

welcome

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This Training is being Recorded.

**Please drop any questions in the Chat Box
and we will answer them.**



How to Choose IEPs for Your Self Assessment

Maine Department of Education
Office of Special Services and Inclusive Education

UPDATED:

8/9/2023

Procedural Manual



Special Education Required Forms Procedural Manual



Updated 8/1/2020

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<https://www.maine.gov/doe/learning/specialed/manual>



Maine Unified Special Education Regulations (MUSER)



05-071 Chapter 101

Maine Unified Special Education Regulation Birth to Age Twenty

Effective Date:

August 25, 2017

<https://www.maine.gov/doe/cds/muser>





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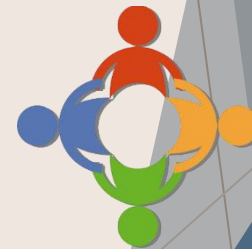
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Agenda

- Introductions
- Review expectations of the Self Assessment
- Other Considerations
- Notes on Timelines
- Questions



Welcome!

- You are part of the 2023-2024 cohort for audit and review, as part of the General Supervision System.
- This is outlined in the August 25, 2017, version of Maine's Unified Special Education Regulations (MUSER).





During previous onsite visits, more than 50% of IEPs we reviewed did not meet compliance because of the following:

- Gaps were identified but there were no corresponding goals.
- HOW statements were missing.
- Goals were not measurable because they included references to specific curriculum standards.
- Goals are not measurable because they included multiple skills and could not be clearly reported on during progress monitoring.
- Present Levels included statements like “Child struggles with...” or “Child sometimes...” and had NO baseline data.
- Goals did not align with a service.
- Services did not align with a goal.

RAE1 - Section 4A

Results of initial or most recent evaluations of the child

34 CFR 300.324(a)(1)(iii)

MUSER IX.3.C(1)(c)



Section 4A - Results of All Evaluations

4. ACADEMIC AND FUNCTIONAL/DEVELOPMENTAL EVALUATIONS, STRENGTHS, AND NEEDS (MUSER IX.3.C.(1))

A. Results of all initial evaluations or most recent evaluations of the child:

- Academic and Functional/Developmental evaluations used in eligibility decision
- Relevant state/district assessments
- Transition assessments
- Other assessments (FBA, Related Services)
- Document
 - Evaluation name
 - Date of Evaluation
 - Scores

AFS1 - Section 4B

Academic, Functional and/or Developmental strengths of the child

34 CFR 300.324(a)(1)(i)

MUSER IX.3.C(1)(a)



Academic

ACADEMIC PERFORMANCE refers to a child's ability to perform age appropriate (comparable to same age/grade peers) tasks and demonstrate appropriate skills in the following areas:

- ❖ Reading
- ❖ Writing
- ❖ Listening
- ❖ Speaking
- ❖ Mathematical Problem Solving



Functional

FUNCTIONAL/DEVELOPMENTAL PERFORMANCE refers to how the child is managing daily activities in the following areas:

- ❖ Cognitive
- ❖ Communicative
- ❖ Motor
- ❖ Adaptive
- ❖ Social/Emotional
- ❖ Sensory



Section 4B: Academic, Functional and/or Developmental Strengths

B. Beyond the evaluative information in 4A, what are the academic, functional, and/or developmental **strengths** of the child?

- These are based on evaluations and observations.
- Include academic areas of strength and relative strengths the child demonstrates within their unique profile.
- Not a restatement of the standard scores in the “Average” range.
- Should be observable. “What does the strength look like in the classroom?”



APG2 - Section 4C

Academic gaps (skill deficits)

34 CFR 300.324(a)(1)(iv)

MUSER IX.3.C(1)(d)



APG4 - Section 4C

Academic “how” statement

34 CFR 300.320(a)(1)

MUSER IX.3.A(1)(a)(i)



Section 4C: Distinctly Measurable and Persistent Gaps in Academic Performance and “How” Statement

C. Based on evaluative information in 4A, what are the child's **distinctly measurable and persistent gaps in academic performance**, and **how** do they affect the child's involvement and progress in the general education curriculum?

Identification of the distinctly measurable and persistent gaps in Academic performance

AND

How the deficit has an adverse impact on the child accessing the general education curriculum

Distinctly
Measurable and
Persistent Gaps



How Statement

Skill Deficits/Gaps -

Consider the following: Might Include (there are others)

<u>Broad Academic Areas</u>	<u>Specific Areas</u>
Reading	Retell Stories, Ask/Answer Questions, Print Concepts, Phonemic Awareness, Vocabulary or similar
Writing	Combination of Drawing, Dictating, and Writing, Print Some Letters, Print Name or similar
Listening/Speaking	Story Retell, Collaboration, Language, Context, Describe, Summarizing or similar
Mathematical Problem Solving	Sorting, Counting, Shapes, Attributes or similar

**Distinctly
Measurable and
Persistent Gaps
(Needs)**



How Statement

Student Needs

How Statement

(Reading) Jimmy's deficits with print concepts	impact his ability to access age-appropriate reading material.
(Writing) Sarah's inability to print letters	impacts her ability to complete age-appropriate writing prompts.
(Listening) Michael's listening comprehension deficits	impact his ability to retell the age-appropriate story.
(Speaking) Beth's inability to describe a character	impacts her ability to engage with age-appropriate material.
(Mathematical Problem Solving) Tom's deficits with sorting objects	impacts his ability to participate in age-appropriate math activities.

DISTINCTLY MEASURABLE AND PERSISTENT SKILL GAP deficits impedes the child's ability to **TASK** across content areas within the general education curriculum (**ADVERSE IMPACT IN GENERAL EDUCATION CURRICULUM**).

APG6 - Section 4C to Section 5

Academic gaps aligned to goals

34 CFR 300.320 (a)(2)(i)(A)

MUSER IX.3.A(b)(i)



Every Identified Academic Skill Deficit = A Goal

**Academic
Gaps
(Skill Deficits)**

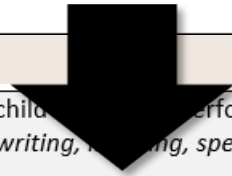
Goal

Skill Deficit = Goal

C. Based on evaluative information in **4A**, what are the child's distinctly measurable and persistent gaps in **academic performance**, and **how** do they affect the child's involvement and progress in the general education curriculum?

