to an IEP team to provide additional information relative to ESY Question 1b regarding the student's degree of progress toward mastery of IEP goals related to critical life skills. If an IEP team intends to use the student's IEP to satisfy the requirements for prior written notice (PWN), this text field provides space for that purpose. Please refer to the definition of prior written notice (PWN).

### **ESY Question 2**

After IEP team consideration, answer YES or NO

### **Discussion to Support Decision (optional)**

A text field is available to an IEP team to provide additional information relative to ESY Question 2 regarding the presence of emerging skills or breakthrough opportunities. If an IEP team intends to use the student's IEP to satisfy the requirements for prior written notice (PWN), this text field provides space for that purpose. Please refer to the definition of prior written notice (PWN).

### **ESY Question 3**

After IEP team consideration, answer YES or NO

### **Discussion to Support Decision (optional)**

A text field is available to an IEP team to provide additional information relative to ESY Question 3 regarding whether or not there are significant interfering behaviors. If an IEP team intends to use the student's IEP to satisfy the requirements for prior written notice (PWN), this text field provides space for that purpose. Please refer to the definition of prior written notice (PWN).

### **ESY Question 4**

After IEP team consideration, answer YES or NO

### **Discussion to Support Decision (optional)**

A text field is available to an IEP team to provide additional information relative to ESY

Question 4 regarding consideration of whether or not the nature and severity of the student's disability warrants ESY. If an IEP team intends to use the student's IEP to satisfy the requirements for prior written notice (PWN), this text field provides space for that purpose. Please refer to the definition of prior written notice (PWN).

### **ESY Question 5**

After IEP team consideration, answer YES or NO

### **Discussion to Support Decision (optional)**

A text field is available to an IEP team to provide additional information relative to ESY Question 5 regarding other special circumstances, if any. If an IEP team intends to use the student's IEP to satisfy the requirements for prior written notice (PWN), this text field provides space for that purpose. Please refer to the definition of prior written notice (PWN).

### **IEP Team Decision**

After considering the questions and documenting the IEP team's decisions relative to ESY, indicate:

YES – The IEP team believes the benefits that the student receives from his or her educational program during the regular school year will be significantly jeopardized if the student is not provided ESY. Indicate YES, if student is eligible for ESY services.

NO – The IEP team does not believe the benefits that the student receives from his or her educational program during the regular school year will be significantly jeopardized if the student is not provided ESY. Indicate NO, if student is not eligible for ESY services.

### **Document Basis for Decision(s) (required)**

A required text field for an IEP team to provide additional information to document the basis of the IEP team's decision. If addressed properly, documentation will meet requirements of prior written notice (PWN), in accordance with 34 C.F.R. §300.503 and COMAR 13A.05.01.12, PWN includes:

- A description of the action proposed or refused;
- An explanation of why the public agency proposes or refuses to take the action;
- A description of the options the public agency considered and the reason the options were rejected;
- A description of each assessment procedure, test, record, or report the public agency uses as a basis for the proposal or refusal;
- A description of any other factors relevant to the proposed or refused action;
- A list of sources a parent may contact to obtain assistance in understanding the provisions of IDEA; and
- If an action proposed by a public agency also requires parental consent, a public agency may provide notice at the same time it requests consent.

[20 U.S.C §1415; 34 C.F.R. §300.503; COMAR 13A.05.01.12]

## **TRANSITION**

### **To be Completed Annually Beginning at Age 14, or Younger if Determined Appropriate.**

Students are to be actively involved in planning for their secondary program as it relates to postsecondary training and employment, independent living, and community participation. Transition assessments are conducted to identify students' preferences and interests. At least two (2) transition assessments are required to be completed, one of which can be the Student Interview. Personal interviews and informal/formal assessments can be used as transition assessments.

Summaries of the assessments are to be provided in the discussion box. Document the date of the annual student interview and the student's identified preferences and interests for postsecondary school adult life.

#### **Postsecondary Goal(s)**

Document the student's desired measurable postsecondary goals in the applicable areas:

- Employment (required)
- Training and/or Education (at least one required)
- Independent Living, as appropriate

#### **Course of Study**

The IEP Team must consider the following question when developing the student's Course of Study – Does the Course of Study align with the student's post school goals?

The student is to be enrolled in courses that will prepare him/her for a career or postsecondary education in the selected career cluster. For each career within the identified cluster there is a program of study approved by the Maryland Board of Education.

For students working toward a Maryland High School Certificate of Program Completion the appropriate Functional and Skill Development Activities are to be selected as the Course of Study. The "Functional Skill" Course of Study determination must be based on the student's needs and must be consistent with the goals, services and activities in IEP. The following are other options that may be considered and identified by the IEP Team based on the student's needs and program:

- A student working toward a Certificate of Program Completion has both a Career Cluster and a Functional and Skill Development Activity chosen;
- A student working toward a Maryland High School Diploma has both a Career Cluster and a Functional and Skill Development Activity chosen; and
- A student working toward a Certificate of Program has only a career cluster chosen.

#### **Discussion to Support Decision(s) (required)**

A required text field for an IEP team to provide additional information to document the basis

of the IEP team's decision. If addressed properly, documentation will meet requirements of prior written notice (PWN), in accordance with 34 C.F.R. §300.503 and COMAR 13A.05.01.12, PWN includes:

- A description of the action proposed or refused;
- An explanation of why the public agency proposes or refuses to take the action;
- A description of the options the public agency considered and the reason the options were rejected;
- A description of each assessment procedure, test, record, or report the public agency uses as a basis for the proposal or refusal;
- A description of any other factors relevant to the proposed or refused action;
- A list of sources a parent may contact to obtain assistance in understanding the provisions of IDEA; and
- If an action proposed by a public agency also requires parental consent, a public agency may provide notice at the same time it requests consent.

[20 U.S.C §1415; 34 C.F.R. §300.503; COMAR 13A.05.01.12]

### **Projected Category of Exit**

Category from which you project a student 14 years or older will exit school. Review the Category of Exit annually and update as appropriate.

Categories:

- Exit with a Maryland High School Diploma;
- Exit with a Maryland High School Certificate of Program Completion at the end of the school year the student turns 21; or
- Exit with a Maryland High School Certificate of Program Completion prior to the end of the school year the student turns 21 (parent and student choice)

### **Projected Date of Exit**

The date you project that a student 14 years or older will exit/graduate school. This date should be reviewed and updated annually.

Format: Month/Day/Year

#### **NOTE:**

Although the IEP team may project a date of exit anywhere from four to seven years into the future of the student's educational career, this shall be reviewed annually with the review of the student's progress toward meeting the Maryland high school graduation requirements.

Based upon the annual review of the student's performance the IEP team may change this date, as appropriate. Please refer to graduation plan information.

### **Maryland Summary of Performance**

At exit, the student will receive a Maryland Summary of Performance (MSOP) that includes academic achievement, functional performance, accommodations and progress on transition

goals. Although the requirement is that the MSOP is disseminated to students once they exit school, it is highly encouraged that the MSOP is disseminated to students as part of their annual review.

\* Users will be able to access Active and Exited students if needed to run the MSOP document for students who exited in 2018 and later.

### **Transfer of Rights at the Age of Majority, if applicable**

IDEA requires that at least one (1) year prior to reaching age 18, the student with a disability be informed of his or her rights under IDEA which will transfer to him/her at age 18, if any, in accordance with State law.

In Maryland, IDEA rights DO NOT do not transfer for students with disabilities, except under limited circumstances. In certain limited circumstances, all rights accorded to the parents under IDEA shall transfer to a student with a disability. This transfer occurs when the student reaches the age of 18 years, if the student has not been adjudged incompetent under State law and there is documentation that:

- The parents are unavailable or unknown, and the student requests that the parental rights be transferred to the student rather than have a parent surrogate appointed;
- The parents have not participated in the special education decision making process for the student after repeated attempts by the public agency to involve the parents over the previous year;
- The parents have affirmatively rejected participation in the special education decision making process;
- The parents cannot participate in the special education decision making process due to prolonged hospitalization, institutionalization, or serious illness or infirmity of one or both of the parents and the parents have consented to the transfer of rights to the student;
- The parents cannot participate in the special education decision making process due to extraordinary circumstances beyond their control, and the parents have consented to the transfer of rights to the student; or
- The student is living outside of the parents' home and is not in the care or custody of another public agency.

