

INITIAL INDIVIDUAL EDUCATION PLAN DEVELOPMENT

General Instructions

1. After eligibility has been determined and prior to obtaining parent consent for placement, the IEP is developed. **Parents must be given the opportunity to participate in the IEP development. No audio or video recording devices of any kind may be used during the IEP meeting. Audio recording may only be utilized by the attending parent if he/she does not understand the English language or suffers from some other mental/physical impairment which prevents him/her from understanding the proceedings.**
2. Prior to the IEP development, members of the IEP team should have reviewed the student's evaluation data and other pertinent information. If the student is being placed into more than one (1) ESE program, an ESE teacher from each ESE program area is responsible for the IEP and should attend the meeting. There must be only one (1) IEP consolidated for all programs.
3. Members of the IEP committee must include at least three professionals. Personnel who are required to attend the meeting are:
 - a. LEA Representative (Administrator, ESE Specialist or Counselor)
Note: An ESE Teacher may NOT be the LEA Representative at the initial IEP meeting, unless they are the ESE Director Designee, such Speech, Language, OT or PT.
 - b. ESE Teacher(s)
 - c. Regular Education Teacher
 - d. Evaluation Specialist (participant knowledgeable in interpreting test data, including educational implications)

Others, including administrators, and/or any personnel who may provide important input, should attend. **The student may attend if appropriate, and must be invited if the IEP is to be for Transition.** All ESE and Regular Education teachers involved with the student should be invited to attend the review. If circumstances prevent a teacher's attendance, data and projected goals and objectives for the new IEP must be submitted in advance of the review meeting as appropriate. ***If a participant is filling two roles, that person would need to sign in both specified places. An ESE Teacher acting as an LEA cannot also sign as the student's ESE Teacher.**

4. Parents must have the opportunity for input and/or revision regarding their child's IEP. At the initial placement staffing, parents must have access to the IEP before they are asked to sign Permission for Placement.
5. The IEP is valid for twelve (12) calendar months but may be reviewed earlier. (See IEP Review Section)

NOTE: Federal regulations require that **ALL TEACHERS** (including regular education teachers) of a student with disabilities have access and be informed of information contained in that student's IEP. This includes the specific accommodations, modifications, and supports to personnel listed on the IEP. In order to meet this Federal regulation it is the responsibility of the School Principal, making sure that the legal confidentiality of ESE students is maintained.

NOTE: It is a requirement that every IEP meeting that is held that addresses transportation be sent to the Transportation Department ESE Routing Specialist.

NOTE: An IEP meeting may be adjourned at any time for appropriate rationale. These rationale include, but are not limited to, attendance of a lawyer with a parent, attendance of a psychologist with a parent, etc. Before the meeting is adjourned, it is required that a new IEP meeting be scheduled and documented with the Meeting Participation form, ESE-1-2221.

NOTE: At the close of the IEP meeting the automated IEP must be archived.

The following documents are required:

Meeting Participation form ESE-1-2221

IEP Various MIS Numbers

Special Transportation (if appropriate) ESE-1-2278

All other required Eligibility/IEP Placement Staffing forms

Routing:

ESE District Office

Copies of all documents

Parents

Copies of all documents

ESE Teacher(s)

Copies of IEP

Cumulative Folder

All original documents

INDIVIDUAL EDUCATION PLAN REVIEWS

General Instructions

1. **Annual IEP reviews** must be held by the expiration date on the IEP. The existing IEP must be closed out and a new IEP (including goals and objectives) must be written. The content of an IEP may be reviewed at any point. When such reviews are held, the changes should be documented on the Interim IEP Review page. The required IEP review date must remain the same.
2. Although each school shall designate the person in charge of keeping track of required review dates and scheduling the meetings, each ESE teacher is ultimately responsible for ensuring that IEPs are reviewed before the required review date.
3. Personnel who are required to attend the meeting are:
 - a. LEA Representative (Administrator, ESE Specialist, ESE Teacher or Counselor)
 - b. ESE Teacher(s)
 - c. Regular Education Teacher
 - d. Evaluation Specialist (or participant knowledgeable in interpreting test data, including educational implications)

Others, including administrators, and/or any personnel who may provide important input, should attend. **The student may attend if appropriate, and must be invited if the IEP is to be for Transition.** All ESE and Regular Education teachers involved with the student should be invited to attend the review. If circumstances prevent a teacher's attendance, data and projected goals and objectives for the new IEP must be submitted in advance of the review meeting as appropriate. This does not negate the requirement of having at least one ESE teacher and one Regular Education teacher at the IEP meeting.

***If a participant is filling two roles, that person would need to sign in both specified places. An ESE Teacher acting as an LEA cannot also sign as the student's ESE Teacher.**

4. An IEP review is scheduled no later than the required review date. Two documented attempts must be made to invite the parent to the IEP review, **one of which must be in writing and sent home**. The only exceptions are if the parent returns the notice prior to the second notice and: (1) if the parent checks *hold the meeting without me* or (2) *yes, I will attend the meeting as scheduled*. If the parent requests that the IEP review be held after the date of expiration on the IEP, the school must comply with this request. The request must be in writing and be attached to the IEP for audit purposes.
5. If, at the IEP meeting, a decision is made to follow a process that was not originally planned, e.g., to conduct a re-evaluation review, the parent must agree to waive a week's right to notice and this must be documented on the Meeting Participation form, ESE-1-2221. If the parent is not in attendance, the purpose of the meeting can not be changed.

