



STATE EDUCATION RESOURCE CENTER

*EQUITY | EXCELLENCE | EDUCATION*



# Quality IEP Development that leads to Educational Benefit

CT CEC Conference  
12-4-2020

EQUITY. EXCELLENCE. EDUCATION



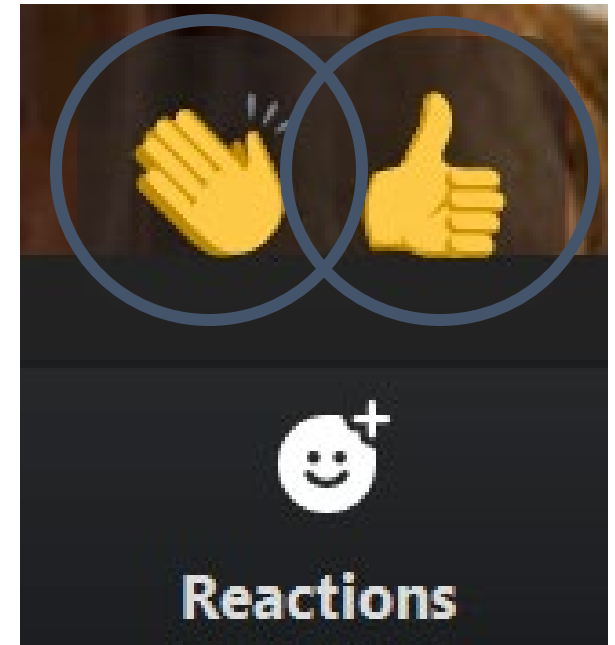
## Link to Resources

<https://ctserc.net/iepdevcec>

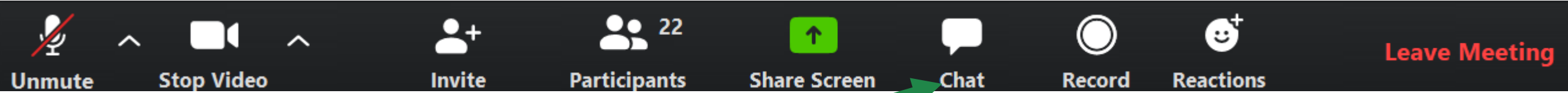
# Our Zoom Features



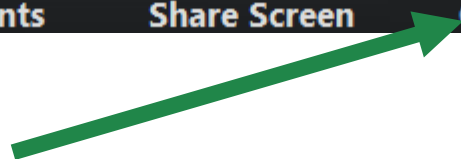
I want this session to be interactive, so we will use the Reactions to stay in touch. Throughout, the session we will say “Give us a Thumbs Up if...” or “Clap it up if...”



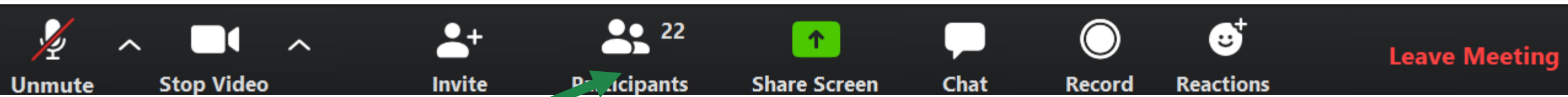
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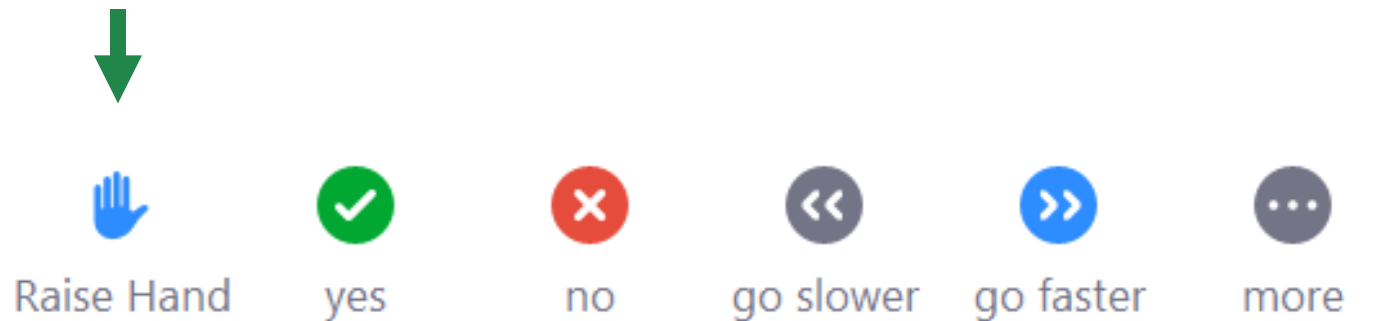
Please use the chat box to ask any questions. I will keep track to make sure each is answered!