If the parents of a student with a disability, with whom the student resides, do not consent to the transfer of rights to the student at the age of 18, and the student has not been adjudged incompetent under State law, either party may file for due process to determine whether the rights should be transferred.

If a parent surrogate in accordance with federal and State laws and regulations has represented a student with a disability, the public agency shall provide any written notice required under federal and State laws and regulations to both the student and parent surrogate. All other rights afforded the parent surrogate under IDEA shall transfer to the student if the student has not been adjudged incompetent under State law and the student requests that the rights transfer to the student.

[Education Article §8-412.1, Annotated Code of Maryland]

## **TRANSITION SERVICES/ACTIVITIES**

Transition services are coordinated set of activities for a student with a disability that is designed within a results-oriented process that is to facilitate the student's progression from school to postsecondary activities to support the student's postsecondary goal. Transition services should be comprehensive and well-coordinated, while utilizing transition planning to prepare students to exit high school and successfully integrate into their communities, obtain and maintain jobs, and live independently. Best practices indicate that a student's program should include both instruction (school-based activities) and community experiences (community-based activities).

The IEP in effect when the student with a disability turns 14 years of age and all subsequent IEPs must consider the need and identify transition services/activities to support the student's postsecondary goal. These services/activities include:

- Academic
- Employment Training
- Activities of Daily Living
- Independent Living
- Transportation

This text field provides the IEP team space to describe any services or activities that school professionals or participating agencies have agreed to provide.

### **NOTE:**

It is required that, at a minimum, at least one transition service/activity is included in the student's IEP to address an Academic activity and a separate activity to address Employment/Training based upon the student's desired postsecondary goal. Some students, as appropriate, may require specific skills training based upon assessments that indicate additional transition services/activities are warranted in the areas of Activities of Daily Living, Independent Living or Transportation. Not every IEP team will have a transition activity for Transportation, Activities for Daily Living, or Independent Living, but everyone will monitor progress with respect to academic and employment transition services/activities in those areas.

### **Documenting Transition Service/Activity Progress**

Progress on transition services /activities must be collected, documented in the IEP, and shared with students and families quarterly. The Activity should be entered as it has been in past versions. Use the Track Progress button across from the activity where you will enter quarterly progress and send home - just as with the Annual Goals. The area below each transition service/activity allows for documentation of progress across four progress report periods.

There are four progress codes:

- Completed
- Partially Completed

- Not Yet Initiated
- Not Completed

If Not Completed is selected, there are four possible codes for the reason. The four codes that identify a reason if “Not Completed” was selected include:

- Family Choice;
- Student Choice;
- Student’s Schedule; or
- Other

A text field is provided under the progress codes to record a description of progress for all activity areas.

In the shaded column on the left side of the progress area, space is provided to identify the date for evaluating the student’s progress.

For the Employment Training Activity, in addition to the four progress codes you will also identify the “Training Involved.”

There are three codes for Training Involved:

- Career Exploration
- Unpaid Work Experience
- Paid Work Experience

You will have the option to select more than one code if it is appropriate for that Employment Training activity. For example, it may be appropriate for the activity “Working in the Community,” to have both unpaid and paid employment selected. An additional option that may also be appropriate for this activity is Career Exploration.

**NOTE:**

It is highly recommended to use the description of progress feature to document additional information on progress and more importantly for information that may or may not have impacted progress. View the tables on the form as tables that BUILD upon themselves as you move through each progress reporting time period.

**Agency Linkage**

***Secondary Transition Planning Guide for Individuals with Disabilities***

Provide the student and parent with a copy of Maryland’s *Secondary Transition Planning Guide for Individuals with Disabilities* at every annual IEP meeting. Enter the annual date of signed receipt from the student and parent. A signature receipt is required for both the student and parent and should be kept in the student’s confidential file and uploaded into the online IEP folder.

**Anticipated Services for Transition:**

The IEP team collectively determines the agency(ies) that they anticipate may provide services during the first year the student has exited school. The four core service agencies

that may provide support include:

- Division of Rehabilitation Services (DORS);
- Developmental Disabilities Administration (DDA);
- Behavioral Health Administration (BHA); and
- Department of Labor, Licensing, and Regulation (DLLR) Office of Workforce Development and Adult Learning (This agency is now called the Department of Labor).

Information about initial eligibility requirements, services and supports that the four core service agencies may provide can be found in the *Secondary Transition Planning Guide for Individuals with Disabilities*.

**NOTE:**

Anticipated services for DORS is for Traditional Vocational Rehabilitation (VR) services and NOT Pre-Employment Transition Services (Pre-ETS).

1. Does the student meet the initial eligibility criteria set forth by the Maryland State Adult Service Agencies that are published in Maryland's *Secondary Transition Planning Guide for Individuals with Disabilities*?
2. Does the IEP team, including the student and parent(s), anticipate the need for any of the agencies' services (for which they meet initial eligibility criteria after the student has graduated from high school based on current identified needs)?
  - **YES** - For each Adult Agency for which the student meets initial eligibility criteria and the need for services are anticipated
  - **NO** -For each Adult Agency the student does not meet initial eligibility criteria. If **NO** is selected, then choose **Services are not anticipated for this student** for all remaining columns for that agency.

**Signed Consent for Communication and/or Referral:**

Maryland requires that the parent or guardian of a student or the eligible student shall provide a signed and dated written consent before an educational agency or institution discloses personally identifiable information from the student records.

[COMAR 13A.08.02.18.A]

Written consent must be provided to have communication with an outside agency about a student and/or to refer a student to DORS. If consent was received to communicate with an agency or refer to DORS, enter the date of signed consent on the IEP. If consent was not received, select NO and enter a reason from the drop-down menu. If the decision made by the IEP team does not match one from the drop-down menu, choose "Other" and document the reason in the provided text field box.

**Student referred by the LSS:**

A referral is only required for DORS as there is not a referral process that the LSS is responsible for to DDA, BHA or DLLR. There are no a choice options for referrals to DDA, BHA and DLLR as these agencies do not have a referral process.

Select YES to enter the date that the referral to DORS was submitted. The date submitted must be on or after the date of the signed Consent for Communication/Referral.

Select NO if a referral was not submitted and choose one of the reasons provided in the

drop-down menu. If the decision made by the IEP team does not match one from the drop-down menu, choose "Other" and document the reason in the provided text field box.

**Reminder:**

The referral to DORS is for DORS Traditional VR services and **NOT** Pre-ETS services as this is a different program and has a different eligibility process.

The referral for DORS VR services will occur the fall of the junior year or the fall of the second to last year of school.

**Signed Consent to invite Agency Representative(s) to the IEP Team meeting:**

If the student has Anticipated Services in Transition marked YES, then consideration to invite an Agency Representative must be given and reason documented for each Anticipated Service. Consent must be obtained before EVERY IEP meeting to which an outside agency will be invited.

If consent was received, select YES and enter the date the parent/student signed the consent form. If consent was not received, select NO and enter a reason from the drop-down menu. If the decision made by the IEP team does not match one from the drop-down menu, choose "Other" and document the reason in the provided text field box.

**Agency Representative(s) invited to the IEP Team meeting:**

If the student has Anticipated Services for Transition marked YES, then consideration to invite an Agency Representative must be given. For each Anticipated Service, document a reason the agency was or was not invited to the IEP meeting.

- **YES**-Representative invited to the IEP Team meeting and listed on the meeting notice dated \_\_\_\_ (insert date). (*This should be the date on the IEP Team meeting notification form that is sent to parents and dated after the date of the Consent to Invite form.*)
- **NO**-LSS did not invite the Agency Representative (*This choice is **ONLY** selected if LSS sent parent(s)/student a Consent to Invite Agency Representative form, it was signed and returned, and the LSS did not invite the agency.*)
- **NA** (Choose Reason)
  - Services are not anticipated for this student;
  - Student is not the correct age/grade to invite Agency Representative (DORS/BHA/DLLR only);
  - Parent(s)/Student did not return the Consent for Agency Representative invite form;
  - Parent(s)/Student did not want the DORS representative invited to the meeting (DORS only);
  - Parent(s)/Student did not give consent for the Agency Representative to be invited to the meeting;
  - Other (Document reason in the provided text field box).

