



Fagen Friedman & Fulfroft LLP

IEP Goals and Educational Benefit

Cynthia D. Vargas
Fagen Friedman & Fulfroft

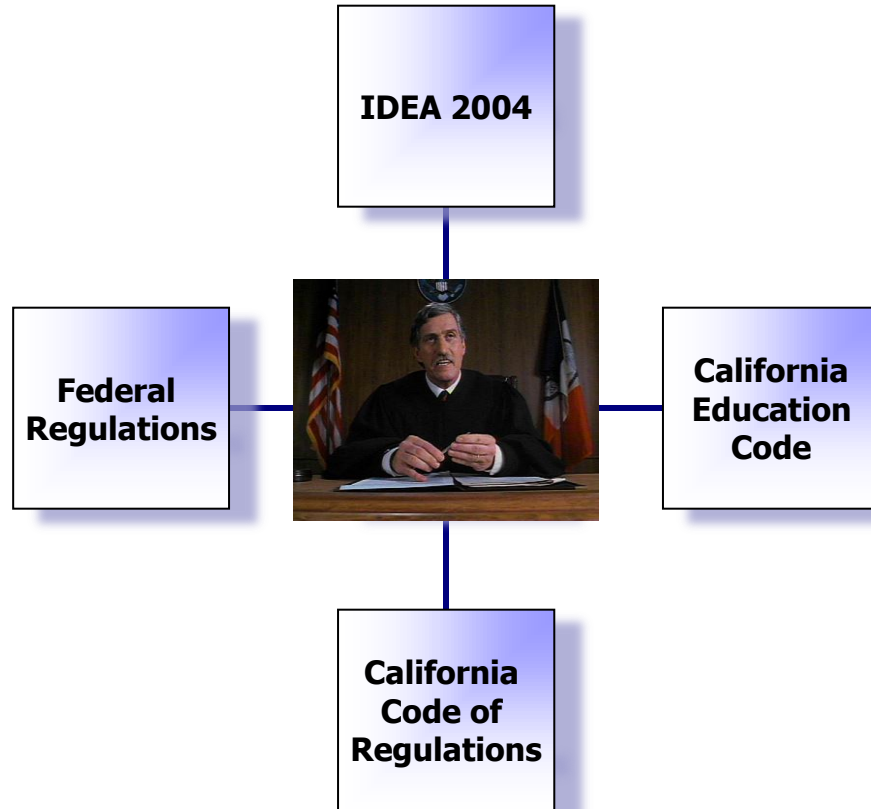


Today's Agenda

- The Importance of Assessment Data
- Present Levels of Performance
- Identify Areas of Need
- Progress on Previous Goals
- Development of Goals and Baselines
- Reporting Progress
- Practice to Avoid



Background: Sources of Law



Connect-the-Dots

- Present levels
- Areas of Educational Need
- Goals
- Placement
 - Supplementary Aids and Services
- Supports for General/Special Education
 - Related Services
 - Supplementary Aids and Services
 - Accommodations/Modifications



Rowley

Test of Substantive Compliance:

1. Designed to meet unique needs;
2. Reasonably calculated to provide educational benefit (not maximize, but more than trivial);
3. Services comport with IEP
4. Least restrictive environment



Target Range (Now IDEA 2004)

Test of Procedural Compliance:

1. Impeded right to FAPE;
2. Significantly impeded parents' right to meaningfully participate in the decision-making process;
3. Caused educational deprivation.



Identifying All Areas of Need



This all starts with Appropriate Assessments



Identifying All Areas of Need

APPROPRIATE ASSESSMENTS



The Foundation to
Good Goal
Development



In What Areas Do You Assess?

In all Areas of Suspected Disabilities

- Health & Development
- Vision
- Hearing
- Motor Abilities
- Language Function
- General Intelligence
- Communicative Status
- Self-Help
- Orientation & Mobility Skills
- Career & Vocational Abilities and Interests
- Social & Emotional Status

(34 C.F.R. § 300.304(b)(4) and
Educ. Code § 56320(f).)



