Consideration of Special Factors

Consideration of Special Factors (Form C)

Five Special Factors to Consider

IDEA's regulations (§300.324(a)(2)(i):

▶ The Individuals with Disabilities Education Act (IDEA) lists five special factors that the IEP team <u>must</u> consider in the development, review, and revision of each child's IEP.

▶ The special factors that must be individually considered highlighted under IDEA :

- ❖ #1-Behavior
- ❖ #2-Limited English proficiency
- ❖ #3-Blindness or visual impairment
- ❖ #4-Communication needs/Deafness
- ❖ #5-Assistive technology
- ❖ #6-Health Concerns

ADE GUIDE STEPS:III.A.5 Other Considerations – compliance monitoring

https://www.azed.gov/specialeducation/az-tas-documents/   - IEP guidance

Consideration of Special Factors (FORM C)

Individualized Education Program (IEP)

Student Name: PRESCHOOL, POLLY
Student ID: PS123 | State ID: 1234567

Considerations Form (Form C)

IEP Meeting Date: 2/26/2020
DOB: 3/12/2015

	Considered Not Needed	Included
For a student whose behavior impedes his/her learning, or that of others, positive behavior interventions, strategies, and supports have been considered.	☐	☐
Statement of Language Needs in the Case of a Child with Limited English Proficiency	☐	☐
Statement of Provision of Instruction in Braille & User of Braille for a Visually Impaired Child	☐	☐
Statement of the Language of Needs, Opportunities for Direct Communication with Peers in the Child's Language and Communication Mode	☐	☐
Statement of Communication Needs for a Child with a Disability	☐	☐
Statement of Required Assistive Technology Devices and Services	☐	☐
Statement of Health Concerns	☐	☐
Other:	☐	☐

The IEP team considers whether any of the special factors apply to the student

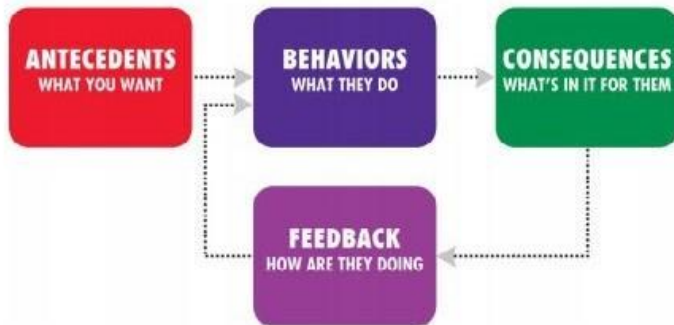**For each statement, the team must select either "Included" or "Considered Not Needed"**

If selecting "Included", the IEP team must:

▶ provide a clarifying statement under the section

▶ address the need/s in appropriate areas of the IEP (present levels, annual goals, related services, supplementary aids and services, which includes assistive technology, and accommodations and/or modifications)

Quantitative and qualitative data is key!

Special Factor #1: Behavior

THE BEHAVIORAL MODEL

ANTECEDENTS — WHAT YOU WANT
BEHAVIORS — WHAT THEY DO
CONSEQUENCES — WHAT'S IN IT FOR THEM
FEEDBACK — HOW ARE THEY DOING

"What gets measured, gets moved. What gets rewarded, gets repeated"

IEP Team Considerations:

o   Does the student's behavior impede his/her learning, or that of others?

o   Does the student have a Behavioral Intervention Plan (BIP)?

o   If so, when was it last updated?

o   Is it being followed with fidelity?

o   If not, start one immediately to address areas of need

ADE guidance on behavior considerations –

▶   (i) In the case of a child whose behavior impedes the child's learning or that of others, consider the use of positive behavioral interventions and supports, and other strategies, to address that behavior; (The term 'behavior' includes actions such as consistent tardiness, failure to complete homework, and self-destructive, but non-confrontational actions.)