- **Sorting Objects**
- **Listening Comprehension**

These deficits impact Gracie's ability to access and participate in age-appropriate curriculum in the areas of reading and math.



ACADEMIC PERFORMANCE (Part B, ages 3 - 20) refers to a child's ability to perform age appropriate (comparable to same age/grade peers) tasks and demonstrate appropriate skills in *reading, writing, listening, speaking, and mathematical problem solving* in the school environment.

Present Levels of Academic Performance (MUSER IX.3.A.(1)(a)(i) & (ii)):

Gracie is able to sort objects by color accurately 0% of the time.

Measurable Goal (MUSER IX.3.A.(1)(b) & (c))

Progress:

By date, given service, child's name will skill as measured by evidence.

By 12/2/2023, given specially designed instruction, Gracie will be able to sort objects by color with 80% accuracy, as measured by data collection, teacher observation, work samples or similar. MELDS.M.MP.PS.6

Objective(s) required? Yes No

By date, given service, child's name will skill as measured by evidence.

Present Levels of Academic Performance (MUSER IX.3.A.(1)(a)(i) & (ii)):

Currently, Gracie is able to retell a story after listening to it in 2 out of 5 opportunities.

Measurable Goal (MUSER IX.3.A.(1)(b) & (c))

Progress:

By date, given service, child's name will skill as measured by evidence.

By 11/2/2023, given specially designed instruction, Gracie will be able to retell a story she has listened to in 4 out of 5 opportunities, as measured by data collection, teacher observation, work samples or similar.

MELDS.ELA.RL.IKI.PS.1

Objective(s) required? Yes No

By date, given service, child's name will skill as measured by evidence.

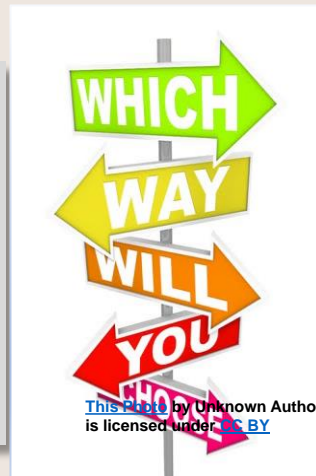
Functional and Developmental Goals

“Functional performance means how the child demonstrates his/her skills and behaviors in cognition, communication, motor, adaptive, social/emotional and sensory areas.” (MUSER II.15)

Which is it?

Functional Goal(s)

Lifelong skills deficit(s) that the IEP team feels the child will not “outgrow”.



Developmental Goal(s)

Lagging skill deficit(s) that the IEP team feels the child may “outgrow”.

FDP2 - Section 4D

Functional gaps (skill deficits) of the child.

34 CFR 300.324(a)(1)(iv)

MUSER IX.3.C(1)(d)



FDP7 - Section 4D

Functional “how” statement.

34 CFR 300.320(a)(1)

MUSER IX.3.A(1)(a)(i)



Section 4D: Distinctly Measurable and Persistent Gaps in Functional Performance and “How” Statement

D. Based on evaluative information in 4A, what are the child's **distinctly measurable and persistent gaps in functional performance**, and **how** do they affect the child's involvement and progress in the general education curriculum?

Identification of the distinctly measurable and persistent gaps in Functional performance

AND

How the deficit has an adverse impact on the child accessing the general education curriculum

**Distinctly
Measurable and
Persistent Gaps**



How Statement

Skill Deficits/Gaps -

Consider the following: Might Include (there are others)

<u>Broad Functional Areas</u>	<u>Specific Areas</u>
Cognitive	Problem Solving, Self Awareness, Peer Interactions, Self Initiation or similar
Communicative	Receptive/Expressive Language, Pragmatic Language, Articulation or similar
Motor	Fine/Gross Motor, Coloring, Cutting, Walking, Stairs or similar
Adaptive	Toileting, Handwashing, Cooking, Eating, Dressing, Bathing or similar
Social/Emotional	Peer Interactions, Self Regulation, Communication, Pragmatic Skills or similar
Sensory	Processing, Self Advocacy, Attention to Task, Self Regulation or similar

**Distinctly
Measurable and
Persistent Gaps
(Needs)**



How Statement

<u>Student Needs</u>	<u>How Statement</u>
(Cognitive) Mary's deficits in problem solving	impact her ability to safely engage with peers at grade level.
(Communicative) Sarah's expressive language deficits	impact her ability to speak clearly with peers during play activities.
(Motor) Michael's fine motor deficits	impact his ability to maintain appropriate grasp on writing tools during writing time.
(Adaptive) Beth's deficits in personal care	impact her ability to engage socially with same aged peers.
(Social/Emotional) Tom's self regulation deficits	impact his ability to comprehend and apply social rules in the general education setting.
(Sensory) Barb's tactile defensiveness	impact her ability to stay on task in all grade level activities.

DISTINCTLY MEASURABLE AND PERSISTENT SKILL GAP deficits impedes the child's ability to **TASK** across content areas within the general education curriculum (**ADVERSE IMPACT IN GENERAL EDUCATION CURRICULUM**).

FDG1 - Section 4D to Section 5

Functional gaps aligned to goals

34 CFR 300.320 (a)(2)(i)(A)

MUSER IX.3.A(b)(i)



Every Identified Functional Skill
Deficit =
A Goal

**Functional Gaps
(Skill Deficits)**

Goal

Skill Deficit = Goal

D. Based on evaluative information in 4A, what are the child's distinctly measurable and persistent gaps in **functional performance**, and **how** do they affect the child's involvement and progress in the general education curriculum?

- Follow visual schedule
- Request help

These gaps affect Sammy's ability to access age-appropriate classroom activities.



FUNCTIONAL/DEVELOPMENTAL PERFORMANCE: Functional performance refers to how the child is managing daily activities in *cognitive, communicative, motor, adaptive, social/emotional* and *sensory areas*. Developmental performance refers to how the child is performing developmentally (comparable to same age/grade peers) in physical, cognitive, communicative, social, emotional, and/or adaptive areas.