Use a Variety of Assessment Tools

- How to get a complete picture of the student:
 - Review records;
 - Conduct standardized testing;
 - Conduct non-standardized testing;
 - Observe student in classroom;
 - Observe student in other relevant areas such as playground, lunch room, on the bus;
 - Conduct parent/teacher interviews;
 - Conduct student interview;
 - All of which are analyzed to provide a comprehensive understanding of the student.



Present Levels of Performance



Present Levels of Performance

- PLOP describes:

- Identify areas of need that interfere with child's education
- Provide an understanding of where student is performing
- Give relevant background regarding strengths, interests, learning style, weaknesses

Practice Pointer: Specify student's strengths and weaknesses in each present level area



Present Levels of Performance

■ Present Levels

- If assessments are the foundation, then **PLOPS** are the support beams
- **PLOPS** are the key to creating a legally defensible IEP
- **PLOPS** Identify the unique needs of the student
- They must be written with enough detail that parents are informed and have input into the decision-making process



Present Levels of Performance

- Use accurate and thorough assessment data
- Identify the child's strengths and weaknesses
- Utilize a variety of sources
- Understand different types of data
- Obtain and acknowledge parent input
- Create a list of needs that require goals



Present Levels of Performance

■ Sources of Data

- **A level data:** Standardized Assessment data
 - Compares child to others
 - Compares child to the standards
- **B level data:** Criterion Referenced
 - CST/CMA/CAPA
- **C level data:** Classroom
 - District benchmarks
 - Teacher tests
- Teacher and Parent Input



It is more than just Reading, Writing and Arithmetic!

■ Reading

- Decoding
- Fluency
- Comprehension
- Inference and predictions

■ Writing

- Grammar
- Expression
- Fluency

■ Mathematics

- Calculations
- Fluency
- Word problems

■ Communication

- Verbal v. non-verbal
- Wants and needs
- Social interactions
- Self-advocating



Identify ALL areas of Need



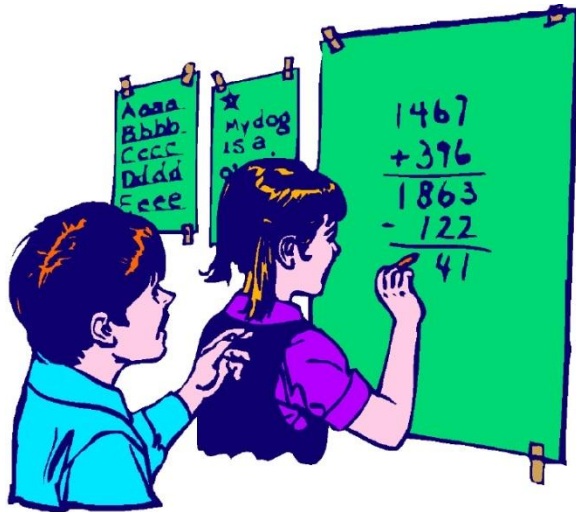
Identify Areas of Need

- Identify Areas of Need
 - They are extracted from present levels, and could be:
 - Academic in nature
 - Non-academic in nature
- Identify All Areas of Needs
- Make sure Behavior is Discussed and Identified
 - Ask whether behavior impedes learning of student or others and if so, then address through goals, BSP or BIP



Identify Areas of Need

- Determination as to whether
 - Academic
 - Functional
 - Combination of both



If Functional . . .



Go to severely handicap curriculum and goal development

- Quality of life
 - Communication
 - Self help
 - Safety



If Academic . . .

- Look to general education curriculum
- Emphasis on various Domains in each area
 - Reading
 - Fluency
 - Decoding
 - Comprehension
 - Inference



Important Considerations

1. Determine which standards used by the district
 - ☐ CST
 - ☐ CMA
 - ☐ CAPA
 - ☐ Common Core
2. Determine grade level of student and critical essential standards for the grade level in each subject area used by the district



Previous Goals



Reporting

Progress



Reporting Progress on Previous Goals

- Recognize all progress and notes in IEP;
 - Avoid writing “not met”
- Document in notes of the IEP whether parent agrees with progress reported & each goal developed;
- Consider continuing **revised** prior goals



Baselines and Goal Development



IEP Goals

- AN IEP **must** include:
 - A statement of measureable annual goals, including academic and functional goals, designed to:
 - Meet the needs of the student that result from the disability to enable the student to be involved in and make progress in general education curriculum; and
 - Meet each of the other educational needs of the student that result from the disability.
- A description of the manner in which the student's progress toward meeting the goals will be measured and when periodic reports will be provided. (generally quarterly)



What about Baselines?