▶   Positive Behavior Interventions and Supports (PBIS) plays a role in the broader picture of addressing child behavior. It is intended to be used <u>before</u> problem behaviors become interfering behaviors, is based upon understanding <u>why</u> a child has problem behaviors and what strategies might be helpful, and seeks to stop or reduce the problem.

https://www.azed.gov/specialeducation/az-tas-documents/

Special Factor #1: Behavior (Cont'd)

IEP Team Considerations:

▶ Does the team know the function of the student's behavior?

▶ If not, has the IEP team included the site Psychologist and considered a Functional Behavior Assessment (FBA)?

An FBA helps to identify the function of a student's behavior (the <u>why</u>).

- ❖ data collected can be used to create behavior interventions and plans (BIP)
- ❖ if the team determines an FBA is needed, a meeting to consider the need for an FBA is convened – parent permission must be obtained
  - ❖ an FBA is considered an evaluation, therefore follow all evaluation procedures
- ❖ information for the FBA is collected by the site psychologist

IEP Team Considerations:

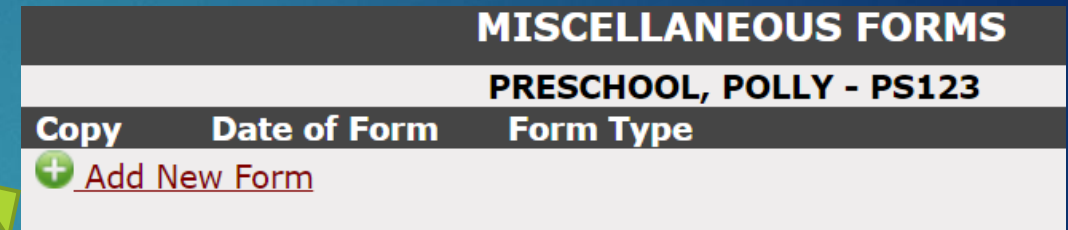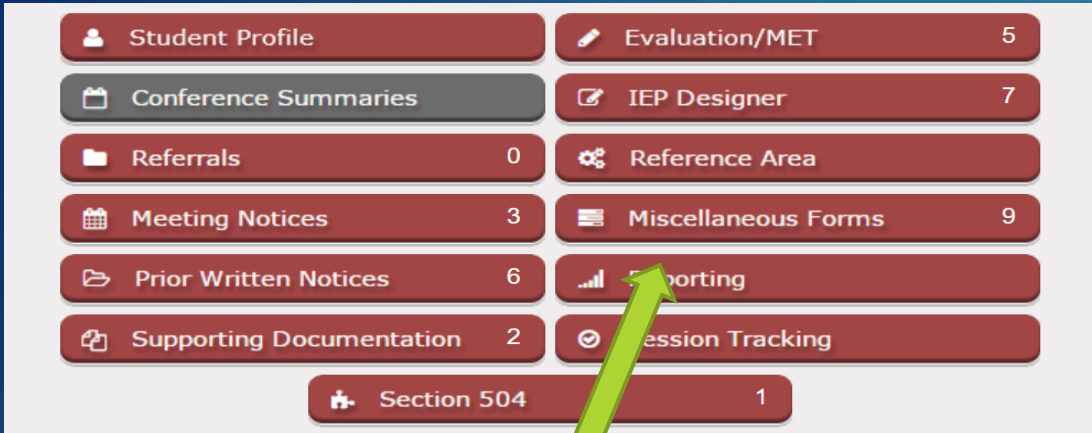ADE Guide steps III.A.5 Other Considerations, 300.324(a)(2)(i)

III.A.5 Other Considerations

300.324(a)(2)(i) SF, SASF, SCSF, SCSAI, SCSEAI	The IEP team considered the use of positive behavioral interventions and supports and other strategies to address behaviors that impede the student's learning or the learning of other students. Evidence may be located throughout the IEP, such as in the annual goals, PLAAFP, accommodations and/or modifications, services to be provided, and behavior plans.

