EFFECTIVE IEP DEVELOPMENT: LRE DECISION-MAKING

LRE Training Module
Office of Special Education Programs
New Jersey Department of Education
2015-2016 School Year
Workshop Goals

• Review the Least Restrictive Environment Mandate in the IDEA and the New Jersey Administrative Code.

• Review the framework for effective decision-making
  • Student Needs
  • Modifications and/or additions to the general education curriculum
  • Supports
  • Student Progress

• Identify strategies to successfully support more students with disabilities in general education settings

• Explore strategies for authentic family engagement in the IEP process
What is SWIFT?

Schoolwide Integrated Framework for Transformation
The SWIFT domains and features are the building blocks of effective inclusive education. Research shows it takes administrative leadership, a multi-tiered system of support, family and community partnerships, an integrated educational framework, and inclusive policies and practices to effectively meet the needs of ALL students, including students with disabilities and those with the most extensive needs.

**Effective IEP Development**
# Why IEP Development?

<table>
<thead>
<tr>
<th>If NJDOE</th>
<th>Then</th>
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<tbody>
<tr>
<td>Provides training and technical assistance on effective IEP development</td>
<td>...district and school leadership will implement an integrated framework for supporting the learning of all students</td>
<td>...more students will be prepared for success in college and career</td>
<td>...an increased percentage of students with IEPs will benefit from education in general education settings for a greater percentage of their school day.</td>
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<td>...educators and service providers will be adept and knowledgeable professionals</td>
<td>...IEPs will better meet students’ needs and reflect instruction in the curriculum and other student individual needs</td>
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<td>...IEP team meetings will be more effective in identifying student strengths and needs</td>
<td>...teachers will be better prepared to provide appropriate instructional strategies in the least restrictive environment</td>
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</table>
Test Your IEP Knowledge Activity

- Open up Handout 1
- Match the statement with the appropriate IEP component/consideration
History of the IDEA

• Educating students with disabilities together with typically developing peers has been a principle objective since the 1997 Reauthorization of the Individuals with Disabilities Education Act (IDEA).

• New Jersey Administrative Code (N.J.A.C. 6A:14) requires that students with disabilities are educated in the least restrictive environment.

• An essential element is the provision that district boards of education ensure that, *to the maximum extent appropriate, a student with a disability is educated with children who are not disabled* (N.J.A.C. 6A:14-4.2(a)1). Federal and New Jersey courts have upheld and reinforced this provision.
What is Least Restrictive Environment (LRE)?

In basic terms, LRE refers to the setting where a child with a disability can receive an appropriate education designed to meet his or her educational needs, alongside peers without disabilities to the maximum extent appropriate.
Least Restrictive Environment

• Students with disabilities shall be educated in the least restrictive environment. Each board of education shall ensure that:

  • To the maximum extent appropriate, a student with a disabilities is educated with children who are not disabled

(N.J.A.C. 6A:14-4.2(a)1)
Least Restrictive Environment

• Special classes, separate schooling or other removal of a student with a disability from the student’s general education class occurs only when the nature or severity of the educational disability is such that education in the student’s general education class with the use of appropriate supplementary aids and services cannot be achieved satisfactorily.

(N.J.A.C. 6A:14-4.2(a)2)
Least Restrictive Environment

- A student with a disability is not removed from the age appropriate general education classroom solely based on needed modifications to the general education curriculum.

(N.J.A.C. 6A:14-4.2(a)9)
Foundation of IEP Development

• Least restrictive environment (LRE) mandate

• New Jersey Core Curriculum Standards (NJCCS) and general education curriculum

• General education programs

• Impact of the student’s disability on the student’s involvement and progress in the general education curriculum/NJCCS
Specially Designed Instruction

- Adapting the content, methodology, or delivery of instruction to address the **unique needs** of the child and to ensure access to the general education curriculum ....