Signed receipts of consent forms and invitations to IEP meetings should be kept in the student's confidential file and can be uploaded into the online IEP folder.

In the ***Additional Discussion*** text box, document all discussion/decisions from the IEP Team meeting regarding Agency Linkage. This box should not be left blank.



## SECTION IV: GOALS

### **General Information**

Annual goals and their accompanying objectives/benchmarks define the focus of the specially designed instruction that the student will receive in order to enable him or her to make progress in the general education curriculum. In order to ensure rigorous instruction and high expectations for all students, goals must be aligned with the Maryland College and Career Ready Standards (or the Maryland Alternate Academic Standards, for the small number of students whose IEP teams have determined and whose parents have consented for them to participate in the alternate educational framework). Based on the information in the PLAAFP and the team's knowledge of the grade-level curriculum, the team should determine which grade-level standards the student is not on track to achieve and why. Goals are then developed to address the underlying skill deficits that prevent the student from meeting the standards, with an emphasis on the skills that are more critical to future success and/or underlie multiple standards.

These goals will:

- Align with the academic/content standards of the grade in which the student is enrolled and intend to enable the student to make progress toward grade level performance and reduce or close the achievement gap and/or
- Align with the academic/content standards of below-grade level performance in which the student is missing critical skills that are important for current and future grade level skill development to reduce or close the achievement gap and/or
- Address age/grade appropriate skills that are impacted by the student's disability and interfere with, prevent, or affect communication and interpersonal interactions, participation in school and learning activities, and independence in the school and potential post-school environments (college, career, and community).

**NOTE:** All areas of need identified in the PLAAFP should be addressed for ALL students (through goals and/or supplementary aids and services). "Functional" goals for non-academic areas such as communication, social interaction, self-management, etc., should be included as appropriate for all students, not just those participating in the alternate educational framework.

Goals should be SMART (specific, measurable, achievable, relevant, and time-bound). The goal should reflect an "ambitious but achievable" amount of progress over the time period of the IEP, based on the student's current skills, previous patterns of growth, and the specially designed instruction that will be implemented in order to accelerate the trajectory of the student's learning and progress towards the standards.

Each goal includes short-term objectives/benchmarks that support instructional planning and progress monitoring by describing steps towards the achievement of the goal. Objectives or benchmarks may reflect sequential targets of increasing proficiency, accuracy, or reduced support across the time period covered by the IEP. Alternatively, they may reflect component skills that combine to allow achievement of the goal, scaffolding skills drawn from earlier in

the learning progression on top of one another. These approaches may also be combined to address the needs of the student.

Objectives will describe:

- Conditions under which the skill will be demonstrated;
- Behavioral description of the skill to be observed;
- Criteria for measuring "achievement" of the skill (e.g., 75%, 4 out of 5 trials); and the
- Method of measurement (teacher quiz, criterion-based assessment, end-of-unit project).

The components of objectives, particularly the conditions, behavioral demonstration of the skill, and criteria for measuring achievement, will change as the student becomes more proficient. The number and content of the objectives and benchmarks is based solely on the needs of the student and how the student will demonstrate progress toward achieving the IEP goal.

### **By MM.DD.YYYY (optional)**

Each goal must quantify the length of time (by what date) the IEP team anticipates the student will be able to achieve the goal. The date should be no more than one year from the time at which the goal is being written, but may be less if the team feels the student should achieve the goal in a shorter time frame.

### **How the team will notify parent of progress**

Describe the manner in which the parent of the student will be notified of progress of the student.

### **How Often**

Designate how often the parent shall receive the Progress Report:

- Weekly
- Bi-Weekly
- Monthly
- Interim
- Quarterly
- End of Marking Period
- Other (text field)

[COMAR 13A.05.01.09.B]

### **ESY Goal**

Identify whether or not this is a goal for which a student is to receive ESY services, or whether the IEP team has deferred making that decision until a later time. If the decision is deferred, document the reason for the deferral and the time frame in which the IEP team believes it will be appropriate to reconsider whether or not the student may or may not require the provision of ESY.

## **Evaluation Methods and Performance**

Select the method by which the student's performance will be evaluated (e.g., classroom-based assessment, standardized assessment, etc.). If selecting "other" indicate in the text field what method will be used. The success criteria should also be selected, i.e., a percent change, number of trials, standard score increase, months of growth, etc. in this area Evaluation procedures and performance criteria should be individually determined based on the student's present level of academic achievement and functional performance, the grade-level standard or age-appropriate expectations, and the student's projected growth with specially designed instruction. When taken as a whole, the evaluation procedures and performance criteria should be measurable, objective, and clear.

## **Objective (Benchmark)**

Describe meaningful intermediate outcomes between the student's current performance level and the measurable annual goal. Like goals, objectives should be SMART.

## **Progress Toward Goal**

The area at the bottom of the page entitled Progress Toward Goal provides the service provider a place to record student progress.

Progress codes are:

- Achieved
- Making sufficient progress to meet goal
- Newly Introduced skill progress not measurable at this time
- Not making sufficient progress to meet the goal
- Not yet introduced

The progress determination should be based on data (as described in the method of evaluation). The Maryland Online IEP System allows the entering of data for each progress monitoring field and generates a "spark line" (a visual representation of progress). A text field is provided under the progress codes to record evaluative data and a narrative description of the student's progress.

In the shaded column on the left side of the page, space is provided to enter the date of the report.

If the student is "Not making sufficient progress to meet the goal," the IEP team must meet to discuss the student's lack of expected progress and the changes that will be made to the student's specially designed instruction (SDI) in order to improve the student's rate of progress. The team should consider the fidelity of implementation of the SDI defined in the IEP as well as the appropriateness of the SDI and determine what changes are necessary.

## **SECTION V: SERVICES**

Based on their knowledge of the student (as reflected in the PLAAFP), the IEP determines what special education and related services the student will require to achieve his or her goals, as well as the frequency and intensity of those services. The frequency (how often a service is provided) and intensity (the duration of each session) of special education and related services are important determinations for the IEP team. While the appropriate amount is student-specific, there should be some relationship between the specially designed instruction provided to the student and the annual IEP goals to be achieved, the gap from the student's current performance, and the grade level standards such that the student can be expected to make reasonable progress in the general education curriculum.

The following guiding questions may assist IEP teams when making decisions about services.

- Do the services support the implementation of all the outcomes or goals and objectives?
- Do the services take into account the student's history and progress with previous general education, special education, and related services?
- Do the services address the nature of the student's needs, including the gap between the student's grade level and performance level?
- Do the services support the student's cultural and linguistic background?
- Do the services support an accelerated rate of learning?

## **SPECIAL EDUCATION SERVICES**

### **Service Nature**

Nature refers to the type of service, regardless of the frequency. This field is completed to address each special education services to be provided to the student, as determined by the student's IEP team.

### **Classroom Instruction**

Specially designed instruction conducted in the general or special education classroom, home, hospital, or institution. Educational services from a teacher of the deaf and hard of hearing or a teacher of the visually impaired are "classroom instruction." May include transition and/or career technology services if services are provided as specially designed instruction.

### **Physical Education**

Instruction in physical and motor fitness, fundamental motor skills and patterns, special physical education (adapted physical education, movement education, and motor development). These are services other than such services that are provided by an occupational therapist or physical therapist.

### **Speech/Language Therapy**

Instruction in speech and language skills provided by or in consultation with a speech/language pathologist.

## **Travel Training**

Instruction, as appropriate, to students with disabilities who require this instruction, to enable them to develop an awareness of the environment in which they live; and learn the skills necessary to move effectively and safely from place to place within that environment (e.g., in school, in the home, at work, and in the community).

## **Location**

Indicate the location of service as either:

- General Education
- Outside General Education\*

If the student will receive a service both inside and outside of general education, complete separate entries indicating the description of the service in each setting.

### **\*NOTE:**

Each time the IEP team identifies a service as requiring the provision of services outside of a general education setting, the IEP team is required to explain WHY that service CANNOT be provided in general education with the use of supplementary aids, services, program modifications, and supports.

