

ABC's of IEP's

SEPAG

December 2023

An Introduction

- Individuals with Disabilities Education Act (IDEA 2004): Every student has a right to a **Free and Appropriate Public Education in the Least Restrictive Environment.**
- Parents have the right to participate in their child's education.
- Every student is entitled to an education that provides them with meaningful benefit.
- When regular education services do not confer that benefit, Special Education Services should be considered.

Referral to the CST

- A referral is a formal written request that a student be evaluated by a CST to determine eligibility for special education and related services, or by a Speech/Language Specialist to determine eligibility for speech services.
- A student may be referred by a parent, school staff or administration, or a community agency.
- Parent referrals should be made to the Director of Special Services, and should include: name, address and phone number of student and parents, a request that the child be evaluated for special education and related services.
 - Additional information and/or reports are welcomed, but not required.

REFERRAL TO CST FLOW CHART



Case manager assigned and identification meeting scheduled within twenty (20) calendar days (excluding holidays). Information is collected regarding the child's educational progress.



Identification Meeting

Participants include parent(s)/guardian(s), all CST members and at least one of the child's general education teachers. A decision is made as to whether a CST evaluation is warranted.



No evaluation needed.



Evaluation Plan

If a CST evaluation is warranted, an evaluation plan is written describing the required evaluations and parental consent is obtained. The process begins.

Evaluation and Eligibility

- CST evaluation will include assessments by at least 2 members of the team. Related service assessments or outside evaluations may also be considered based on presenting problem
- Parentally-provided evaluations will be considered by the CST, who may elect to accept some or all of the testing for assessment and/or planning purposes.
- Eligibility for Speech/Language services is performed by the Speech Therapist, and considers voice, fluency, and articulation.

Factors Impacting Eligibility

- To be eligible for special education and related services:
 - A student must have a disabling condition according to one of the eligibility categories
 - The disability must adversely impact the student's educational performance
 - The student must be in need of special education and related services.
- To determine eligibility, the CST considers individual testing in the areas of cognition and achievement, outside evaluations, student performance, reports of parents, stakeholders, and functional performance.

NJ DISABILITY CLASSIFICATIONS

1. AUDITORY IMPAIRMENT
2. AUTISM
3. INTELLECTUAL DISABILITY
4. COMMUNICATION IMPAIRMENT
5. EMOTIONAL REGULATION IMPAIRMENT
6. MULTIPLE DISABILITIES
7. DEAF/BLINDNESS
8. ORTHOPEDIC IMPAIRMENT
9. OTHER HEALTH IMPAIRMENT
10. PRESCHOOL CHILD WITH A DISABILITY
11. SOCIAL MALADJUSTMENT
12. SPECIFIC LEARNING DISABILITY
13. TRAUMATIC BRAIN INJURY
14. VISUAL IMPAIRMENT

Who Diagnoses the 14 Classifications

(see previous slide)

1. Audiologist
2. Neurologist/ Developmental Pediatrician
3. Psychologist/Learning Consultant
4. Speech-Language Pathologist
5. Psychiatrist
6. Two or more classifications
7. Audiologist/Ophthalmologist
8. Orthopaedic Doctor
9. MD-anxiety, depression, ADHD, chronic illness...
10. 33% delay in one area or 25% delay in two areas: Physical, Cognitive, Communication, Social/Emotional, Adaptive
11. Psychiatrist
12. Psychologist/ Learning Consultant
13. Neurologist
14. Ophthalmologist

Parental Consent

- Consent means that the parent has the information necessary to make an informed decision about the proposed activity.
 - Consent is immediate, and the school will begin the activity as soon as possible.
- Examples of when consent is required:
 - Before initial evaluation and before special education begins for the first time.
 - Before reevaluation testing, or when waiving a reevaluation is proposed.
 - Before records are released
 - The IEP is amended without a meeting
 - When the team would like to excuse a required team member from a meeting.

Parental Consent continued

- If a parent does not give consent:
 - The proposed action cannot be done. The District may decide to seek a due process hearing to get permission for an initial evaluation, reevaluation or release of records.
 - No due process is possible when the parent refuses consent for the initial IEP implementation, amendment without a meeting, waiving of a reevaluation, or excusing a required team member
- Revoke Consent: A parent make revoke consent for an action by writing the district. This is not retroactive.
 - If revoking consent for special education, must apply to all services.
 - District may propose a meeting to discuss.