# Our Zoom Features Toolbar



Please click the Participants link and you will see ways to let us know how we are doing. I will keep track to make sure each is answered!



## Essential Questions to ask when Developing a Student's IEP:

1. What are the child's unique needs that require special education?
2. What services and supports will school personnel employ to address each need?
3. What will the child be able to accomplish as a result of these educational services?

Bateman & Herr, 2006

# Equity

“...teaching and leading in such a way that more students...are achieving at higher levels, more of the time, without giving up who they are.”

Gary Howard, *We Can't Teach, What We Don't Know*







# Equitable Outcomes

Equity = meaningful opportunity for educational attainment and positive life outcomes:

- ❖ Improve academic achievement, social competence, and self-sufficiency.
- ❖ Promote access to productive adulthood through education, career readiness, employment, and independent-living opportunities.
- ❖ Indicators of progress:
  - Improved scores,
  - Higher graduation rates, and
  - Better post-secondary opportunities.

McLaughlin, Kremien, Zablocki, & Miceli, 2007

# Individuals with Disability Education Act IDEA—45 years later...

[https://sites.ed.gov/idea/osep-  
fast-facts-idea-45th-anniversary/](https://sites.ed.gov/idea/osep-fast-facts-idea-45th-anniversary/)

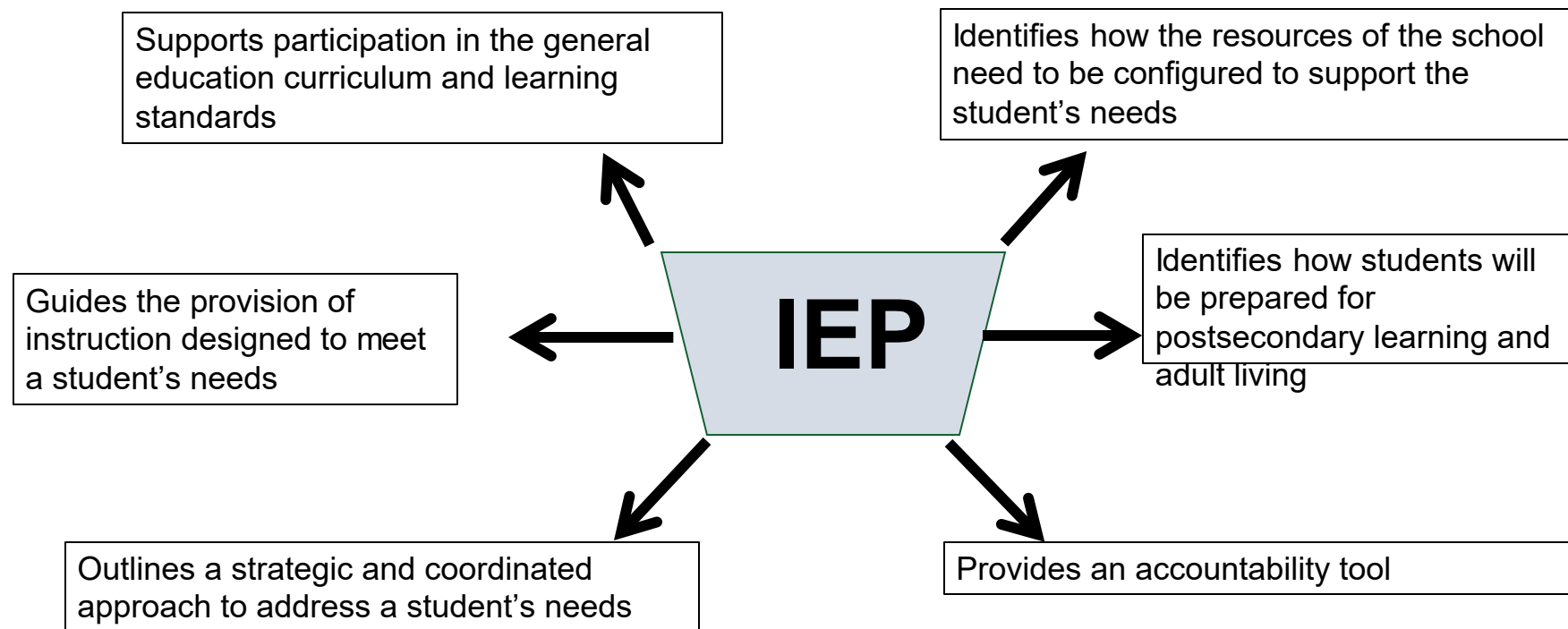
# What is the Purpose of IDEA?