**IDEA**

Individuals with Disabilities Education Act

[IDEA 300.39(b)(3)]
Purpose of an IEP

• Plan of “specially designed instruction”
  • Student Needs
  • Modifications and/or Additions to the General Education Curriculum
  • Supports
  • Student Progress

• Communication Tool

• Mechanism to monitor and evaluate student progress
Framework for Developing the IEP

Individualized Education Program (IEP)

PLAAFP

Student Needs

Annual Measurable Goals
Benchmarks or Short-term Obj.

SAS & PM Supports for School Personnel

Measurement & Report of Progress

Modifications and/or Additions to the General Education Curriculum

Supports

Student Progress
Present Levels of Academic Achievement and Functional Performance
The IEP shall include a statement of the student’s present levels of academic achievement and functional performance, including, but not limited to:

- How the student disability affects the student’s involvement and progress in the general curriculum; or
- For preschool students, as appropriate, how the disability affects the student’s participation in appropriate activities

[N.J.A.C. 6A:14-3.7(e)1]
PRESENT LEVELS OF ACADEMIC ACHIEVEMENT AND FUNCTIONAL PERFORMANCE

Consider relevant data. List the sources of information used to develop the IEP.

Describe the present levels of academic achievement and functional performance including how the student’s disability affects his or her involvement and progress in the general education curriculum. For preschool children, as appropriate, describe how the disability affects the child’s participation in appropriate activities [N.J.A.C. 6A:14-3.7(e)1].

For preschool students, review the preschool day to determine what accommodations and modifications may be required to allow the child to participate in the general education classroom and activities. [N.J.A.C. 6A:14-3.7(c)11].

Include other educational needs that result from the student’s disability [N.J.A.C. 6A:14-3.7(e)3ii].

In addition, consider each special factor identified in N.J.A.C. 6A: 14-3.7(c) (The Need for consultation; Behavioral needs; Language needs; Communication needs; Auditory needs; Need for assistive technology devices and services; and visual needs.) If in considering the special factors, the IEP team determines that the student needs a particular device or service (including an intervention, accommodation or other program modification) to receive a free, appropriate public education, the IEP must include a statement to that effect in the appropriate section. If a factor is not applicable, note as such.
PLAAFP
Current Performance

• What **current data** (formal/informal) provide information on current performance?
• What are the student’s **strengths**?
• What are the **concerns of the parent**?
• What are the student’s **needs** related to learning the general education curriculum?
• What are the student’s **other educational needs** that result from his/her disability?
• Are there any **special factors** influencing the student’s performance (i.e. behavior, language, communication, auditory, visual)?
Activity

• Review the Student Profile tools found in Handout 2
• Discuss your reaction to the tools and their potential uses within your small group.
Framework for Developing the IEP

Individualized Education Program (IEP)

- PLAAFP
  - Annual Measurable Goals
    - Benchmarks or Short-term Obj.
  - Modifications and/or Additions to the General Education Curriculum

- Supports
  - SAS & PM Supports for School Personnel
  - Measurement & Report of Progress

- Student Needs

NJDOE OSEP 2015-2016
Measurable Annual Goals & Benchmarks/Short-term Objectives
Statement of Measurable Annual Goals & Benchmarks/Short-term Objectives

... a statement of detailed measurable annual goals and benchmarks or short-term objectives related to:

- Meeting the student’s needs that result from his/her disability to enable the student to be involved in an progress in the general education curriculum; and
- Meeting each of the student’s other educational needs that result from his/her disability

[N.J.A.C. 6A:14-3.7(e)2, 3]
Consideration of Measurable Annual Goals and Objectives

The consideration of annual goals and related objectives are made:

- On a individual student basis
- According to unique needs of the child
- Regardless of placement
Decision Making for Goals and Objectives

Consider:

- What are the **priorities** for instruction for the coming year?
- What can this student reasonably be expected to accomplish **within a year**?
- What **modifications and/or additions** to the general education curriculum need to be considered?
Framework for Developing the IEP

Individualized Education Program (IEP)

PLAAFP

Annual Measurable Goals
Benchmarks or Short-term Obj.