## **Service Description**

### **Number of Sessions**

Indicate the number of times the student will receive the service. This is optional for classroom instruction only. For all other services, this is a required field. If the student requires a specific number of sessions not listed, select other. The option of "Other" includes a text field to specify the number of sessions.

If the number of sessions of classroom instruction is not indicated, the automatic calculation of "Total Service Time" (on the service page) and "Time outside of general education" (on the LRE page) within Maryland Online IEP may not be accurate. If the IEP team elects to not enter the number of sessions, they need to ensure that the calculations and LRE code accurately reflect the student's program.

### **Length of Time**

Describe how often the service is to occur in terms of:

- Hours
- Minutes

## **Frequency**

Describe how often the service is to occur in terms of:

- Daily
- Weekly
- Monthly
- Yearly
- Only once
- Quarterly
- Semi-Annually

The frequency and duration indicated as appropriate within the IEP must be tailored to address the unique needs that affect the student's ability to make progress in the general curriculum.

Factors such as "administrative convenience" or specific staffing issues are not acceptable reasons for utilizing frequencies such as 20 times yearly or 20 times only. A more accurate description of the frequency of a service should be utilized to provide families and service providers a clear understanding of the frequency of service.

See Appendix H Technical Assistance Bulletin 21, *Documentation of Delivery of Related Services* for guidance relative to frequency and duration.

## **Begin Date**

The month, day and year this service will begin. This date must be equal to or after the IEP team meeting date.

## **End Date**

The month, day and year this service will end.

## **Duration**

Indicate the total number of weeks of service.

The frequency and duration indicated as appropriate within the IEP must be tailored to address the unique needs that affect the student's ability to make progress in the general curriculum.

Factors such as "administrative convenience" or specific staffing issues are not acceptable reasons for utilizing frequencies such as 20 times yearly or 20 times only. A more accurate description of the frequency of a service should be utilized to provide families and service providers a clear understanding of the frequency of service.

See Appendix H Technical Assistance Bulletin 21 *Documentation of Delivery of Related Services* for guidance relative to frequency and duration.

## **Providers**

### **Primary**

Indicate the provider/agency with the primary responsibility for the delivery, documentation and accountability for the provision of the service to the student with a disability.

### **Other**

If more than one provider/agency is responsible for the provision of the service, identify the other provider/agency responsible for delivery, documentation, and accountability for the provision of the service to the student with a disability.

## **Summary of Service**

The total time of each service calculated in terms of total number of hours and minutes described in terms of:

- Weekly
- Monthly; or
- Yearly; and
- Hours and Minutes

## **ESY Service Nature**

Describe the special education service(s) the student is to receive, as appropriate. Complete all available fields as stated previously for service description.

## **Discussion of Service(s) Delivery**

Available text field to describe the IEP team's discussion relative to the nature of service delivery for each or any of the services to ensure service providers and parent understand the unique nature of the service(s).

## **RELATED SERVICES**

### **Service Nature**

Developmental, corrective and other supportive services that the student's IEP team identifies that the student requires to assist him or her to benefit from special education. Each student's IEP team, which includes the child's parent along with local school personnel, determines the services that are needed for an individual student to receive FAPE. Nothing in IDEA requires the provision of a service to a student unless the student's IEP team has determined that the service is required in order for the student to benefit from special education and has included that service in the student's IEP.

**NOTE:**

Federal and State regulations [34 C.F.R. §300.34(c)(16); COMAR 13A.05.01.03B(81)] define transportation as a service which includes:

- a) Travel to and from school and between schools;
- b) Travel in and around school buildings; and
- c) Specialized equipment, such as special or adapted buses, lifts, and ramps, if required to provide special transportation for a student with a disability.

Each student's IEP team determines the student's need for specialized transportation and is required to reflect that need on the student's IEP. Specialized transportation must be provided in accordance with the IEP at public expense and at no cost to the parents

**Audiological Services**

Identification of students with hearing loss; determination of the range, nature, and degree of hearing loss, including referral for medical or other professional attention for the habilitation of hearing; provision of habilitative activities, such as language habilitation, auditory training, speech reading (lip reading), hearing evaluation, and speech conservation; creation and administration of programs for prevention of hearing loss; counseling and guidance of students, parents, and teachers regarding hearing loss; and determination of the student's need for group and individual amplification, selecting and fitting an appropriate aid, and evaluating the effectiveness of amplification. Audiological services do not include the placement, maintenance, or programming of surgically implanted devices such as cochlear implants. Day-to-day monitoring of the functioning of cochlear implant equipment is required if needed for a student to receive FAPE.

**Psychological Services**

Administering/interpreting psychological and educational tests, and other assessment procedures; obtaining/interpreting information about student behavior and conditions relating to learning; consulting with other staff members in planning school programs to meet the special needs of students as indicated by psychological assessments, interviews, and behavioral evaluations, and psychological counseling for students and parents.

**Occupational Therapy**

Services provided by a qualified occupational therapist. The service may include: improving, developing or restoring functions impaired or lost through illness, injury, or deprivation; improving ability to perform tasks for independent functioning if functions are impaired or lost; and preventing, through early intervention, initial or further impairment or loss of function.

**Physical Therapy**

Services provided by a qualified physical therapist.

**Recreation**

Assessment of leisure function, therapeutic recreation services, recreation programs in

schools and community agencies, and leisure education.

### **Early Identification & Assessment**

The implementation of a formal plan for identifying the educational needs and the disability of a student under the age of five.

### **Counseling Services**

Services provided by qualified social workers, psychologists, guidance counselors, or other qualified personnel.

### **School Health Services**

Services provided by a qualified school nurse or other qualified person.

### **Social Work Services**

Preparing a social or developmental history on a disabled student; group and individual counseling with the student and family; working with these problems in a student's living situation that affect the student's adjustment in school; and mobilizing school and community resources to enable the student to receive maximum benefit from his or her educational program.

### **Parent Counseling and Training**

Assisting parents in understanding the special needs of their student, providing parents with information about student development, and helping parents to acquire the necessary skills that will allow them to support the implementation of their student's IEP.

### **Rehabilitative Counseling**

Evaluation for and provision of counseling for adjustment/evaluation for potential jobs.

### **Orientation & Mobility Training Services**

Services provided to blind or visually impaired students by qualified personnel to enable those students to attain systematic orientation to and safe movement within their environments in school, home, and community; and includes teaching the students the following, as appropriate: 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); to use the long cane to supplement visual travel skills or as a tool for safely negotiating the environment for students with no available travel vision; to understand and use remaining vision and distance low vision aids; and other concepts, techniques, and tools. Orientation and Mobility Services are required for students identified as visually impaired, including students with Deafblindness and with Multiple Disabilities including visual impairment, unless the IEP teams determines, based on an assessment by a qualified professional, that services are not appropriate.

## **Assistive Technology Services**

Any service that directly assists a student with a disability in the selection, acquisition, or use of an assistive technology device. This includes:

- The evaluation of the needs of a student with disabilities, including a functional evaluation of the student in the student's customary environment;
- Purchasing, leasing, or otherwise providing for the acquisition of assistive technology devices by students with disabilities;
- Selecting, designing, fitting, customizing, adapting, applying,
- Maintaining, repairing, or replacing assistive technology devices;
- Coordinating and using other therapies, interventions, or services with assistive technology devices, such as those associated with existing education and rehabilitation plans and programs;
- Training or technical assistance for a student with disabilities, or, where appropriate, the student's family; and
- Training or technical assistance for professionals (including individuals providing education and rehabilitation services), employers or other individuals who provide services to, employ, or are otherwise substantially involved in the major life functions of a student with disabilities.

## **Medical Services (Diagnostic and Evaluation)**

Services provided by a licensed physician to determine a student's medically related disability, which results in the student's need for special education and related services.

## **Other Therapies**

Art/Drama/Dance Therapy or any other service provided as a related service that is not listed. Indicate the name of the service in this field.

## **Interpreting Services**

For students who are deaf or hard of hearing. Interpreting services include: Oral transliteration services, cued language transliteration services, sign language transliteration and interpreting services, and transcription services, such as communication access real-time translation (CART), C-Print, and TypeWell; and special interpreting services for students who are deaf-blind.