## IDEA = Individuals with Disabilities Education Act

“ To ensure that all children with disabilities have available to them a **free appropriate public education** that emphasizes special education and related services designed to meet their unique needs and prepare them for further education, employment and independent living”

§601 (d) of IDEA '04

# The IEP is the Foundation of the Special Education Process



Adapted from New York State Department of Education

# Access, Participation and Progress

- The **same curriculum** as that established for students without disabilities §300.347(a)(1)(i)
- **Measurable annual goals, including benchmarks or short-term objectives**... to enable the child to be involved in and progress in the general curriculum (20 U.S.C. § 1414(d)(1)(A)(ii); 34 C.F.R. § 300.347(a)(2)
- The manner in which the student's **progress toward the annual IEP goals** will be measured (20 U.S.C. § 1414(d)(1)(A)(viii)(I); 34 C.F.R. § 300.347(a)(7)(i))
- The manner in which parents will be **regularly informed of their child's progress** toward the annual IEP goals

(20 U.S.C. § 1414(d)(1)(A)(viii)(II); 34 C.F.R. § 300.347(a)(7)(ii))

# Accessing the General Education Curriculum

The IEP for a child with a disability must address how the child will be **involved and progress in the general curriculum** (i.e., the same curriculum as for non-disabled children).

IDEA (2004) §300.347 (a) (1) (i)

# Special Education

**Special education** means specially designed instruction, at no cost to the parents, to meet the unique needs of a child with a disability

**Specially designed instruction** means adapting, as appropriate to the needs of an eligible child under this part, the content, methodology, or delivery of instruction—

- (i) To address the unique needs of the child that result from the child's disability; and
- (ii) To ensure access of the child to the general curriculum, so that the child can meet the educational standards within the jurisdiction of the public agency that apply to all children.

§300.39(b)(3)]

# Characteristics of Specially Designed Instruction

- ❖ Required if a student has an IEP
- ❖ Tailored to assess student's individual PLOP
- ❖ Addresses disability area(s)/IEP goals
- ❖ Involves changes in content, methodology, or delivery of instruction (e.g., direct/explicit)
- ❖ Use of evidenced-based practices/high leverage practices (CEC)
- ❖ Is systematic, carefully planned, and monitored
- ❖ Often includes generalization and maintenance checks

**IDEA Sec. 300.39(b)(3)** Friend and Barron, 2017



# Supplementary Aids and Services

The term ‘supplementary aids and services’ means aids, services, and other supports that are **provided in regular education classes** or **other education-related settings** to enable children with disabilities to be **educated with nondisabled children to the maximum extent appropriate ...**

§602.33

# Assistive Technology in IDEA 2004

IDEA states that the PPT members “**must,**” in the development of IEPs, “consider whether the child needs assistive technology (AT) devices and services.”