Special Factor #1- Behavior (Cont'd)
Tools in IEP PRO for BIP and FBA

👤 Student Profile	✏️ Evaluation/MET 5
📅 Conference Summaries	✍️ IEP Designer 7
📁 Referrals 0	⚙️ Reference Area
📅 Meeting Notices 3	📰 Miscellaneous Forms 9
📂 Prior Written Notices 6	📊 ...orting
🗂️ Supporting Documentation 2	⊘ ...ssion Tracking
	👥 Section 504 1

MISCELLANEOUS FORMS

PRESCHOOL, POLLY - PS123

Copy	Date of Form	Form Type
➕ Add New Form		

Select 'Miscellaneous Forms' and "Add New Form" from the drop down menu

Options for behavior : Functional Behavior Assessment (V19) or Behavior Intervention Plan (V19)

► The FBA and BIP are linked to the most current IEP

► Since the BIP is part of the IEP, changes to the BIP are reflected through an IEP addendum

► Best Practice: Review the BIP every 6-8 weeks (but at least annually at the IEP review)

► An FBA can be conducted each time the function of the behavior changes, BUT each instance **requires parent permission**

NOTE: Remember to upload ALL documentation into Supporting Documents

📂 Prior Written Notices 3	📊 Reporting
🗂️ Supporting Documentation 2	⊘ Session Tracking
	👥 Section 504 9
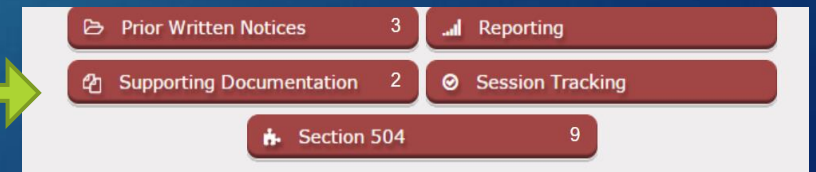
Special Factor #2
Limited English Proficiency

Identifying English Learners with a disability:

▶ A student may <u>NOT</u> be determined to be a student with a disability <u>if the determinant factor is the students limited English Proficiency</u>, and if the student does not otherwise meet the IDEA's definition of a "child with a disability." 34 C.F.R. § 300.306. (b) (1) (2)

ADE guidance to consider:

▶ (ii) In the case of a child with limited English proficiency, consider the language needs of the child as those needs relate to the child's IEP. For students who are English Language Learners (ELLs), language needs <u>must</u> be considered. This factor relates to children with limited English proficiency and the consideration of a child's language needs as such needs relate to his or her IEP.

https://www.azed.gov/specialeducation/az-tas-documents/   - IEP guidance

Special Factor #2
Limited English Proficiency (Cont'd)

IEP Team Considerations:

▶ Was the child born outside of the United States and/or is their native language a language other than English?

▶ Is the child from an environment where a language other than English has had a significant impact on their level of English language proficiency?

▶ Did the child come from an environment where a language other than English is dominant?

▶ Is the child's difficulties in speaking, reading, writing or understanding the English language sufficient enough to:

   ▶ deny them the ability to meet the State's proficient level of achievement on State assessments, the ability to successfully achieve in classrooms where the language of instruction is English; or the opportunity to participate fully in society?

ADE Guide Steps 300.324(a)(2)(ii)

Language needs were considered. Explain in detail why the student is considered an English Language Learner and what language needs were considered.

Student has studied English for several years and has a good command of written language. However, he needs spoken information presented in short segments in order to check his understanding until oral proficiency is achieved. = I

NOTE: Information on native and/or preferred language can be found on the PHLOTE form located in the student file. **Ensure translation is offered (as needed) and indicated on the IEP.**

English Language LEARNERS

Special Factor #3
Blindness/Visual Impairment

IEP Team Considerations:

Blindness and visual impairment:

* can impact various areas related to a child's academic and non-academic participation

* must be thoroughly understood and evaluated by a child's IEP team

The IEP team will determine:

► Does the student need the use of Braille or Braille instruction or has a future need of both?

  ► Use data from the evaluation of the student's academic skills, needs and appropriate writing media

► Does the team need to provide for instruction in Braille and the use of Braille?