- Baselines are the starting point for each annual goal
 - Must be measurable
 - Must relate specifically to the goal
 - Used to determine progress on annual goals
 - Use the same baseline as the skills in the goal but with a different accuracy, frequency, etc.
- Be specific about the student's current level of functioning in the area to be addressed (percentages, time on task, frequency of behaviors, etc.)



Development of Goals

- Must be based upon the needs of the child
 - Address each of the needs
- Goals must be measureable
 - with measurable baselines
- Must be Standard's based
 - In the past, students were exposed to grade level expectations but not expected to master grade level standards
 - NCLB now requires you to assess students on grade level and disaggregate data subgroups (AYP)
 - The way this is accomplished is by infusing grade level standards into the IEP goals set for the child



Goals Continued . . .

- Goals drive services
- Goals drive placement
- Address behavior through goals, BSP or BIP

Practice Tip: review dates, persons responsible, etc.



Things to Consider

- What skill is the goal written for
- Specifically, what the child is able to do at the time the goal is written (baseline)
- When is the child expected to achieve the goal
- What are the conditions for achieving the goal
- What are the mastery criteria for achieving the goal
- Who will implement the goal
- How is the goal measured



Example of Measurability

■ **Baseline:**

- Student is able to identify the main idea in a 2nd grade passage when the passage is read to him/her, with 50% accuracy.

■ **Goal:**

- By April 10, 2013, after an adult or peer read a narrative test of at least 500 words at the third grade level, Student will state the main idea and two supporting details from the test with 75% accuracy during five consecutive trials, as measured by teacher logs.

■ **Responsible persons:**

- Special education teacher



Grade Level Standards

- IEP goals must promote the child's progress toward grade level standards. How is this done for a student that is significantly below grade level?
 - Unpacking the Standard
 - Must first know the standard
 - Understand what mastery of those standards looks like
 - Make a plan to work toward that standard
 - Write a goal that uses a below-grade level standard along with grade level standards



Unpacking the Standard

Example

- A 4th grade student reads at a 1st grade level.
 - For this student, Address a 4th grade skills (identifying the main idea), through the use of 1st grade level materials.
 - At the same time you continue to work on, through additional goals, the student's decoding skills.



What About Objectives?

- When they are required, objectives identify reasonable steps between the baseline and the goal
 - 1) For individual with exceptional needs who take alternate assessments aligned to alternate achievement standards, a description of benchmarks or short-term objectives
 - 2) For students whose native language is other than English, linguistically appropriate goals and objectives.

(Education Code Section 56345 (b) (1) and (2).)



Reporting Progress

- Regardless of whether the IEP has short-term objectives, all progress must be reported out, at a minimum, as frequently as progress is reported out for non-disabled students.
- Progress can be tracked quarterly , or as agreed upon by the IEP team.

Practice Tip: Progress reports are educational records and must be maintained and provided to parents in response to request for records.



Reporting Progress

- Bring data with you to share with the IEP team when reporting on progress on previous goals and developing new goals
- Have work samples or logs available upon each period when goals are reported
- Report on progress at each report card period and have data (work samples or logs, depending on what the goal requires) available



Practices to Avoid

1. "Age appropriate" as a present level of performance
2. Failure to identify areas of need
 - Limiting goals in the areas of academics
3. Immeasurable or lack of baseline
4. Failure to know of and/or implement the goal
5. Failure to timely report to parents periodic progress
6. Using "not met" as the only report of goal progress
7. Repeated goals year after year
8. Can we think of any others?
9. _____
10. _____



Questions?