34 CFR 300.324

# Transition Services – IDEA

**Beginning not later than the first IEP to be in effect when the child turns 16, or younger**

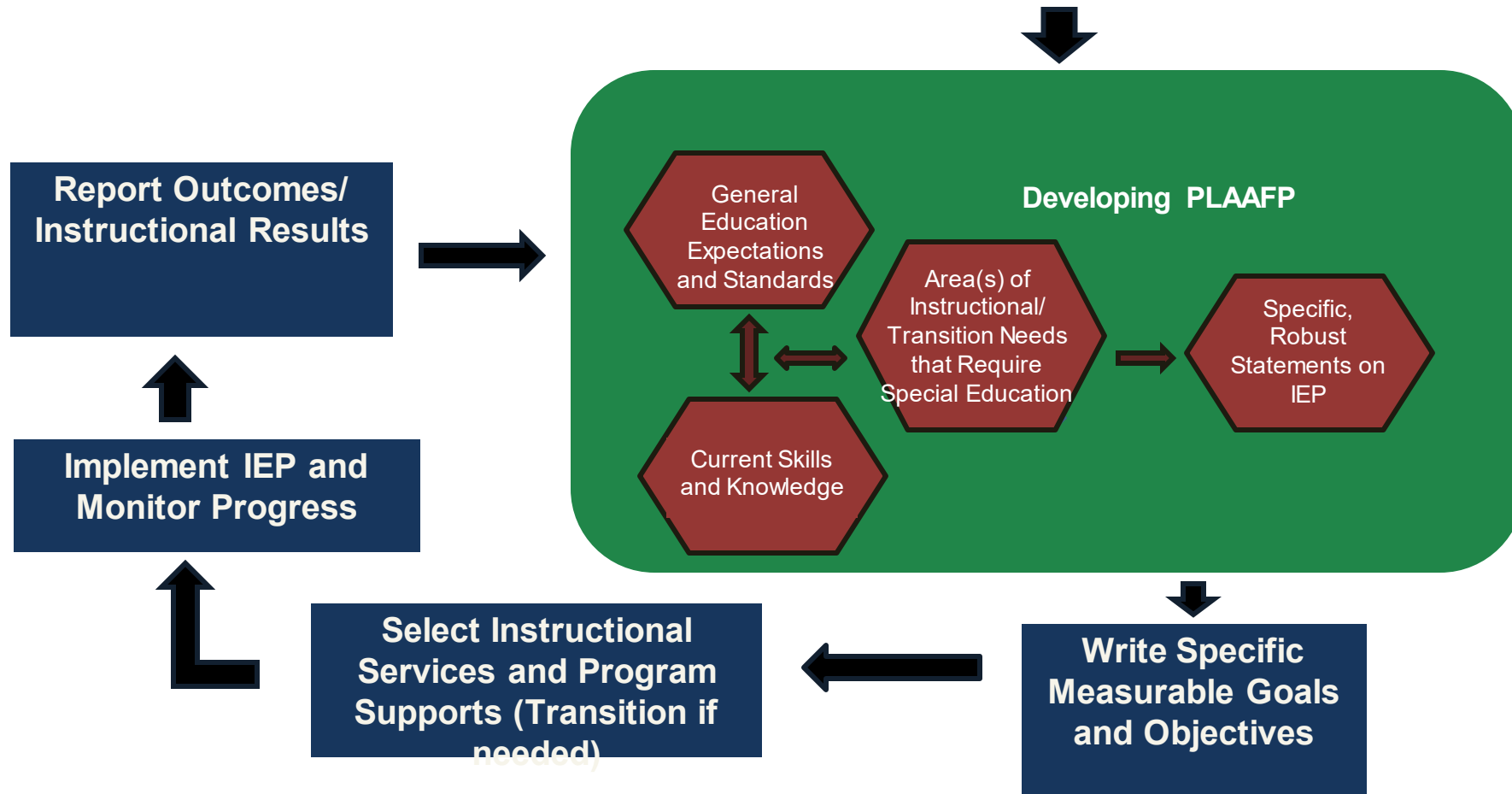
- Updated annually, thereafter
- **IEP must include –**
  - Appropriate measurable postsecondary goals based upon **age-appropriate transition assessments**
  - Related to postsecondary education or training, employment, and if appropriate, independent living skills (OSEP, 2007)
  - Transition services (including courses of study) needed to assist child in reaching postsecondary goals