  ► If the student does not need Braille/Braille instruction, what other appropriate supports and instruction can be used to address the student's needs related to blindness or visual impairment?

► Access to appropriate instructional materials such as enlarged print materials, audiotaped materials, math manipulatives, or National Instructional Materials Standard (NIMAS)-formatted materials

ADE Guidance:
(iii) In the case of a child who is blind or visually impaired, provide for instruction in Braille and the use of Braille unless the IEP Team (to include the V.I. teacher) determines, after an evaluation of the child's reading and writing skills, needs, and appropriate reading and writing media (including an evaluation of the child'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 child;

https://www.azed.gov/specialeducation/az-tas-documents/ - IEP guidance

Special Factors #4
Communication Needs/Deafness

IEP Team Considerations:

▶ What communicative demands and opportunities does the student have?

▶ Does the student have the skills and strategies necessary to meet those communicative demands and take advantage of communicative opportunities?

▶ Can the student fulfill his or her need to communicate in different settings?

▶ Does the student communicate appropriately and effectively, and if not, why not?

▶ How would the deficit in communication be described?

Regardless of a child's disability, IEP teams inclusive of H.I teacher and/or the SLP, must consider a child's communication needs.

Note: Communication mode can range from low to high tech depending on the need. Don't forget AT!

ADE Guidance:

(iv) Consider the communication needs of the child, and in the case of a child who is deaf or hard of hearing, consider the child's language and communication needs, opportunities for direct communications with peers and professional personnel in the child's language and communication mode, academic level, and full range of needs, including opportunities for direct instruction in the child's language and communication mode.

https://www.azed.gov/specialeducation/az-tas-documents/
- IEP guidance

ADE Guide Steps III.A.5 Other Considerations:

300.324(a) (2)(iv) SF, SASF, SCSF	For students who have a **hearing impairment**, the IEP includes consideration of the student's language and communication needs (including opportunities for direct communication with peers and professional personnel and direct instruction in the student's language or mode of communication).
300.324(a) (2)(iv) SF, SASF, SCSF	The communication needs of the student were considered. **Student File Review Method:** Determine if the communication needs of the student have been considered within the IEP.

Special Factor #5 Assistive Technology

300.324(a)(2)(v) SF, SASF, SCSF, SCSAI, SCSEAI	The assistive technology needs of the student were considered. **Student File Review Method:** Determine if consideration was given to the student's need for assistive technology, regardless of the student's disability. An AT device can be "any item that increases, maintains, or improves the functional capabilities of a student." AT service is the "direct assistance needed in the evaluation of the need for and the selection, acquisition, or use of an AT device." Devices can range from low to high tech. AT services may include training for staff in the use of the device(s).

What is Assistive Technology (AT)?

Assistive technology device(s) means <u>any</u> item, piece of equipment, or product system, whether acquired commercially off the shelf, modified, or customized, that is used to increase, maintain, or improve the functional capabilities of a student with a disability.

==The term does not include any medical devices.==

▶ Build Independence – AT is any tool that helps students with disabilities accomplish something that they could not do without it

▶ Tools ranging from low-tech options such as pencil grips to high-tech options such as a SMART board or augmentative communication

▶ AT consideration should be determined by the individualized needs of the student in all academic, developmental, functional, and learning areas

▶ AT services also include providing the device/s and training the child (or family or the professionals who work with the child) to use the device

▶ The use of AT is determined by the <u>need</u> of the student, not the benefit

https://www.azed.gov/specialeducation/az-tas-documents/ - IEP guidance

(v) Consider whether the child needs Assistive Technology (AT) devices and services.

Special Factor #5: Assistive Technology (Cont'd)

IEP Team Considerations:

- Can the IEP be satisfactorily implemented in the general education environment with the use of supplementary aids and services?

- Is there a true **need** for AT in order for the student to be successful, or would AT just make the task easier? (**remember NEED, not BENEFIT**)

- Will school personnel require assistance to enable a student with a disability to be educated satisfactorily in the general education environment?