SAS & PM Supports for School Personnel

Measurement & Report of Progress

Student Needs

Modifications and/or Additions to the General Education Curriculum

Supports

Student Progress
Modifications and Supplementary Aids and Services in the General Education Classroom
## MODIFICATIONS AND SUPPLEMENTARY AIDS AND SERVICES
### IN THE REGULAR EDUCATION CLASSROOM

State the modifications for the student to be involved and progress in the general education curriculum and be educated with nondisabled students. State the supplementary aids and services that will be provided to the student or on behalf of the student [N.J.A.C. 6A:14-3.7(e)4]. Identify any assistive technology devices and services to be provided. Attach additional pages as necessary.

<table>
<thead>
<tr>
<th>State the modifications to enable the student to participate in the general education curriculum.</th>
<th>State the supplementary aids and services.</th>
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</table>
SUPPORTS FOR SCHOOL PERSONNEL

<table>
<thead>
<tr>
<th>State the supports for school personnel that will be provided for the student [N.J.A.C. 6A:14-3.7(e)4].</th>
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</table>
Modifications and Supplementary Aids & Services in the General Education Classroom

Key Questions

• What are student’s unique needs identified in the PLAAFP?
• In what ways can we support the student’s educational needs within the general education classroom/program?
• In what ways can we support the staff in order to address the child’s needs within the general education classroom/program?
Supports in General Education

Curricular/Instructional Modifications or Specialized Instructional Strategies

Supplementary Instruction

In-class Resource Programs

Integrated Therapies

Consultation Services

Behavior Supports

Assistive Technology

Teacher Aides
Supports in General Education Programs
Curricular/Instructional Modifications or Specialized Instructional Strategies

- Curricular Demands
- Instruction
- Classroom Organization
- Materials & Equipment
- Environmental Conditions
- Monitoring & Assessment

Refer to Handout 4 for examples
Behavior Supports

- If behavior impedes the student’s learning or the learning of others, the IEP team must consider, when appropriate, strategies, including positive behavioral interventions and supports to address that behavior.
- When needed, a behavior intervention plan (BIP) must be included in the IEP.

[N.J.A.C. 6A:14-3.7(c)4].
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 child with a disability.

[N.J.A.C. 6A:14 Appendix F]
Teacher Aides

• A teacher aide may provide supplementary support to a student or students in areas including, but not limited to:
  • Prompting, cueing, redirecting student participation
  • Reinforcing of personal, social, behavioral, and academic learning goals
  • Organizing and managing materials and activities
  • Implementing teacher-directed follow-up and practice activities

[N.J.A.C. 6A:14-4.5(b)]
Framework for Developing the IEP

Individualized Education Program (IEP)

- PLAAFP
- Annual Measurable Goals Benchmarks or Short-term Obj.
- SAS & PM Supports for School Personnel
- Measurement & Report of Progress

Student Needs

- Modifications and/or Additions to the General Education Curriculum
- Supports
- Student Progress
Evaluating & Reporting Student Progress
Evaluating & Reporting Student Progress

• A statement of how the student’s progress toward the annual goals…will be measured [N.J.A.C. 6A:14-3.7(e)15]

• A statement of how the student’s parents will be regularly informed of their student’s progress toward the annual goals and the extent to which that progress is sufficient to enable the student to achieve the goals by the end of the year

[N.J.A.C. 6A:14-3.7(e)16]
Strategies for Effective LRE Decision-Making
Considerations for IEP Team Decision-making

• Base decision-making on individual student need
• Include parents early in the discussion regarding effective decision-making
• Develop an array of supplemental aids and services, instructional supports (UDL), and modifications for consideration
• Take into account other learning needs a student may have (e.g., LEP), and how those needs could be addressed in the general education classroom
Considerations for IEP Team Decision-Making

Before a decision is made to remove a student from the general education classroom, have you considered options that might promote greater success? The diagram includes some factors to consider. Are there other factors to be considered? Share others and some examples of accommodations or strategies you may have put in place for a student to promote learning in the general education classroom environment.