Placement/ Special Education Programming

General Education Placement, In Class Resource, Small Group Pull out
Resource Room

If a student is not with his/her typically developing peers more than 80% of their school day, you must explain the “Rationale for removal from General Education” in the IEP. (supplementary aids and services considered, comparison of benefits provided in general education vs. special education, potentially beneficial or harmful effects of a placement on the student or his/her peers.

Least Restrictive Environment

- Each public school must ensure that:
 - 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 non-disabled; and
 - Special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only if the nature or the severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

ICR Classroom

ICR stands for In-Class Resource (ICR) , which are special education resources that are provided to the student within the general education classroom.

- A general education teacher and a special education teacher are present in the class at the same time to support the students
 - The two teachers work together to deliver the class' instruction
- The special education teacher has the primary responsibility for assuring that all the IEP students' needs are met and for managing everything related to the special education students

POR Classroom

POR stands for Pull-Out Replacement

- POR groups are small group strategies
- Students leave the regular classroom to work with other students of similar ability
- A special education teacher provides the instruction
- The work students do is related to the core curriculum

Multiple Disabilities Classroom

- The Multiple Disabilities Support program is offered to students in Grades K-12 who are diagnosed with two or more disabilities
- The program emphasis is to teach students core content in all subject areas as well as functional life skills, social and communication skills, and motor skills
- Augmentative communication devices, iPads, and switches are used by students to expand and enhance their communication
- Related services, such as speech/language therapy, occupational/physical therapy, and vision/hearing support, are integrated into the educational environment
 - The classroom teacher and therapists work closely together to meet the unique needs of the student and increase their independence

NJSLA- State Assessments

New Jersey Student Learning Assessments

Administered to students in grades 3-12 in the content areas of English/Language Arts, Mathematics, and Science once a year.

Modifications/Accommodations are added to the IEP such as:

Extended time, frequent breaks, clarification of directions, text to speech, small group administration, use of a calculator...

Related Services

- Speech Therapy
- Occupational Therapy
- Physical Therapy
- Nursing
- Counseling
- Behavior Support
- Supplemental Supports- necessary supports to help students remain in their educational environment such as a classroom assistant

ESY

Extended School Year

At a glance

- Not all students are eligible for extended school year (ESY) services.
- ESY services are customized to meet each child's specific needs.
- Not all kids with IEPs need ESY services.
- The services are individualized to help each child maintain skills and not lose the progress made toward goals. (regression/recoupment)
- Should not be more than 5% of special education population

IEP Meeting

- Can be completed immediately following the determination of eligibility
- Parents will receive evaluative reports 10 days prior to the meeting.
- Begins with a focus on the student's academic achievement and functional performance (including impact of disability).
 - Includes input from parents, teachers, evals, etc.
- From a discussion of student needs, goals and objectives are determined.
- Once goals determined, the educational programming can be discussed.
 - This includes the extent, if any, that the student will not participate with nondisabled peers in a general education setting.

IEP Meeting continued

- Other services, including related services, educational modifications or accommodations, the necessity of an extended school year program (ESY), and a statement of transition (age 14 and up), will be included.
- All IEPs will be reviewed annually, or more often if necessary.
- Student Performance determines Areas of Need. Areas of Need determine Goals and Objectives. G and O's determine the types of instruction and support needed for meaningful benefit.

Re-Evaluation

In Section 6A:14-3.8 of the New Jersey Administrative Code- Reevaluation of a student must occur within **three years** of the previous classification, a multi-disciplinary reevaluation shall be completed to determine whether the student continues to be a student with a disability.

- IEP team shall review existing evaluation data, classroom based assessments, input from teachers.
- IEP team will determine what additional data is necessary to determine whether the child continues to have a disability.
- These evaluations must be completed within 60 days of the consent of the parent.
- Parents may waive a reevaluation
- By June 30 of a student's last year of eligibility for a program for preschoolers with disabilities, a reevaluation shall be conducted and, if the student continues to be a student with a disability, the student will receive a school-aged classification.

Finding Out More Information

- NJ Administrative Code
- Parental Rights in Special Education
- Case Manager or Director of Special Education
- Special Services Website
- SEPAG