NOTE: Federal regulations require that **ALL TEACHERS** (including regular education teachers) of a student with disabilities have access and be informed of information contained in that student's IEP. This includes the specific accommodations, modifications, and supports to personnel listed on the IEP. In order to meet this Federal regulation it is the responsibility of the School Principal, making sure that the legal confidentiality of ESE students is maintained.

NOTE: It is a requirement that every IEP meeting that is held that addresses transportation be sent to the Transportation Department ESE Routing Specialist.

NOTE: An IEP meeting may be adjourned at any time for appropriate rationale. These rationales include, but are not limited to, attendance of a lawyer with a parent, attendance of a psychologist with a parent, etc. Before the meeting is adjourned, it is required that a new IEP meeting be scheduled and documented with the Meeting Participation form, ESE-1-2221.

NOTE: At the close of the IEP meeting the automated IEP must be archived.

NOTE: **No audio or video recording devices of any kind may be used during the IEP meeting. Audio recording may only be utilized by the attending parent if he/she does not understand the English language or suffers from some other physical or mental impairment which prevents him/her from understanding the proceedings.**

NOTE: **SIGNIFICANT CHANGES IN THE IEP**

In addition to Page 6 of the IEP, Informed Notice of Change in Placement/FAPE, it is also clear that IDEA intends to ensure parental participation in decision-making regarding students' ESE programming. Accordingly, changes which impact a student's programming must be initiated through the IEP review process, even if they do not constitute a change in placement.

Examples are:

1. A significant change (referring more to a % of ESE time related to their regular education time) in the number of hours/week a student attends an ESE program would require a formal IEP review.
2. A "Regular Class with Support" (80% or more) Speech and Language student changing from 60 minutes per week to 90 minutes per week would require a formal IEP review (this is a significant % of ESE time related to the student's regular education time).
3. When a goal page is added or deleted because a subject area is added or deleted, this is considered a change in program, and an IEP review is necessary, however, objectives may be added to the IEP without holding a review by the IEP committee if these are a continuation of work toward the same annual goal(s).
4. When it becomes necessary to use secured time-out for an ASD student, an IEP meeting must be held and documentation added to the PLF, justifying the use and explaining the procedure. Before initiating the use of secured time-out parents must sign the Parent Consent for Use of Secured Time-out form (ESE-2-2902).

A “Resource Room” student changing from 200 minutes per week to 230 minutes per week would not necessarily require an IEP review unless goal page(s) or the Level of Academic Achievement and Functional Performance of the IEP was altered. If an IEP review is not held, parents must be notified, in writing, of the change and it must be documented in the student’s cumulative folder.

INTERIM IEP REVIEWS

General Instructions

It is clear that IDEA intends to ensure parental participation in decision-making regarding students' ESE programming. Accordingly, changes which occur during the duration of a current IEP that impact a student's programming must be initiated through the interim IEP review process. The Interim IEP Review form must be completed and attached to the top of the current IEP. The duration of the current IEP **must not** be changed. At any point, if it seems more feasible to create an entirely new IEP, it is at the discretion of the IEP review team.

Examples of changes that require an Interim IEP review:

1. A change in the number of hours/week a student attends an ESE program that results in moving from one placement option to another would require a formal IEP review.
2. A "Regular Class with Support" (1-380 minutes) Speech and Language student changing from 60 minutes per week to 90 minutes per week would require a formal IEP review (this is a significant % of ESE time related to the student's regular education time).
3. When a goal page is added or removed due to goal mastery, this is considered a major change in program, and an IEP review is necessary.
4. Addition or deletion of objectives requires an IEP review. (It is important to carefully plan a student's IEP to last the duration of one year in order to minimize the need for additional IEP meetings due to the requirement of maintaining two active objectives for every goal.)
5. A change in a decision regarding the type of diploma a student will seek must be made at an IEP review.
6. The addition or deletion of related services/supplementary aids and services/program modifications and supports for school personnel requires an IEP review.
7. Adding Summer School/Extended School year to an IEP requires an IEP meeting.
8. Removal/Dismissal.

Adding an additional ESE program such as Speech.

NOTE: **NON-EXAMPLE** - A "Resource Room" student changing from 200 minutes per week to 215 minutes per week would not necessarily require an IEP review unless goal, objectives, or the Level of Academic Achievement and

Functional Performance of the IEP were altered. If an IEP review is not held, parents must be notified, in writing, of the change. This notification must be attached to the IEP. In all insignificant IEP changes (Example-mistake in writing the year 1999 instead of 2000), parents should be provided with copies of any changes made in the IEP. Schools must be prepared to document decisions made NOT to convene an IEP review.

NOTE: No audio or video recording devices may be used during the interim IEP review meeting. Audio recording may be utilized by the attending parent if he/she does not understand the English language or suffers from some physical/mental impairment which prevents him/her from understand the proceedings.