## **Speech/Language Therapy**

Instruction in speech and language skills provided by a speech/language therapist as a related service in order for the student to benefit from special education.

## **Nursing Services**

Services provided by a qualified nurse or other qualified person.

## **Transportation**

### **Location**

The only data fields to be included for this particular service are, "Service Nature", "Begin Date", and "End Date".

Indicate the location of service as either:

- General Education
- Outside General Education\*

If the student will receive a service both inside and outside of general education, complete separate entries indicating the description of the service in each setting.

\*NOTE: Each time the IEP team identifies a service as requiring the provision of services outside of a general education setting, the IEP team is required to explain WHY that service CANNOT be provided in general education with the use of supplementary aids, services, program modifications, and supports.

## **Service Description**

### **Number of Sessions**

Indicate the number of times within a week the student will receive the service. This field is required for all related services. If the student requires a specific number of sessions not listed, select other. The option of "Other" includes a text field to specify the number of sessions.

### **Length of Time**

Describe the length of time the service is to occur in terms of:

- Hours
- Minutes

### **Frequency**

Describes how often the service is to occur in terms of:

- Weekly
- Daily
- Monthly
- Yearly
- Only Once
- Quarterly
- Semi-Annually

The frequency and duration indicated as appropriate within the IEP must be tailored to address the unique needs that affect the student's ability to make progress in the general education curriculum. Factors such as "administrative convenience" or specific staffing issues are not acceptable reasons for utilizing frequencies such as 20 times yearly or 20 times only. A more accurate description of the frequency of a service should be utilized to provide families and service providers a clear understanding of the frequency of service.

See Appendix H Technical Assistance Bulletin 21 *Documentation of Delivery of Related Services* for guidance relative to frequency and duration.

### **Begin Date**

The month, day and year this service will begin. This date must be equal to or after the IEP team meeting date.

### **End Date**

The month, day, and year the service ends.

### **Duration**

Indicate the total number of weeks of service.

The frequency and duration indicated as appropriate within the IEP must be tailored to address the unique needs that affect the student's ability to make progress in the general curriculum.

Factors such as "administrative convenience" or specific staffing issues are not acceptable reasons for utilizing frequencies such as 20 times yearly or 20 times only. A more accurate description of the frequency of a service should be utilized to provide families and service providers a clear understanding of the frequency of service.

See Appendix H Technical Assistance Bulletin 21 *Documentation of Delivery of Related Services* for guidance relative to frequency and duration.

### **Providers**

#### **Primary**

Indicate the provider/agency with the primary responsibility for the delivery, documentation and accountability for the provision of the service to the student with a disability.

#### **Other**

If more than one provider/agency is responsible for the provision of the service, identify the other provider/agency responsible for delivery, documentation, and accountability for the provision of the service to the student with a disability.

### **Summary of Service**

The total time of each service calculated in terms of total number of hours and minutes described in terms of:

- Weekly
- Monthly; or
- Yearly, and
- Hours and Minutes

### **ESY Service Nature**

Describe the special education service(s) the student is to receive, as appropriate. Complete all available fields as stated previously for service description.

### **Discussion of Service(s) Delivery Including Description of Transportation Services, if Provided**

Available text field to describe the IEP team’s discussion relative to the nature of service delivery for each or any of the services to ensure service providers and parent understand the unique nature of the service(s).

## **CAREER AND TECHNOLOGY EDUCATION SERVICES**

### **Service Nature**

#### **Career and Technology Education Program w/Support Services**

A program which may include, but not be limited to, such vocational support services as vocational assessment and evaluation, guidance, counseling and career development activities, adaptation of curriculum, individualized instruction and special services which enable disadvantaged and students with disabilities to succeed in their general vocational programs. A vocational support team usually provides these services.

#### **Vocational Evaluation**

An individualized and comprehensive systematic process which evaluates a student’s interests, aptitudes, achievements and work attitudes to identify possible areas for vocational placement. This evaluation process, which occurs in a specially designed unit or lab, simulates a work environment in identifying a student’s vocational strengths, needs and potentials. This may be an interagency service (i.e., DORS evaluation).

#### **Special Education Program w/ Pre-Vocational Objectives**

A series of direct instructions or activities that are driven by goals and objectives on an individual student’s IEP related to pre-vocational skills (e.g., career identification, learning styles, work conditions and job awareness activities). The instructions and activities can take place within school, community or vocational settings. All of the instruction and activities are delivered, monitored and supervised by special education personnel. Any activity done outside the school must adhere to the Department of Labor regulations regarding a training site.

## **Location**

Indicate the location of service as either:

- General Education
- Outside General Education\*

**\*NOTE:** Each time the IEP team identifies a service as requiring the provision of services outside of a general education setting, the IEP team is required to explain WHY that service CANNOT be provided in general education with the use of supplementary aids, service, program modifications, and supports.

## **Service Description**

### **Number of Sessions**

Indicate the number of times within a week the student will receive the service. This is optional for classroom instruction. For all other services, this is a required field. If the student requires a specific number of sessions not listed, select other. The option of "Other" includes a text field to specify the number of sessions.

### **Length of Time**

Describe the length of time the service is to occur in terms of:

- Hours
- Minutes

### **Frequency**

Describes how often the service is to occur in terms of:

- Daily
- Weekly
- Monthly
- Yearly
- Only once
- Quarterly
- Semi-annually

The frequency and duration indicated as appropriate within the IEP must be tailored to address the unique needs that affect the student's ability to make progress in the general curriculum.

Factors such as "administrative convenience" or specific staffing issues are not acceptable reasons for utilizing frequencies such as 20 times yearly or 20 times only. A more accurate description of the frequency of a service should be utilized to provide families and service providers a clear understanding of the frequency of service.

See Appendix H Technical Assistance Bulletin 21 Documentation of Delivery of Related Services for guidance relative to frequency and duration.

**Begin Date**

The month, day and year this service will begin. This date must be equal to or after the IEP team meeting date.

**End Date**

The month, day, and year the service ends.

**Duration**

Indicate the total number of weeks of service.

The frequency and duration indicated as appropriate within the IEP must be tailored to address the unique needs that affect the student's ability to make progress in the general curriculum.

Factors such as "administrative convenience" or specific staffing issues are not acceptable reasons for utilizing frequencies such as 20 times yearly or 20 times only. A more accurate description of the frequency of a service should be utilized to provide families and service providers a clear understanding of the frequency of service.

See Appendix H Technical Assistance Bulletin 21 Documentation of Delivery of Related Services for guidance relative to frequency and duration.

**Providers****Primary**

Indicate the provider/agency with the primary responsibility for the delivery, documentation and accountability for the provision of the service to the student with a disability.

**Other**

If more than one provider/agency is responsible for the provision of the service, identify the other provider/agency responsible for delivery, documentation, and accountability for the provision of the service to the student with a disability.

**Summary of Service**

The total time of each service calculated in terms of total number of hours and minutes described in terms of:

- Weekly
- Monthly; or
- Yearly, and
- Hours and Minutes

**ESY Service Nature**

Describe the special education service(s) the student is to receive, as appropriate. Complete all available fields as stated previously for service description.

**Discussion of Service(s) Delivery**

Available text field to describe the IEP team’s discussion relative to the nature of service delivery for each or any of the services to ensure service providers and parent understand the unique nature of the service(s).

## **SECTION VI: PLACEMENT DATA**

### **LEAST RESTRICTIVE ENVIRONMENT (LRE) DECISION MAKING & PLACEMENT SUMMARY**

When making a placement decision, the IEP team must consider the least restrictive environment (LRE). The placement decision determines where the student's special education instruction will occur. This decision is made by the IEP team and is based on the student's IEP.

IDEA requires that students with disabilities be educated with students without disabilities to the maximum extent appropriate. Students with disabilities must not be placed in special classes or separate schools unless education in regular education classes with supplementary aids, services, program modifications, and supports cannot be achieved satisfactorily. In selecting the student's placement, consideration is given to any potential harmful effect on the student or on the quality of the services that he or she needs. The student may not be removed from education in age-appropriate general education classes solely because of needed modifications to the general curriculum or because she or he is working towards the Alternate Achievement Standards.