Present Levels of Functional/Developmental Performance (MUSER IX.3.A.(1)(a)(i) & (ii):

Sammy is unable to follow a visual schedule.

Measurable Goal (MUSER IX.3.A.(1)(b) & (c)

By date, given service, child's name will skill as measured by evidence.

By June 2023, given specially designed instruction and a visual schedule with up to 4 tasks, Sammy will follow the task analysis (1. Remove visual for completed task 2. Place visual on "all done" square 3. Reference visual for next task 4. Travel to appropriate room/area 5. Begin task) with 40% independence over 5 consecutive days as measured by daily data collection.

Progress:

Present Levels of Functional/Developmental Performance (MUSER IX.3.A.(1)(a)(i) & (ii):

With adult prompting, Sammy uses a help card to request help in 50% of opportunities.

Measurable Goal (MUSER IX.3.A.(1)(b) & (c)

By date, given service, child's name will skill as measured by evidence.

By June 2023, given specially designed instruction, BCBA consultation, and access to a help card, Sammy will independently follow the task analysis (1. Pick up help card 2. Reach to communicative partner 3. Release help card) in 40% of opportunities over 5 consecutive days as measured by daily data collection.

Progress:

DPG2 - Section 4E

Developmental gaps (skill deficits) of the child.

34 CFR 300.324(a)(1)(iv)
MUSER IX.3.C(1)(d)



DPG4 - Section 4E

Developmental “how” statement.

34 CFR 300.320(a)(1)
MUSER IX.3.A(1)(a)(i)



Section 4E: Distinctly Measurable and Persistent Gaps in Developmental Performance and “How” Statement

- E. If appropriate, **what are the developmental needs** of the child, and **how** do they affect the child’s involvement and progress in the general education curriculum?

Identification of the distinctly measurable and persistent gaps in developmental performance

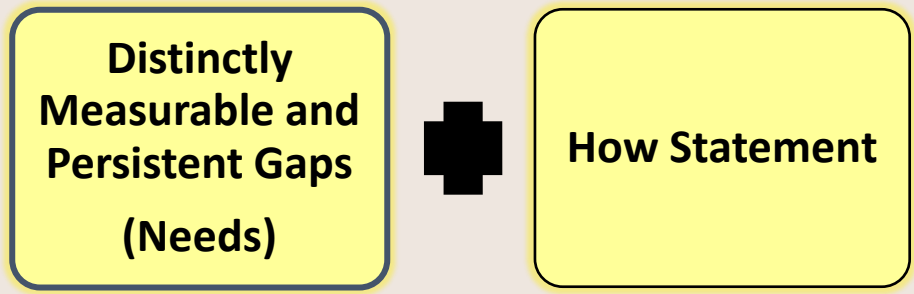
AND

How the deficit has an adverse impact on the child accessing the general education curriculum

**Distinctly
Measurable and
Persistent Gaps**



How Statement



E. If appropriate, what are the **developmental needs** of the child, and how do they affect the child's involvement and progress in the general education curriculum?

- **Organization**

Gracie's deficit with organization keeps her from gathering needed materials to complete independent work tasks expected within the general education curriculum.

DISTINCTLY MEASURABLE AND PERSISTENT SKILL GAP deficits impedes the child's ability to TASK across content areas within the general education curriculum (ADVERSE IMPACT IN GENERAL EDUCATION CURRICULUM).

DPG6 - Section 4E to Section 5

Developmental gaps aligned to goals

34 CFR 300.320 (a)(2)(i)(A)
MUSER IX.3.A(b)(i)



Every Identified Developmental Skill Deficit = A Goal

**Developmental
Gaps
(Skill Deficits)**

Goal

Skill Deficit = Goal

E. If appropriate, what are the **developmental needs** of the child, and how do they affect the child's involvement and progress in the general education curriculum?

- **Organization**

Gracie's deficit with organization keeps her from gathering needed materials to complete independent work tasks expected within the general education curriculum.



Present Levels of Functional/Developmental Performance (MUSER IX.3.A.(1)(a)(i) & (ii):

Gracie seeks tools required for a task (i.e. pencil, crayons, scissors), by independently retrieving or asking for the tool, in 25% of opportunities.

Measurable Goal (MUSER IX.3.A.(1)(b) & (c)

Progress:

By date, given service, child's name will skill as measured by evidence.

By 12/2/2023, given specially designed instruction and a visual checklist of tools (i.e. pencil, crayons, scissors), Gracie will independently retrieve the tools needed, in 70% of opportunities as measured by data collection and teacher reports.

Objective(s) required? Yes No

By date, given service, child's name will skill as measured by evidence.



APG3 - Section 5

**A statement of the child's
present level of academic
achievement.**

34 CFR 300.320(a)(1)

MUSER IX.3.A(1)(a)



Section 5: Academic Performance - Present Level

IDEA requirement - **MUST** fill

§300.320 Definition of individualized education program.

(a) *General.* As used in this part, the term individualized education program or IEP means a written statement for each child with a disability that is developed, reviewed, and revised in a meeting in accordance with §§300.320 through 300.324, and that **must include**—

(1) A statement of the child's **present levels of academic achievement and functional performance**, including

5. MEASURABLE ANNUAL GOAL(S) (MUSER IX.3.A.(1)(b) & (c))

ACADEMIC PERFORMANCE (Part B, ages 3 - 20) refers to a child's ability to perform (or learn to perform) tasks and demonstrate appropriate skills in *reading, writing, listening, speaking, and thinking* in the classroom or other educational environment.

Present Levels of Academic Performance (MUSER IX.3.A.(1)(a)(i) & (ii)):

Measurable Goal (MUSER IX.3.A.(1)(b) & (c))

By date, given service, child's name will skill as measured by evidence.

Objective(s) required? Yes No

By date, given service, child's name will skill as measured by evidence.

Even if Student has Functional Need/Goals but has no academic skill deficits/gaps and will have no Academic Goals, Academic Present Level can **NOT be blank.**

Section 5: Academic Performance – Present Level

IDEA requirement – **MUST** fill

5. MEASURABLE ANNUAL GOAL(S) (MUSER IX.3.A.(1)(b) & (c))

ACADEMIC PERFORMANCE (Part B, ages 3 - 20) refers to a child's ability to perform age appropriate (comparable to same age/grade peers) tasks and demonstrate appropriate skills in *reading, writing, listening, speaking, and mathematical problem solving* in the school environment.