**§ 300.320(b)**

# FAPE (Free Appropriate Public Education)

- The cornerstone of the IDEA is the entitlement of each eligible child with a disability to a free appropriate public education (FAPE) that emphasizes special education and related services designed to meet the child's unique needs and that prepare the child for further education, employment, and independent living. 20 U.S.C. §1400(d)(1)(A).
- Under the IDEA, the primary vehicle for providing FAPE is through an appropriately developed IEP that is based on the individual needs of the child.
- An IEP must take into account a child's present levels of academic achievement and functional performance, and the impact of that child's disability on his or her involvement and progress in the general education curriculum.

# IEP Development Process



Adapted from Arkansas Department of Education

## 3-Step Process for IEP Development

- Step 1:** Collect specific data and determine present levels of academic achievement and functional performance (PLAAFP) in relation to age-appropriate, grade level standards—  
<https://portal.ct.gov/SDE/CT-Core-Standards>
- Step 2:** “Gap Analysis”: Unwrap standards, identify setting demands, determine impact of student’s characteristics (strengths and concerns); select specialized instruction, accommodations, and modifications (if needed)
- Step 3:** Ensure goals and objectives include the condition for learning, demonstration of learning, and performance criteria; keeping in mind access, participation, and progress

# What is “Educational Benefit”?

Drop a thought in the chat box.

What does this mean to you?



## UNITED STATES DEPARTMENT OF EDUCATION

WASHINGTON, DC 20202

December 7, 2017

**Questions and Answers (Q&A) on *U. S. Supreme Court Case Decision*  
*Endrew F. v. Douglas County School District Re-1***



## **Questions and Answers (Q&A) on U. S. Supreme Court Case Decision *Endrew F. v. Douglas County School District Re-1 (12-7-2017)***

On March 22, 2017 the U.S. Supreme Court (sometimes referred to as Court) issued a unanimous opinion in *Endrew F. v. Douglas County School District Re-1*, 137 S. Ct. 988. In that case, the Court interpreted the scope of the free appropriate public education (FAPE) requirements in the Individuals with Disabilities Education Act (IDEA). The Court overturned the Tenth Circuit’s decision that Endrew, a child with autism, was only entitled to an educational program that was calculated to provide “merely more than *de minimis*” educational benefit. In rejecting the Tenth Circuit’s reasoning, the Supreme Court determined that, “[t]o meet its substantive obligation under the IDEA, a school must offer an IEP [individualized education program] that is reasonably calculated to enable a child to make progress appropriate in light of the child’s circumstances.” The Court additionally emphasized the requirement that “every child should have the chance to meet challenging objectives.” The *Endrew F.* decision is important because it informs our efforts to improve academic outcomes for children with disabilities.

# Educational Benefit

The IEP is **Reasonably Calculated** to increase the likelihood of the student achieving **educational benefit**

*Andrew F. v. Douglas County School District*

**more than “de minimis”**

**“ambitious”**

**“challenging”**

**“appropriate in light of the child’s circumstances”**



Drouin, C. (2004). State and Local Processes for Monitoring Educational Benefit:  
California Department of Education

# Implementation of Endrew F. Case: What Should PPT Teams Be Thinking About?

- Robust evidence
- Parental participation in the process
- Present levels of academic achievement and functional performance that are clear and correct Goals and objectives that are appropriately ambitious for the specific child and logically flow from the established present levels
- Implementation of timely and evidenced-based decisions regarding progress toward goals and objectives
- The need to make necessary adjustments

# Contact Information

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Thank you for your time!