Student

Developmental or Intellectual
- Are there differences in the student’s developmental or cognitive levels that might be impacting his/her ability to attend to the tasks?
- Is there a possibility that more appropriate goals or materials might support success?

Physical Environment
- Are there any physical barriers to the setting that might prevent this student’s success?
- What changes might enhance learning or improve achievement?

Communication
- Is there anything standing in the way of this student’s ability to communicate with others?
- Is there anything that may be hindering a student’s ability to communicate their learning?
- What changes might assist in better communication in these areas?

Behavioral or Emotional Needs
- Are there behaviors or emotional concerns that might impact this student’s learning experience?
- Are there any changes or strategies that might be put in place to assist in self-regulation, deescalation or greater success in the classroom?

Cultural Aspects
- Might there be any cultural aspects regarding this student that might be considered to be impacting his/her learning?
- Is there anything you might do differently to assure that cultural differences are being respected and considered when planning for this student?
### Decision-making process for the selection of supports

<table>
<thead>
<tr>
<th>CHOOSE YOUR STUDENT</th>
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</thead>
<tbody>
<tr>
<td><strong>John</strong> is a 6th grade student in general education social studies class. He is at a 3rd grade reading level and is often off-task when not engaged and benefits from frequent breaks.</td>
</tr>
<tr>
<td><strong>Liza</strong> is visually impaired and needs all text enlarged to 18 font. She functions at an age appropriate developmental level and has attained success at grade-level reading skills. She is a student in an 8th grade science class.</td>
</tr>
<tr>
<td><strong>Sammy</strong> is a student in a 9th grade writing class. He has a slight hearing impairment and finds it difficult to attend to task in the large group setting when multiple sounds are happening around him. His hearing has recently improved due to a cochlear implant. He is very motivated to learn and eager to please but has anxiety when working with others due to a slight difficulties in his speech.</td>
</tr>
<tr>
<td><strong>Darla</strong> is a Kindergarten student, very sociable child who finds it hard to sit still and attend to an activity for even a few minutes. She benefits from frequent breaks. Darla is a strong kinesthetic learner. Darla is struggling with letter formation. She is eager to please and benefits from frequent praise.</td>
</tr>
<tr>
<td><strong>Toshi</strong> is restricted to a wheelchair for the entire day at school. Despite this, he is very social and becomes anxious when he feels he is being excluded. He looks forward to his 5th grade math class but is well below grade-level in skills due to cognitive delays. Toshi is still learning to identify coins while his classmates are beginning to add and subtract values of money incorporating the hundredths place value.</td>
</tr>
<tr>
<td><strong>Sidarth</strong> is in a 4th grade Reading class but performing skills in reading at a 2nd grade level. Additionally, he finds it difficult to attend and needs to be redirected to task often. His behaviors can often be disruptive when he is not engaged or when asked to focus or attend for periods extending beyond a few minutes.</td>
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</tbody>
</table>

**ACTIVITY:** Use the worksheet “Choose Your Student” (Handout 5) to identify a fictitious student in your class or a student with whom you work. Assume that he or she is struggling. Before a decision is made to remove him or her from the general education setting, have enough strategies or options been considered that might promote greater success? The previous diagram includes some factors to consider. Are there other factors to be considered? Identify some considerations for this student specifically and note them on the Consideration Planning Sheet. Please be prepared to share.
Considerations for IEP Team Decision-Making

**ACTIVITY (Handout 5):**
Jot some things you might consider and strategies that you might try for the student you are working with in this activity. Feel free to add other considerations. Is there anything you can do to make his/her time in the general education classroom more successful?
## Selection of Supports in General Education Classrooms: Guiding Questions
(Enlarged version found in Handout 3)