Present Levels of Academic Performance (MUSER IX.3.A.(1)(a)(i) & (ii)):

Walter is on academic grade level with his peers.

OR

Walter has no academic needs.

OR

Walter is academically commensurate with his peers.

Examples could include...

Academic and Functional/Developmental Present Level **MUST** include clear, concise Data points.

Avoid Present Level statements that include often, sometimes, seems to, about, approximately, etc.

AND

Avoid writing Present Level statements in a range or using < or >

Do not make statements like:

“Student can sometimes do multiplication problems.”

“Student often misspells words.”

“Student struggles to complete work.”

“Student’s math fluency is approximately 55%.”

“Student’s reading comprehension is 50-75%.”

“Student can articulate digraphs <40% of opportunities.”

**Baseline Data
=
Present Level**



**Measurable
Goal**



Progress

SBG1 - Section 5 to Section 4C

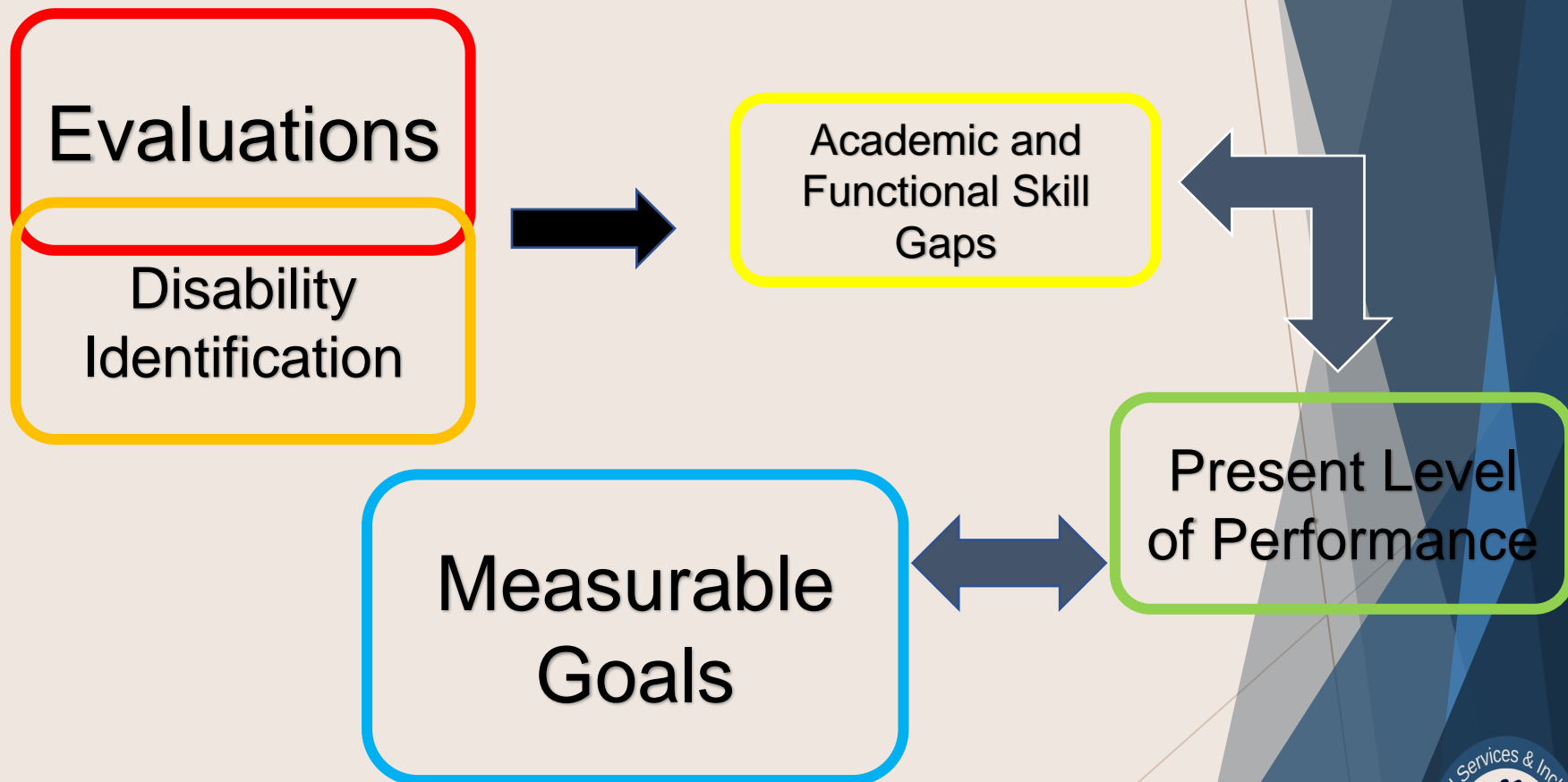
Academic goals aligned with the child's needs and present level of academic performance and designed to facilitate the child's achievement of grade level standards or the standards at which the child is performing based on the Maine Learning Results.

34 CFR 300.320(a)(2)(i)(A)

MUSER IX.3.A(1)(b)(i)



Each measurable goal aligns to the present level and back to a gap in Section 4C.



One-to-one correspondence. There needs to be a goal for **each** skill gap listed in sections 4C and 4D.

SBG3 - Section 5

IEP academic goals are measurable (including measurement data or activities to be measured by percent, frequency, or specific demonstration of mastery).

34 CFR 300.320(a)(2)

MUSER IX.3.A(1)(b)

MUSER IX.3.A(1)(c)

MUSER VII.2



Measurable Academic Goals

Can measure goals using -

- ❖ skill specific measurements/assessment
- ❖ qualitative data through teacher observation
- ❖ checklist or daily log
- ❖ running record
- ❖ work samples
- ❖ rubrics (attach the rubric to the IEP)

Can NOT measure goals using -

- evaluations used for eligibility or continuing eligibility
- specific curriculums

Specific Program Data

<u>Level 3</u>	<u>Level 4</u>
Letter ID: Recognizes and names 5 uppercase and lowercase letters	Letter ID: Recognizes and names 10 uppercase and lowercase letters
Rhyming: Recognizes rhyming words	Rhyming: Recognizes and produces rhyming words

Remember:
a goal should only include 1 skill;
if the child has skill deficits in BOTH Letter ID
and Rhyming, these would be two different goals.