Placement decisions CANNOT be solely based on:

- Category of the student's disability;
- Severity of the student's disability;
- Language and communication needs;
- Needed modifications in the general curriculum;
- Configuration of the public agency's delivery system;
- Availability of space or educational or related services; or
- Administrative convenience.

The LRE mandate of the IDEA requires students with disabilities to receive their education in general education settings to the maximum extent appropriate. If such a setting is not appropriate, the student is to receive his or her education in a setting with the least amount of segregation from the student's nondisabled peers, as possible. The student must be educated in the school that he or she would attend if not disabled unless the IEP indicates that another school is appropriate. The IEP team must consider placement closest to the student's home, if the student is not in the school the student would attend if not disabled.

#### **Placement Options Considered**

If the student is removed from natural environments with nondisabled peers (3-5) or from general education instructional settings (6-21) the IEP team needs to document other less restrictive options considered.

#### **If Removed from General Education, Explain Why Services CANNOT be Provided in the General Education Environment**

IDEA requires a justification for the removal of the student from general education settings.

This includes a specific explanation of WHY services CANNOT be provided in general education classroom settings with supplementary aids, services, program modifications, and supports.

The response must describe why the IEP team recommends that the student be removed from general education classes, what supplementary aids, services, program modifications, and supports were considered and rejected, and why these services cannot be provided in general education settings.

### **Document Basis of Decision(s) (required)**

A required text field for an IEP team to provide additional information to document the basis of the IEP team's decision. If addressed properly, documentation will meet requirements of prior written notice (PWN), in accordance with 34 C.F.R. §300.503 and COMAR 13A.05.01.12, PWN includes:

- A description of the action proposed or refused;
- An explanation of why the public agency proposes or refuses to take the action;
- A description of the options the public agency considered and the reason the options were rejected;
- A description of each assessment procedure, test, record, or report the public agency uses as a basis for the proposal or refusal;
- A description of any other factors relevant to the proposed or refused action;
- A list of sources a parent may contact to obtain assistance in understanding the provisions of IDEA; and
- If an action proposed by a public agency also requires parental consent, a public agency may provide notice at the same time it requests consent.

[20 U.S.C §1415; 34 C.F.R. §300.503; COMAR 13A.05.01.12]

### **Special Education Placements (3-5)**

If the student will attend a regular early childhood program, select the placement that matches how the IEP determines that special education services will be provided. Regular early childhood programs are group settings for young children in which more than 50% of the children enrolled DO NOT receive special education services. Attendance at an early childhood program need not be funded by IDEA, Part B funds. These settings include, but are not limited to:

- Child care centers
- Head Start programs
- Judy Center
- Kindergarten
- Private preschools/PreK/nursery schools;
- Public Pre-K programs in which more than 50% of the students DO NOT have IEPs/extended IFSPs.
- Other - settings that enroll a majority of children who are not receiving special education services and which follow an early childhood curriculum

## **Options**

- Attending a Regular Early Childhood Program for at Least 10 Hours per Week and Receiving the Majority of Special Education and Related Services in that Setting.
- Attending a Regular Early Childhood Program for at Least 10 Hours per Week and Receiving the Majority of Special Education and Related Services in Some Other Location.
- Attending a Regular Early Childhood Program Less Than 10 Hours per Week and Receiving the Majority of Special Education and Related Services in that Setting.
- Attending a Regular Early Childhood Program Less Than 10 Hours per Week and Receiving the Majority of Special Education and Related Services in Some Other Location.

## **Select the regular early childhood environment the child attends.**

Choose the option from the list. If "Other," please specify.

## **Identify location of services.**

If the child will receive the majority of special education services outside of the regular childhood setting, indicate the location in which those services are delivered. Examples include, but are not limited to: preschool special education classroom, speech-language therapy room, resource room. NOTE: Do not use the term '*service provider location*,' as this term is a distinct preschool LRE setting to be used for children *not* participating in any early childhood program or setting.

If the student will not attend a regular early childhood program or kindergarten, select the option that describes where the student will receive special education services. Report the student according to the location of the special education program.

- Service provider location. Students who will receive all of their special education and related services from a service provider, and who will not attend a regular early childhood program or a special education program provided in a separate class, separate school, or residential facility. For example, speech instruction provided in:
  - private clinicians' offices,
  - clinicians' offices located in school buildings,
  - hospital facilities on an outpatient basis, and
  - libraries and other public locations.

Do not include students who also received special education at home. Students who received special education both in a service provider location and at home should be reported in the home category.

- Home. Students who will receive special education and related services in the principal residence of the student's family or caregivers (including babysitters), and who will not attend an early childhood program or a special education program provided in a separate class, separate school, or residential facility. Include students who receive special education both at home and in a service provider location.

- Separate class. Students who attend a special education program in a class with less than 50% nondisabled peers. (Do not include students who also attended a regular early childhood program as listed above.)
- Public Separate Day School. Students who receive education in public day school designed specifically for students with disabilities. Do not include students who also attended a regular early childhood program.
- Private Separate Day School. Students who receive education in a private day school designed specifically for students with disabilities. Do not include students who also attended a regular early childhood program.
- Public Residential Facility. Students who receive education programs in publicly operated residential schools or residential medical facilities on an inpatient basis. Do not include students who also attended a regular early childhood program.
- Private Residential Facility. Students who receive education in privately operated residential schools or residential medical facilities on an inpatient basis. Do not include students who also attended a regular early childhood program.

For additional guidance on selecting the placement code to accurately reflect the educational environment of a preschool student, see <https://b6tools.ideadata.org/MD>

## **Special Education Placements (6-21)**

### **Total Time in School Week**

Indicate the total hours and minutes in a school week

### **Total Time Outside General Education**

Indicate the total hours and minutes in a school week the student is removed from general education settings.

### **Total Time in General Education**

Indicate the total hours and minutes in a school week the student is in general education settings.

#### **NOTE:**

The total amount of time in a school week is based on the actual hours and minutes of the school day. The time of the school day may vary.

The calculation of LRE categories is based on the time outside the general education classroom versus inside the general education classroom. Subtract the total time outside of general education based on the services listed on the Services pages of the IEP from the number of total hours in a school week to indicate the total time in general education.

- In Regular Education Settings 80% or more of the time. 6-21 year old student enrolled in a comprehensive school who will receive his or her education inside general education settings 80% or more of the school day.

Special education and related services for these students may be provided:

- within regular education classes
- in "resource rooms" or other classes for students with disabilities
- outside regular classes in a one-on-one or small-group context

- In Regular Education Settings Between 40% and 79% of the time. 6-21-year-old student enrolled in a comprehensive school who will receive his or her education inside general education settings for between 40% and 79% of the school day.

Special education and related services for these students may be provided:

- within regular education classes (for part of the day)
- in "resource rooms" or other classes for students with disabilities
- outside regular classes in a one-on-one or small-group context

Do not include students who are reported as receiving education programs in public or private separate school or residential facilities.

- In Regular Education Settings Less Than 40% of the time. 6-21 year old student enrolled in a comprehensive school who will receive his or her education inside general education settings less than 40% of the school day.

This category may include students placed in:

- self-contained special classrooms with part-time instruction in a regular class;
- self-contained special classrooms with full-time special education instruction on a regular school campus.

Do not include students who are reported as receiving education programs in public or private separate school or residential facilities.

- Public Separate Day School. 6-21-year-old student who receives special education and related services for greater than 50% of the school day in a public separate day facility that does not house programs for students without disabilities.

- Private Separate Day School. 6-21-year-old student who receives special education and related services for greater than 50% of the school day in a private separate day facility that does not house programs for students without disabilities.

- Public Residential Facility. 6-21-year-old student who receives special education and related services greater than 50% of the school day in a public residential facility.

- Private Residential Facility. 6-21-year-old student who receives special education and related services for greater than 50% of the school day in a private residential facility.

- Homebound Placement. 6-21-year-old student who receives special education instruction at home. Do not include students with disabilities whose parents have opted to "home-school" them and who receive special education at the public expense.

- Hospital Placement. 6-21-year-old who receives special education in a medical treatment facility on an in-patient basis.
- Correctional Facility. 6-21-year-old who receives special education in correctional facilities. These data are intended to be a count of all students with disabilities receiving special education in:
  - short-term detention facilities (community-based or residential), or
  - local and state correctional facilities.
- Parentally Placed In Private School. 6-21-year-old student who is enrolled by their parents in a religiously affiliated 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 school system under a service plan. Do not include students who are placed in private schools by the local school system or public agency in order to receive free appropriate public education.