- Will a student identified with a disability need to use a school-purchased AT device in settings other than school, (i.e. home or other parts of the community), in order to receive FAPE?

    - Consider this on a case-by-case basis

Assistive Technology Procedures for IEP Teams

Assistive Technology is an on-going process that is reviewed annually at the IEP. All IEP team members are responsible for the Assistive Technology Plan.

AT Consideration	The **IEP team** uses the Consideration of Special Factors Guide to lead discussion about the assistive technology needs of the student. The Consideration of Special Factors Guide must be completed for every initial and review IEP. Outcome of consideration is documented in the Present Level of Performance, Consideration Page, and possibly on the services page.
	See Assistive Technology Flow Chart and Consideration Guide
Consult for AT Service	When decisions about AT needs are beyond the scope of the IEP team, the **case manager** completes a referral form (initialed by sped coordinator). The referral is forwarded to the AT staff.
	See Request for AT Assistance Consult Form
SETT Framework	**The IEP team/ case manager** schedule a team meeting and facilitate a SETT framework.
	See SETT Framework(Student, Environment, Task, Tools) /WATI Assessment (Wisconsin Assistive Technology Initiative)
Equipment trials	Equipment may be available through AzTap lending Library. Student Service Coordinator/Case manager will fill out form and return it to AT staff who will order the device, deliver it and provide training, if necessary.
Data collection	**IEP team** will use Data Collection Guidelines and Data Collection Sheet to record effectiveness of AT for Assistive Technology Plan.
Assistive Technology Plan and IEP documentation	**IEP team** documents that the student has an Assistive Technology Plan in the Present Level, considerations page, PWN and possibly Supplemental Aids & Services section of the IEP.
	AT *categories* that the student is using should be documented in the comments section under the Consideration checkbox on the IEP. For example, "John uses assistive technology for reading and written expression – see AT Plan."
	IEP team tracks effectiveness of AT items on the Assistive Technology Plan.
Training/Requests for AT Assistance	Training needs should be directed to Shannon Gilbert. Please complete the AT Assistance Consult Form

Guidance and Forms for AT can be found on the CUSD Special Education Website:

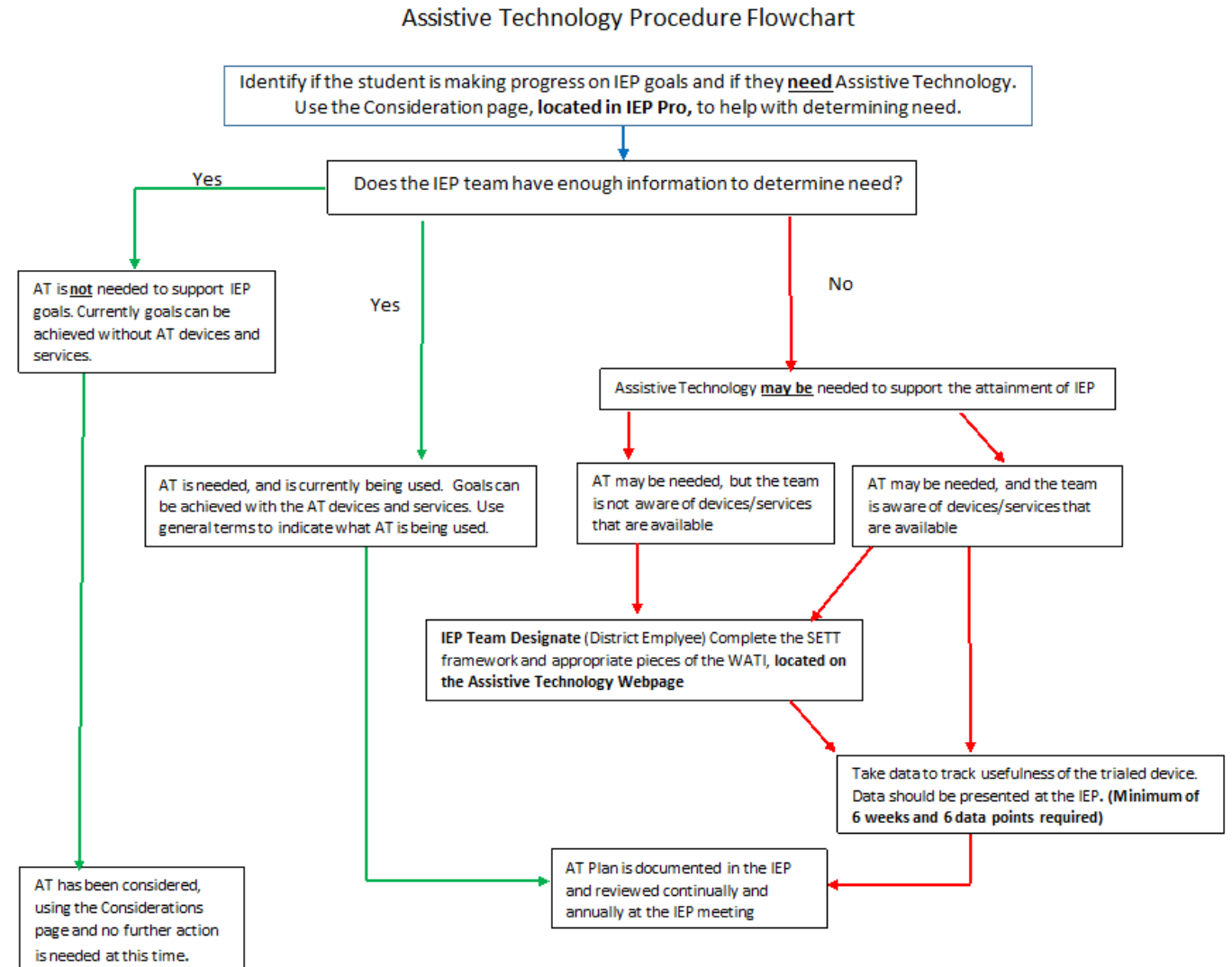**Departments – Special Education/Student Services – Staff Links – Assistive Technology**

Special Factor #5: Assistive Technology (Cont'd)

Special Factor #5: Assistive Technology (Cont'd)

▶ The procedural flowchart is a guidance tool to assist in determining AT needs

Guidance and Forms found on the Special Education Website:

Departments – Special Education/Student Services – Staff Links – Assistive Technology – Assistive Technology Procedure Flowchart
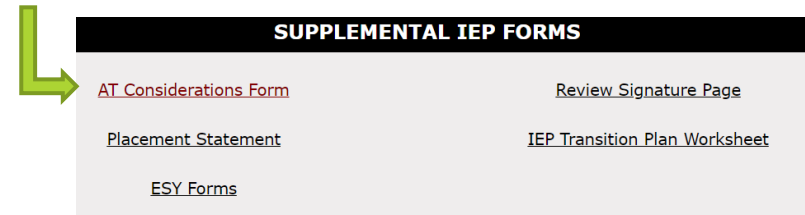
Assistive Technology Procedure Flowchart

Identify if the student is making progress on IEP goals and if they **need** Assistive Technology. Use the Consideration page, **located in IEP Pro,** to help with determining need.

Does the IEP team have enough information to determine need?

Yes → AT is **not** needed to support IEP goals. Currently goals can be achieved without AT devices and services.

Yes → AT is needed, and is currently being used. Goals can be achieved with the AT devices and services. Use general terms to indicate what AT is being used.

No → Assistive Technology **may be** needed to support the attainment of IEP

AT may be needed, but the team is not aware of devices/services that are available

AT may be needed, and the team is aware of devices/services that are available

IEP Team Designate (District Emplyee) Complete the SETT framework and appropriate pieces of the WATI, **located on the Assistive Technology Webpage**

Take data to track usefulness of the trialed device. Data should be presented at the IEP. **(Minimum of 6 weeks and 6 data points required)**

AT has been considered, using the Considerations page and no further action is needed at this time.