SBG4 - Standards Based Goals

IEP academic goals have a citation linking them to the grade level general education curriculum standards or the grade level at which the child is performing.

34 CFR 300.320 (a)(2i)(A)
MUSER IX (3)(b)(i) and (iii)



Section 5: Academic Performance - Standards Based Goals

- Align to the child's needs and present level
- Facilitate the child's achievement of Maine Learning Results (MLR), Guiding Principles and/or district adopted standards



Section 5: Academic Performance – Standards Based Goals

Present Levels of Academic Performance (MUSER IX.3.A.(1)(a)(i) & (ii)):

Currently, Gracie is able to track print from left to right and top to bottom with 0% accuracy.

Measurable Goal (MUSER IX.3.A.(1)(b) & (c))

Progress:

By 11/2/2022, given specially designed instruction, Gracie will be able to track print from left to right and top to bottom with 75% accuracy, as measured by data collection, teacher observation, work samples or similar.

MELDS.ELA.RF.PC.PS.1a

By date, given evidence, child's name will skill as measured by evidence.

Objective met? Yes No

By date, given evidence, child's name will skill as measured by evidence.



SBG5 - Section 5 to Section 7

Academic IEP Goal/Special Education Service Alignment.

34 CFR 300.320(a)(4)(i)

MUSER IX.3.A.(1)(d)(i)



Every Goal
needs a
Service

Every Service
needs a
Goal

Section 5

ACADEMIC PERFORMANCE (Part B, ages 3 - 20) refers to a child's ability to perform age appropriate (comparable to same age/grade peers) tasks and demonstrate appropriate skills in *reading, writing, listening, speaking, and mathematical problem solving* in the school environment.

Present Levels of Academic Performance (MUSER IX.3.A.(1)(a)(i) & (ii)):

Gracie is able to sort objects by color accurately 0% of the time.

Measurable Goal (MUSER IX.3.A.(1)(b) & (c))

Progress:

By date, given service, child's name will skill as measured by evidence.

By 12/2/2023, given specially designed instruction, Gracie will be able to sort objects by color with 80% accuracy, as measured by data collection, teacher observation, work samples or similar. MELDS.M.MP.PS.6

Objective(s) required? Yes No

By date, given service, child's name will skill as measured by evidence.

Present Levels of Academic Performance (MUSER IX.3.A.(1)(a)(i) & (ii)):

Currently, Gracie is able to retell a story after listening to it in 2 out of 5 opportunities.

Measurable Goal (MUSER IX.3.A.(1)(b) & (c))

Progress:

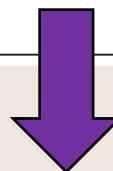
By date, given service, child's name will skill as measured by evidence.

By 11/2/2023, given specially designed instruction, Gracie will be able to retell a story she has listened to in 4 out of 5 opportunities, as measured by data collection, teacher observation, work samples or similar.

MELDS.ELA.RL.IKI.PS.1

Objective(s) required? Yes No

By date, given service, child's name will skill as measured by evidence.



Special Education Services	Position Responsible	Location	Frequency	Duration Beginning and End Date
Specially Designed Instruction Math/ELA	Special Education Teacher	Special Ed.	30 minutes/day	12/3/2022- 12/2/2023

FDP3 - Section 5

**A statement of the child's
present levels of
functional/developmental
performance**

34 CFR 300.320(a)(1)

MUSER IX.3.A(1)(a)



Section 5: Functional Performance - Present Level

IDEA requirement - **MUST** fill

§300.320 Definition of individualized education program.

(a) *General.* As used in this part, the term individualized education program or IEP means a written statement for each child with a disability that is developed, reviewed, and revised in a meeting in accordance with §§300.320 through 300.324, and that **must include**—

(1) A statement of the child's **present levels of academic achievement and functional performance**, including

FUNCTIONAL/DEVELOPMENTAL PERFORMANCE: **Functional performance** refers to how the child is managing daily activities in *cognitive, communicative, motor, adaptive, social/emotional* and *sensory areas*. **Developmental performance** refers to how the child is performing developmentally (comparable to same age/grade peers) in physical, cognitive, and adaptive areas.

Present Levels of Functional/Developmental Performance (MUSER IX.3.A.(1)(a)(i) & (ii):

Measurable Goal (MUSER IX.3.A.(1)(b) & (c)

By date, given service, child's name will skill as measured by evidence.

Objective(s) required? Yes No

By date, given service, child's name will skill as measured by evidence.

Even if Student has Academic Needs and Goals but has no functional skill deficits/gaps and will have no Functional Goals, Functional Present Level can **NOT be blank.**

Section 5: Functional Performance - Present Level

IDEA requirement - **MUST** fill

FUNCTIONAL/DEVELOPMENTAL PERFORMANCE: **Functional performance** refers to how the child is managing daily activities in *cognitive, communicative, motor, adaptive, social/emotional* and *sensory areas*. **Developmental performance** refers to how the child is performing developmentally (comparable to same age/grade peers) in physical, cognitive, communicative, social, emotional, and/or adaptive areas.

Present Levels of Functional/Developmental Performance (MUSER IX.3)

Walter is functionally commensurate with his peers.

OR

Walter has no functional needs at this time.

Examples could include...

Remember:
Functional/Developmental Present
Level
MUST include Data.

Avoid statements that include words like:
often, sometimes, seems to, less than, etc.

Do not use a range such as: 50-60%

Do not make statements like:
“Student often struggles to complete work.”
“Student has some fine motor delays.”