<table>
<thead>
<tr>
<th>Type of Support</th>
<th>Guiding Questions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Curricular/Instructional Modifications or Specialized Instructional Strategies, Materials, Equipment, Technology</td>
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<tr>
<td><strong>Instructional Delivery</strong></td>
<td>- Can the student’s participation and learning be increased by differentiated instruction of the general education curriculum?</td>
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<td></td>
<td>- Can the student’s participation and learning be increased through the use of different visual aids and materials?</td>
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<td></td>
<td>- Can the student’s participation and learning be increased by changing the lesson format (e.g., activity-based lessons, games, simulations, role-plays, experiential lessons, community-based lessons)?</td>
</tr>
<tr>
<td><strong>Student Response</strong></td>
<td>- Can the student’s participation and learning be increased by adapting how the student responds to instruction (e.g., answers questions verbally rather than writing; creates a picture or diagram; uses a voice output AT device)</td>
</tr>
<tr>
<td><strong>Assistive Technology</strong></td>
<td>- Can the student’s participation and learning be increased through the use of assistive technology equipment, devices and/or services?</td>
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<td>- Can the student’s independence be increased through the use of assistive technology equipment, devices, and/or services?</td>
</tr>
<tr>
<td><strong>Complexity of the Content</strong></td>
<td>- Can the student’s participation and learning be increased by modifying the complexity of the content?</td>
</tr>
<tr>
<td><strong>Positive Behavior Supports</strong></td>
<td>- Can the student’s participation and learning be increased by teaching a replacement skill to meet the student’s needs (e.g., asking for a break, asking for help, asking for attention)?</td>
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<td>- Can the student’s participation and learning be increased by teaching skills to increase general competence (e.g., communication, social skills, self-management, play skills)?</td>
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<td>- Can the student’s participation and learning be increased by teaching coping skills for times of stress?</td>
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<td><strong>Peer Supports</strong></td>
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<tr>
<td><strong>Flexible Grouping</strong></td>
<td>- Can the student’s participation and learning be increased through the use of flexible groups (e.g., cooperative groups, partner learning, peer tutors)?</td>
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<tr>
<td><strong>Peer Buddy</strong></td>
<td>- Can the student’s participation and learning be increased by assigning a peer buddy?</td>
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<tr>
<td><strong>Adult Supports</strong></td>
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<tr>
<td><strong>In-Class Resource Program Instruction</strong></td>
<td>- Is the support of a special education teacher needed to increase the student’s participation and learning?</td>
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<tr>
<td><strong>Supplementary Instruction</strong></td>
<td>- Is the support of a general education teacher needed to increase the student’s participation and learning?</td>
</tr>
<tr>
<td><strong>Teacher Aide</strong></td>
<td>- Is the support of a teacher aide needed to increase the student’s participation and learning?</td>
</tr>
<tr>
<td><strong>Integrated Related Services</strong></td>
<td>- Is the support of integrated related services (e.g., Speech, OT, PT) needed to increase the student’s participation and learning?</td>
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<tr>
<td><strong>Supports for School Personnel</strong></td>
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<tr>
<td><strong>Consultation Services</strong></td>
<td>- Does the general education teacher and/or teacher aide need consultation services from a child study team member, special education teacher or related services provider in order to effectively implement the student’s program?</td>
</tr>
</tbody>
</table>
How can the team, including the parent, organize this process?

<table>
<thead>
<tr>
<th>Potential Barriers</th>
<th>Supplementary Aids and Services Modifications, Accommodations</th>
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<tbody>
<tr>
<td>English Language Arts</td>
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<tr>
<td>Math</td>
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</table>
Rationale for Removal from General Education

Identify:

• specific supplementary aids and services and program modifications that have been considered to implement the student’s annual goals

• why each of these are not appropriate to meet the student’s needs in the general education class

N.J.A.C. 6A:14-4.2(8)i
Question #1

Identify the supplementary aids and services that were considered to implement the student’s annual goals.