AT Plan is documented in the IEP and reviewed continually and annually at the IEP meeting

Special Factor #5: Assistive Technology (Cont'd)

The AT Considerations form is a guidance document to assist teams in **starting the conversation** and **documenting considerations discussed** by the IEP team

Use the form at every IEP meeting

Locating the form: Assistive Technology (AT) Considerations

▶ Open IEP PRO, scroll to the bottom and select "AT Considerations Form" under "Supplemental IEP Forms"

SUPPLEMENTAL IEP FORMS	
AT Considerations Form	Review Signature Page
Placement Statement	IEP Transition Plan Worksheet
ESY Forms	

▶ Print the form for use <u>during</u> the IEP meeting

▶ Scan and upload the form into Supporting Documentation

🗁 Prior Written Notices	3	⊪ Reporting	
🗗 Supporting Documentation	2	⊘ Session Tracking	
	ⵗ Section 504	9	

▶ Include in the student's file with the IEP

  ▶ **A copy <u>does not</u> need to be sent home**
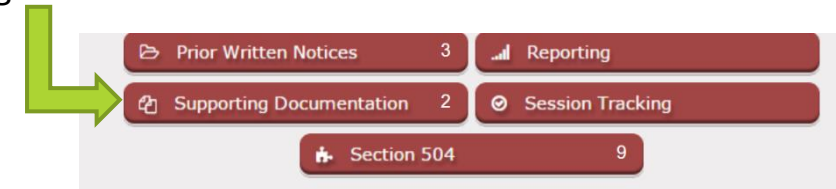
Special Factor #5: Assistive Technology (Cont'd)

AT Consideration Form

❖ Conversation starter

❖ Completed during every IEP

❖ Used to document AT considerations discussed by the IEP team

Special Factor #5:
Assistive Technology (Cont'd)

Requesting an AT Consultation

1 IEP team considers the student AT needs during the meeting, **but** the team is not sure what type of AT **OR** the current AT is not working (select 'C' at the bottom of the AT form):

Summary/Recommendations:
☐ All areas above have been considered.   ☐ Others, as needed:

Indicate choice below:
☐   A.   Student's needs are being met WITHOUT assistive technology. (Indicate "considered but not needed" on IEP)
☐   B.   Student's needs are being met WITH assistive technology (List generic names for technology items as well as necessary related services and support services for school personnel on the IEP)
☐   C.   AT concerns continue to exist. *Proceed to Assistive Technology Consult:*
        •   Include recommendations determined by the team in the Present Levels and accommodations of the IEP, as well as the PWN
        •   This form should follow the service page of the IEP in the special education file and uploaded to "Supporting Documents" in IEP PRO

2 Service Coordinator will complete the "Request Assistive Technology Consult" form (on CUSD website) to request a consult from the AT Specialist:

Assistive Technology Consultation Request

To request a Assistive Technology Consultation please complete the following request.

≡ Request Assistive Technology Consult

Questions - Contact:

Shannon Gilbert 480-812-7019

gilbert.shannon@cusd80.com

3 Once completed, send the request form to the AT specialist. The AT specialist will contact the Service Coordinator.

Guidance and Forms found on the Special Education Website:

Departments – Special Education/Student Services – Staff Links – Assistive Technology – AT Consultation Request

Special Factors #6:
Health Concerns

IEP Team Considerations:

▶ Consider hearing and vision screening results documented on the IEP coversheet

▶ Consider any medical conditions/noted (i.e. asthma, unspecified/permission for Acetaminophen/Inhaler)

▶ Consider any medications that may need to be documented

NOTE: Best Practice is to consult with the health assistant and IEP team to meet student needs

ADE Guidance:

(vi) Consider the health concerns of the child by conveying the presence of an acute or chronic health problem that could potentially and adversely affects a child's educational performance.

https://www.azed.gov/specialeducation/az-tas-documents/ - IEP guidance