FDP4 - Section 5 to Section 4D

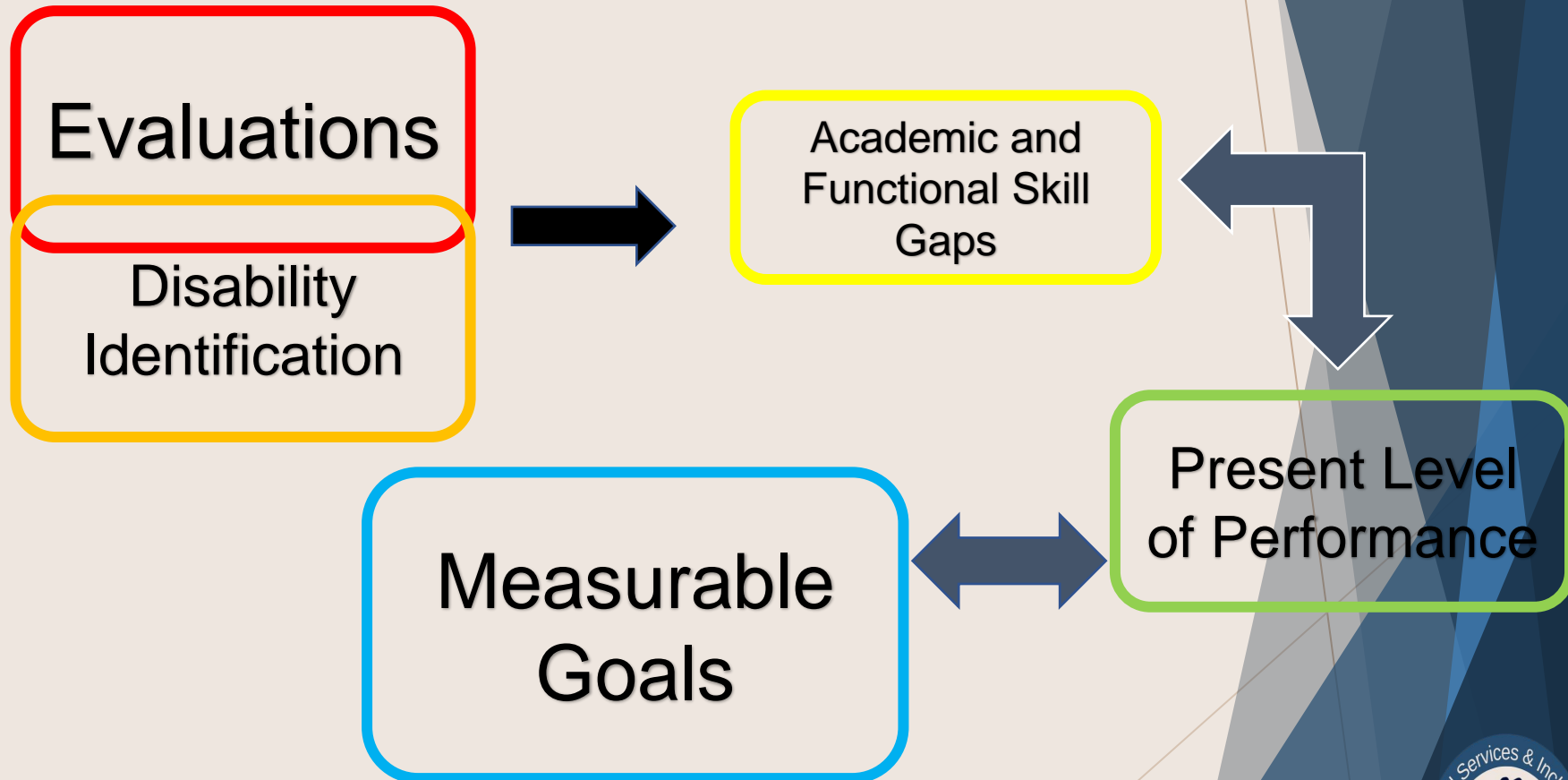
Functional goals aligned with the child's needs and present level of functional performance.

34 CFR 300.320(a)(2)(i)(A)

MUSER IX.3.A(1)(b)(i)



Each measurable goal aligns to the present level and back to a gap in Section 4D.



One-to-one correspondence. There needs to be a goal for **each** skill gap listed in sections 4C and 4D.

FDP5 - Section 5

IEP functional/developmental goals are measurable (including measurement data or activities to be measured by percent, frequency or specific demonstration of mastery).

34 CFR 300.320(a)(2)

MUSER IX.3.A(1)(b)

MUSER IX.3.A(1)(c)