### **Potential Harmful Effects**

Consideration is given to any potential harmful effect on the student or on the quality of the services that he or she needs.

Indicate YES or NO

**NOTE:** The student MAY NOT be removed from education in age- appropriate general education classes solely because of needed accommodations or modifications in the general curriculum.

### **Document Basis for Decision(s) (required)**

A required text field for an IEP team to provide additional information to document the basis of the IEP team's decision. If addressed properly, documentation will meet requirements of prior written notice (PWN), in accordance with 34 C.F.R. §300.503 and COMAR 13A.05.01.12, PWN includes:

- A description of the action proposed or refused;
- An explanation of why the public agency proposes or refuses to take the action;
- A description of the options the public agency considered and the reason the options were rejected;
- A description of each assessment procedure, test, record, or report the public agency uses as a basis for the proposal or refusal;
- A description of any other factors relevant to the proposed or refused action;
- A list of sources a parent may contact to obtain assistance in understanding the provisions of IDEA; and
- If an action proposed by a public agency also requires parental consent, a public agency may provide notice at the same time it requests consent.

[20 U.S.C §1415; 34 C.F.R. §300.503; COMAR 13A.05.01.12]

### **Services in Home School**

Indicate YES or NO whether the student will receive their special education and related

services in the school which they would attend if they did not have a disability. This is usually the school assigned based on the student's home address, but can also include a magnet school charter school, or other school in which the student is enrolled based on the same enrollment provisions available to students without disabilities

### **If NO, Document Basis for Decision(s) (required)**

A required text field for an IEP team to provide additional information to document the basis of the IEP team's decision. If addressed properly, documentation will meet requirements of prior written notice (PWN), in accordance with 34 C.F.R. §300.503 and COMAR

13A.05.01.12, PWN includes:

- A description of the action proposed or refused;
- An explanation of why the public agency proposes or refuses to take the action;
- A description of the options the public agency considered and the reason the options were rejected;
- A description of each assessment procedure, test, record, or report the public agency uses as a basis for the proposal or refusal;
- A description of any other factors relevant to the proposed or refused action;
- A list of sources a parent may contact to obtain assistance in understanding the provisions of IDEA; and
- If an action proposed by a public agency also requires parental consent, a public agency may provide notice at the same time it requests consent.

[20 U.S.C §1415; 34 C.F.R. §300.503; COMAR 13A.05.01.12]

### **Is the Placement as Close as Possible to the Student's Home?**

Indicate YES or NO

### **If NO, Document Basis for Decision(s) (required)**

A required text field for an IEP team to provide additional information to document the basis of the IEP team's decision. If addressed properly, documentation will meet requirements of prior written notice (PWN), in accordance with 34 C.F.R. §300.503 and COMAR

13A.05.01.12, PWN includes:

- A description of the action proposed or refused;
- An explanation of why the public agency proposes or refuses to take the action;
- A description of the options the public agency considered and the reason the options were rejected;
- A description of each assessment procedure, test, record, or report the public agency uses as a basis for the proposal or refusal;
- A description of any other factors relevant to the proposed or refused action;
- A list of sources a parent may contact to obtain assistance in understanding the provisions of IDEA; and
- If an action proposed by a public agency also requires parental consent, a public agency may provide notice at the same time it requests consent.

[20 U.S.C §1415; 34 C.F.R. §300.503; COMAR 13A.05.01.12]

## **Consideration of Transportation Needs**

Is the Related Service "Transportation" needed based on the unique needs of the student or to allow the student access to special education services?

Indicate YES or NO

**NOTE:** COMAR 13A.05.01.10C(1)(e) requires the following: If the student's IEP team determines the student cannot be educated in the school or typical early childhood setting the student would attend if not disabled, the IEP shall document the specialized transportation needs of the student, including consideration of the effect transportation may have on the student in relation to the:

- i) Student's age and disability;
- ii) Specialized equipment needs of the student;
- iii) Personnel needed to assist the student during transportation;
- iv) Amount of time involved in transporting the student; and
- v) Distance the student will be transported.

If a student is not attending the school he or she would attend if not disabled, or is in need of specialized equipment in order to attend his or her school, the IEP team is required to consider the student's need for specialized transportation in order to enable the student to benefit from special education.

*Is Specialized Equipment Needed? If YES, Document All Specialized Equipment Needed*

Indicate YES or NO

If "Yes" Document all specialized equipment the student needs for transportation.

## **Personnel Needed To Accommodate Student During Transportation** **If YES, Explain**

Indicate YES or NO

If "Yes" explain the type/role of personnel needed to accommodate the student during transportation.

## **Are Other Supports Needed to Accommodate the Student During Transportation? If YES Explain**

Indicate YES or NO

If "Yes" explain / describe the supports needed to accommodate the student during transportation.

## **Document Basis for Decision(s) (required)**

Describe the IEP team's discussion relative to the discussion of consideration of age and

disability, time and distance involved in travel, and unique needs of the student in determining need for the related service transportation to ensure service providers and parent understand the unique nature of the service(s).

**NOTE:**

A required text field for an IEP team to provide additional information to document the basis of the IEP team's decision. If addressed properly, documentation will meet requirements of prior written notice (PWN), in accordance with 34 C.F.R. §300.503 and COMAR 13A.05.01.12, PWN includes:

- A description of the action proposed or refused;
- An explanation of why the public agency proposes or refuses to take the action;
- A description of the options the public agency considered and the reason the options were rejected;
- A description of each assessment procedure, test, record, or report the public agency uses as a basis for the proposal or refusal;
- A description of any other factors relevant to the proposed or refused action;
- A list of sources a parent may contact to obtain assistance in understanding the provisions of IDEA; and
- If an action proposed by a public agency also requires parental consent, a public agency may provide notice at the same time it requests consent.

[20 U.S.C §1415; 34 C.F.R. §300.503; COMAR 13A.05.01.12]

**Explanation, if the Student WILL NOT Participate with Nondisabled Peers in Academic, Nonacademic, and Extracurricular Activities**

The IEP team must specify the extent to which a student WILL NOT participate in general education classes and in extracurricular and other nonacademic activities.

**Residence County**

The public jurisdiction where the parent of the student resides and the jurisdiction in which the student would attend school if he or she did not have a disability.

**Residence School**

The neighborhood school the student would attend if he or she did not have a disability. This includes students who are home-schooled, parentally placed in a private school, and homeless, unknown school.

**Service County**

The public agency responsible to provide the special education services. This includes local school systems, MSDE operated juvenile facilities, Adult Correctional Facilities, Maryland School for Blind, and Maryland School for Deaf.

## **Service School**

The public agency school, nonpublic school, or private school where the student receives his or her special education services and related services. This includes students who are home-schooled, parentally placed in a private school, and homeless, unknown school.

## **STUDENT COUNT ELIGIBILITY CODES**

### **Eligibility 1**

A student with a disability enrolled in a public school or placed in a nonpublic school by the public agency to receive free appropriate public education (FAPE).

### **Eligibility 2**

A student with a disability parentally placed in a private school within the jurisdiction of the local school system that is receiving a service(s) from the local school system through a service plan.

### **Eligibility 3**

A student with a disability parentally placed in a private school within the jurisdiction of the local school system and who is not receiving services through a service plan.

### **Eligibility 4**

An eligible public school student with a disability not receiving services due to parent refusal to initiate special education and related services.

### **Eligibility 6**

A child, under the age of 3 determined eligible for Part B preschool special education and related services, and the child's parents provide consent for their child to continue early intervention services through an IFSP (Extended IFSP Option).

## **SECTION VII: AUTHORIZATION(S)**

### **CONSENT FOR THE INITIATION OF SERVICES**

#### **(Initial IEP Only)**

##### **Consent for Initiation of Services**

A public agency shall obtain written parental consent before the initial provision of special education and related services to a student with a disability.