Explain why they are not appropriate to meet the student’s needs in the general education class by content area.
Question #1: Criteria for Response

- Consider **specific** supplementary aids and services.

- Include a reason why each was rejected – why the student would not be able to learn in the general education classroom even when provided the specific supplementary aid or service.

- Address **each** content area where removal from the general education program is being considered.
Question #2

Document the comparison of the benefits provided in the general education class and the benefits provided in the special education class.
Rationale for Removal from General Education

- Compare the benefits of:

  Participation in the general education class  **VERSUS**  Participation in the special education class
# Question #2: Comparison of Benefits

<table>
<thead>
<tr>
<th>Benefits in the general education class</th>
<th>Benefits in the special Education Class</th>
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<tbody>
<tr>
<td><strong>English Language Arts</strong></td>
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<tr>
<td><strong>Math</strong></td>
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Question 3:

Document the potentially beneficial or harmful effects which a placement **in the general education class** may have on the student with disabilities or the other students in the class.

N.J.A.C. 6A:14-4.2(a)8iii
## Question #3: Potential Benefits/Harmful Effects

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<thead>
<tr>
<th></th>
<th>Potential benefits/harmful effects on the student</th>
<th>Potential benefits/harmful effects on other students in the class</th>
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</thead>
<tbody>
<tr>
<td><strong>English Language Arts</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Math</strong></td>
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Participation in Extracurricular and Nonacademic Services and Activities

Each public agency must ensure that...

the student has supplementary aids and services determined appropriate and necessary by the child’s IEP Team to participate in nonacademic and extracurricular services and activities
Participation in Extracurricular and Nonacademic Activities

What program modifications and/or supports for school personnel would enable the student to participate in nonacademic and extracurricular activities?

[N.J.A.C. 6A:14-3.7(e)4ii; N.J.A.C. 6A:14-3.7(e)4]
Participation in Extracurricular and Nonacademic Services and Activities

These include, but are not limited to:
• Clubs
• Recess
• Meals
• Transportation
• Athletics
• And others…
Transition Planning for Students in Separate Settings

- For students in a separate setting (for all or part of a school day), set forth activities necessary to move the student to a less restrictive placement.

- Students placed in a separate setting are mandated to have a plan for transitioning back into their district.

- A separate setting is defined as a building without general education students

[N.J.A.C. 6A:14-3.7(k)]
Transition Planning for Students in Separate Settings

• What would be required for the student to achieve his/her goals in a less restrictive setting?

• What are the specific strategies, services, modifications, accommodations, or materials that the district would be required to obtain or implement in order for the student to successfully transition back to the district?

• Let’s explore a list of essential questions around this idea.
Supporting Parental Participation in the LRE Decision-making Process

- Prior meetings with teachers are key to establishing a good working relationship
- Support the parents’ ability to gather and organize good records: IEPs, evaluations, progress reports, student work
- Ensure that the student’s dreams, concerns, wishes are reflected in the process
- Ask for a parent vision statement and discuss the steps necessary to achieve that dream
- Ensure that the parent has the opportunity to observe any suggested placement
- Ask parents to prepare a list of questions/concerns
- Other ideas?
Assist parents in addressing the IEP’s big questions

- **Where is the student now?** Present Levels of Academic Achievement and Functional Performance (PLAAFP)
- **Where is the student going?** Goals and Objectives
- **How will the student get there?** Services and Instruction
- **How do we know when the student/we have succeeded?**
  
  Measurement: What *objective* data will tell us?
- **How and when will progress be reported?** Progress Reports
Sharing responsibility for successful inclusion of students with disabilities

Positive outcomes of inclusive practices

Professional development

Teachers’ and administrators’ beliefs and expectations

Reallocation of resources from separate settings to inclusive settings

Handout 7