MUSER VII.2





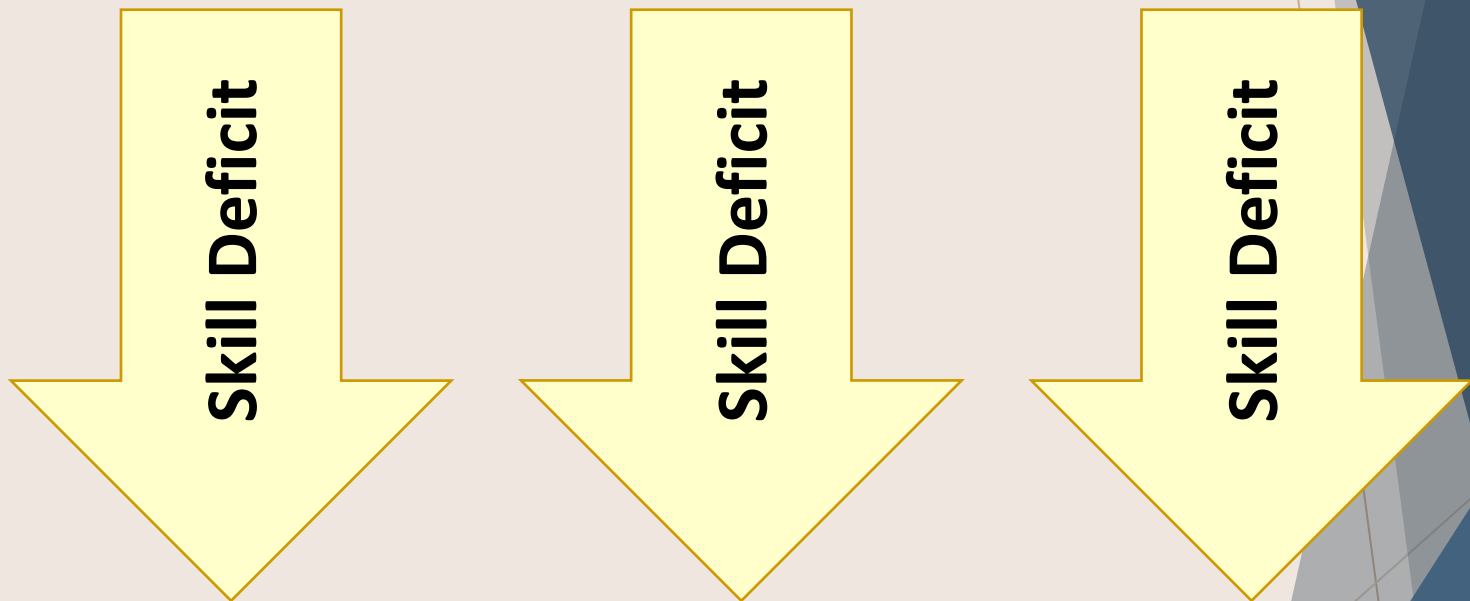
Avoid Outcome Based Goals

Outcomes = Age-Appropriate Expectations

We want all students to meet these expectations.

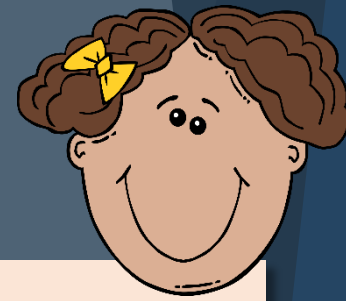
What are the outcomes/age-appropriate expectations we have for the student?
What are the skill deficits that interfere with their ability to get there?

Then... what will we teach them?



**Outcome/
Age-Appropriate Expectation**

Meet Nina



- Nina is in first grade and has been identified with Autism.
- There are evaluations to support this, and they are documented in Section 4A.
- Her IEP team identified the following specific skill deficit/How in Section 4D –

D. Based on evaluative information in **4A**, what are the child’s distinctly measurable and persistent gaps in **functional performance**, and **how** do they affect the child’s involvement and progress in the general education curriculum?

Nina has skill deficits in her ability to request HELP in situations that are challenging for her.

This impacts her ability to engage socially with peers in ways that are not aggressive.

- Because she has this very specific skill deficit, she has been unable to reach the age-appropriate expectation of a day without aggressions.
- Therefore, we will write a goal around Requesting HELP in Section 5 –

Present Levels of Functional/Developmental Performance (MUSER IX.3.A.(1)(a)(i) & (ii):

When prompted by an adult, Nina can pick up a HELP card, reach and release to a communicative partner, in 100% of opportunities.

Measurable Goal (MUSER IX.3.A.(1)(b) & (c)

Progress:

By date, given service, child’s name will skill as measured by evidence.

By 12/1/2023, given specially designed instruction, Nina will independently pick up a HELP card, reach and release to a communicative partner, when presented with situations that require her to do so, in 70% of opportunities, as measured by data collection, teacher observation, and reduced aggressions.

**We will teach
her to
request Help.**

OUTCOME:

**We want Nina to decrease the
number of aggressions she
exhibits across a day.**

Consider -



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- **Child has communication deficits:**
 - Teach them to request a break.
 - Teach them to say, “All Done”.
- **Child has anxiety:**
 - Teach them First/Then and Non-Preferred/Preferred.
 - Teach them calming activities.
 - Teach them communication skills.
- **Child is impulsive:**
 - Teach them a visual schedule.
 - Teach them a visual timer.
 - Teach them to self control tools.
 - Teach them self regulation skills.

Functional Measurable Goal

FUNCTIONAL/DEVELOPMENTAL PERFORMANCE: **Functional performance** refers to how the child is managing daily activities in *cognitive, communicative, motor, adaptive, social/emotional and sensory areas*. **Developmental performance** refers to how the child is performing developmentally (comparable to same age/grade peers) in physical, cognitive, communicative, social, emotional, and/or adaptive areas.

Present Levels of Functional/Developmental Performance (MUSER IX.3.A.(1)(a)(i) & (ii):

Currently, ----- can utilize a tool from her individualized tool kit with support from an adult when prompted to do so, in 1 out of 5 opportunities.

Measurable Goal (MUSER IX.3.A.(1)(b) & (c)

Progress:

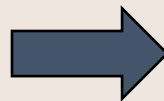
By date, given service, child's name will skill as measured by evidence.

By 12/12/2021, given specially designed instruction and consult from an Occupational Therapist, ----- will improve her self-regulation skills as demonstrated by independently utilizing a tool from her individualized tool kit, (including, but not limited to, Break card, Help card, fidget, First/Then board, or similar) to aid in self-regulating to an expected state in 4 out of 5 opportunities, as measured by teacher observation, data collection, increased time wearing a mask or similar.

Baseline Data

=

Present Level



**Measurable
Functional
Goal**

FDP6 - Section 5 to Section 7

Functional/Developmental IEP Goal/Special Education/Related Service Alignment.

34 CFR 300.320(a)(4)(i)

MUSER IX.3.A.(1)(d)(i)



Every Goal
needs a
Service

Every Service
needs a
Goal

Section 5

FUNCTIONAL/DEVELOPMENTAL PERFORMANCE: Functional performance refers to how the child is managing daily activities in *cognitive, communicative, motor, adaptive, social/emotional and sensory areas*. Developmental performance refers to how the child is performing developmentally (comparable to same age/grade peers) in physical, cognitive, communicative, social, emotional, and/or adaptive areas.

Present Levels of Functional/Developmental Performance (MUSER IX.3.A.(1)(a)(i) & (ii):

Sammy is unable to follow a visual schedule.

Measurable Goal (MUSER IX.3.A.(1)(b) & (c)

Progress:

By date, given service, child's name will skill as measured by evidence.

By June 2023, given specially designed instruction and a visual schedule with up to 4 tasks, Sammy will follow the task analysis (1. Remove visual for completed task 2. Place visual on "all done" square 3. Reference visual for next task 4. Travel to appropriate room/area 5. Begin task) with 40% independence over 5 consecutive days as measured by daily data collection.

Present Levels of Functional/Developmental Performance (MUSER IX.3.A.(1)(a)(i) & (ii):

With adult prompting, Sammy uses a help card to request help in 50% of opportunities.