A public agency SHALL NOT provide special education and related services consistent with 20 U.S.C. §1414(a)(1)(D)(ii)(II) and 34 C.F.R. §300.300(b)(3) if a student's parent:

- Refuses to provide the public agency written consent for the initiation of special education and related services; or
- Fails to respond to a request by the public agency to provide written consent for the initiation of special education and related services.

If a parent of a student with a disability refuses to provide the initial written consent, the public agency shall not be considered to be in violation of the requirement to make a free appropriate public education (FAPE) available to the student for failing to provide the student with the special education and related services for which the public agency sought parental consent consistent with 20 U.S.C. §1414(a)(1)(D)(ii)(III)(aa) and 34 C.F.R. §300.300(b)(4)(i).

The public agency shall not be required to convene an IEP team meeting or develop an IEP for the special education and related services for which the public agency requests initial consent consistent with 20 U.S.C. §1414(a)(1)(D)(ii)(III)(bb) and 34 C.F.R. §300.300(b)(4)(ii).

Once services have started, parental consent is not required in order to implement any future changes to the student's special education services. After the initiation of special education and related services, a public agency and parent may propose changes to the student's services or placement at an IEP team meeting. When a public agency or parent proposes to change the student's services or placement, the public agency is required to provide the parent with PWN of the proposed changes or refusals.

##### **NOTE:**

Public agency personnel shall request the local school superintendent or administrative head of the public agency to appoint a parent surrogate to represent the student at any point in the educational decision making process if it is suspected that the student may be disabled and if:

- The student is a ward of the State;
- The student is an unaccompanied homeless youth;

- The parents of the student are unknown or unavailable; or
- The student's rights have not been transferred, in accordance with Education Article §8- 412.1, Annotated Code of Maryland.

## **MEDICAL ASSISTANCE**

### **Student Eligibility for Medical Assistance (MA)**

Indicate YES or NO

### **MA Number**

If the student is a recipient of Medical Assistance enter the student's MA number.

### **Parental Consent for Service Coordination and Health Related Services**

An IEP team determines that the recipient of Medical Assistance (MA) is a student with disabilities who:

- Is eligible for special education and related services; and
- Requires the provision of special education and health related services.

The student's parent elects, on the student's behalf, to receive service coordination and health related services as specified in the student's IEP. In accordance with COMAR 10.09.52, the student's parent is required to identify the MA Service Coordinator(s).

Each time the student's IEP is reviewed or revised, a public agency or provider agency must provide parent(s) written notice of public benefits, in accordance with 34 C.F.R. §300.154(d)(2)(iv)(A)

Each time the student's IEP is reviewed or revised, a public agency or provider agency must obtain written parental consent for the selection of the MA Service Coordinator.

In accordance with 34 C.F.R. §300.154(d)(2)(iv), parents are required to provide one-time only consent to access public benefits, after receiving written notice consistent with 34 C.F.R. §300.154(d)(2)(v),

By providing consent the parent understands and agrees in writing that the public agency may access their child's Medicaid to pay for services provided to their child.

### **NOTE:**

If the student's parent refuses consent for MA service coordination or access to public benefits, the provider agency is not relieved of its responsibility to provide all required health related services at no cost to the parents.

## **APPENDIX A**

Statewide Individualized Education Program (IEP) Form

The following document is a PDF copy of the Maryland Statewide Individualized Education Program (IEP) form. The enclosed document becomes effective July 1, 2018.

## **APPENDIX B**

Individuals with Disabilities Education Act (IDEA) 2004 Federal Regulations 34 C.F.R. §§300 & 303

The following document is a PDF copy of final federal regulations for the Individual with Disabilities Education Act (IDEA) of 2004 published in the Federal Register on August 14, 2006. The regulations were effective October 13, 2006. Supplemental regulations were released December 1, 2008, effective December 31, 2008.

## **APPENDIX C**

### **Code of Maryland Regulations (COMAR)**

The following document is a PDF copy of four chapters of COMAR that are specifically relevant to student with disabilities. These regulations may also be accessed online at: <http://www.dsd.state.md.us>

COMAR 13A.05.01

Provision of a Free Appropriate Public Education

COMAR 13A.05.02

Administration of Services for Students with Disabilities

COMAR 13A.08.03

Discipline of Students with Disabilities

COMAR 13A.08.04

Student Behavior Interventions

## **APPENDIX D**

Parentally Placed Private School  
Students with Disabilities

The following documents are provided to assist local school systems and IEP teams to address the issues relative to parentally placed private school students with disabilities. Statutory Comparison of IDEA 1997 to IDEA 2004

OSEP Topical Brief – Children with Disabilities Enrolled by Their Parents in Private School

OSEP Question & Answer Document – Children with Disabilities Enrolled by Their Parents in Private School

IDEA Regulations, Appendix B Calculation of Proportionate Share

## **APPENDIX E**

### **U. S. Department of Education, Office of Special Education Programs (OSEP) Topical Briefs**

The following documents produced by the U. S. Department of Education, Office of Special Education Programs (OSEP) are included to provide local school systems and IEP teams access to current information on specific issues that changed with the reauthorization of IDEA in 2004.

Alignment with NCLB

Changes in Evaluation and Reevaluation

Discipline

Disproportionality

Early Intervening Services (EI)

Highly Qualified Teachers (HQT)

Identification of a Specific Learning Disability (SLD)

Individualized Education Program (IEP)

Individualized Education Program (IEP) Team Meetings and Changes to the IEP

Monitoring and Enforcement

National Instructional Materials Accessibility Standards

(NIMAS) Procedural Safeguards – Mediation

Procedural Safeguards – Resolution Meetings and Due Process Hearings

Procedural Safeguards – Surrogate Parents, Notice, and Parental Consent

Secondary Transition

State Complaint Procedures

## **APPENDIX F**

### **U. S. Department of Education, Office of Special Education Programs (OSEP)**

#### **Q & A Documents**

The following Q&A documents produced by the U. S. Department of Education, Office of Special Education Programs (OSEP) are included to provide local school systems and IEP Teams access to current information on specific issues that changed with the reauthorization of IDEA in 2004.

Discipline  
Highly Qualified Teachers  
(HQT) IEP, Evaluation, and  
Reevaluation Monitoring and  
Enforcement  
National Instructional Materials Accessibility Standards  
(NIMAS) Procedural Safeguards and Due Process Procedures  
Response to Intervention (RtI) and Early Intervening Services (EI)

## **APPENDIX G**

### **Division of Early Intervention/Special Education Services Publications**

The following publications, produced by the Division of Early Intervention/Special Education Services, are included to provide local school systems and IEP teams access to current information on specific issues.

- Procedural Safeguards – Parental Rights
- Building IEPs with Maryland Families: What A Great IDEA!
- Stepping Ahead to Success: Transition at Age Three
- Understanding the Evaluation, Eligibility, and Individualized Education Program (IEP) Process in Maryland
- Fact Sheet 1 – Addressing Disproportionality
- Fact Sheet 3 – Multiple Day Accommodations
- Facilitated IEP Team Meetings in Maryland: An Introduction and Frequently Asked Questions for Parents and Public Agency/School Personnel
- IDEA Dispute Resolution Processes Comparison Chart
- Special Education State Complaint Resolution Procedures
- A Parent’s Guide to Frequently Asked Questions about the State Complaint Procedures State Complaint Form
- A Parent’s Guide to Frequently Asked Questions about Mediation Procedures
- A Parent’s Guide to Frequently Asked Questions about Due Process Complaint Procedures Request for Mediation and Due Process Complaint Form

## **APPENDIX H**

### **Division of Early Intervention/Special Education Services Technical Assistance Bulletins**

The following publications, produced by the Division of Early Intervention/Special Education Services, are included to provide local school systems and IEP teams access to current information on specific issues.

Technical Assistance Bulletin 20 Provision of Accessible Copies of Documents to Parents

Technical Assistance Bulletin 21 Documentation of Delivery of Related Services

[\*Improving Outcomes for Students with Disabilities: Curriculum, Instruction, and Assessment.\*](#)

[\*Native Language\*](#)

[\*Parental Consent Under Maryland Law\*](#)

[\*Inclusive Early Childhood Services in the LRE\*](#)

**For questions or additional information, please contact  
The Maryland State Department of Education,  
Division of Early Intervention/Special Education Services  
410-767-0238**