Measurable Goal (MUSER IX.3.A.(1)(b) & (c)

Progress:

By date, given service, child's name will skill as measured by evidence.

By June 2023, given specially designed instruction, BCBA consultation, and access to a help card, Sammy will independently follow the task analysis (1. Pick up help card 2. Reach to communicative partner 3. Release help card) in 40% of opportunities over 5 consecutive days as measured by daily data collection.



7. SPECIAL EDUCATION AND RELATED SERVICES (MUSER IX.3.A.(1)(d) & IX.3.A.(1)(g))

Special Education Services	Position Responsible	Location	Frequency	Duration Beginning and End Date
Specially Designed Instruction Executive Function	Special Education Teacher	Special Education	1 hour / 5x per week	6/19/2022 – 6/18/2023
Speech/Language Services				
Related Services	Position Responsible	Location	Frequency	Duration Beginning and End Date
Transportation				
Other BCBA consultation	BCBA	Special Education	30 min per week	6/19/2022 – 6/18/2023





SAS1 - Section 6

A statement of supplementary aids, services, modifications, and/or supports to be provided to the child.

34 CFR 300.320(a)(4)

MUSER IX.3.A(1)(d)



Section 6: Supplementary Aids, Services, Modifications and/or Supports

6. SUPPLEMENTARY AIDS, SERVICES, MODIFICATIONS, AND/OR SUPPORTS (MUSER IX.3.A.(1)(d) & (g))

In addition to ongoing classroom supports and services, supplemental aids, and modifications, include a statement of any individual appropriate accommodations that are necessary to measure the academic achievement and functional performance of the child on State and district-wide and classroom assessments (MUSER IX.3.A.(1)(f)(i)).

A. Supplementary aids, modifications, accommodations, services, and/or supports for SAU personnel	Location	Frequency	Duration Beginning/End Date
Sensory Tool Kit Help Card Break Card Squishy First/Then Board	Special Education and General Education	As needed	9/18/21-9/17/22
<input checked="" type="checkbox"/> Classroom Instruction			
<input checked="" type="checkbox"/> Classroom Assessment			
<input checked="" type="checkbox"/> District-wide Assessment			
<input checked="" type="checkbox"/> State Assessment			
ILAP: Individual Language Acquisition Plan	Special Education and General Education	As needed	9/18/21-9/17/22
<input checked="" type="checkbox"/> Classroom Instruction			
<input checked="" type="checkbox"/> Classroom Assessment			
<input checked="" type="checkbox"/> District-wide Assessment			
<input checked="" type="checkbox"/> State Assessment			
Extra time quality over quantity with product frequent sensory breaks	Special Education and General Education	As needed	9/18/21-9/17/22
<input checked="" type="checkbox"/> Classroom Instruction			
<input checked="" type="checkbox"/> Classroom Assessment			
<input type="checkbox"/> District-wide Assessment			
<input type="checkbox"/> State Assessment			
Read Aloud/Human Reader for directions, questions/items, and response items, NWEA reading	Special Education	During NWEA Reading window	9/18/21-9/17/22
<input type="checkbox"/> Classroom Instruction			
<input type="checkbox"/> Classroom Assessment			
<input checked="" type="checkbox"/> District-wide Assessment			
<input checked="" type="checkbox"/> State Assessment			

“Other” could include collaboration and recommendations from related service providers that are **not** directly related to an annual IEP goal (For example, manipulation of the child’s environment or instructional materials)

- Procedural Manual pg. 27

6. SUPPLEMENTARY AIDS, SERVICES, MODIFICATIONS, AND/OR SUPPORTS (MUSER IX.3.A.(1)(d) & (g))

In addition to ongoing classroom supports and services, supplemental aids, and modifications, include a statement of any individual appropriate accommodations that are necessary to measure the academic achievement and functional performance of the child on State and district-wide and classroom assessments (MUSER IX.3.A.(1)(f)(i)).

A. Supplementary aids, modifications, accommodations, services, and/or supports for SAU personnel	Location	Frequency	Duration Beginning/End Date
<input type="checkbox"/> Classroom Instruction <input type="checkbox"/> Classroom Assessment <input type="checkbox"/> District-wide Assessment <input type="checkbox"/> State Assessment			
<input type="checkbox"/> Classroom Instruction <input type="checkbox"/> Classroom Assessment <input type="checkbox"/> District-wide Assessment <input type="checkbox"/> State Assessment			
Regular Education Teacher/Occupational Therapist Collaboration <input checked="" type="checkbox"/> Other	General Education Setting	As Needed	11/14/2022-11/13/2023

- Discussion of progress and accommodations is not consultation. This should be documented in **Section 6** as an accommodation.



SVC1 - Section 7 to Section 5

Service Grid/Goal Alignment

34 CFR 300.320(a)(4)(i)

MUSER IX.3.A(1)(d)(i)



Every Service
needs a
Goal

Every Goal
needs a
Service

Section 5

Present Levels of Functional/Developmental Performance (MUSER IX.3.A.(1)(a)(i) & (ii):

Currently, Elaine can utilize a tool from her individualized tool kit with support from an adult when prompted to do so, in 1 out of 5 opportunities.

Measurable Goal (MUSER IX.3.A.(1)(b) & (c)

By date, given service, child's name will skill as measured by evidence.

By 12/12/2021, given specially designed instruction and consult from an Occupational Therapist, Elaine will improve her self-regulation skills as demonstrated by independently utilizing a tool from her individualized tool kit, (including, but not limited to, Break card, Help card, fidget, First/Then board, or similar) to aid in self-regulating to an expected state in 4 out of 5 opportunities, as measured by teacher observation, data collection, increased time wearing a mask or similar.

Progress:



7. SPECIAL EDUCATION AND RELATED SERVICES (MUSER IX.3.A.(1)(d) & IX.3.A.(1)(g))

Special Education Services	Position Responsible	Location	Frequency	Duration Beginning and End Date
Specially Designed Instruction Self-Regulation Skills	Special Education Teacher	Special Education Setting	30 minutes per day	11/1/2022-10/31/2023
Related Services	Position Responsible	Location	Frequency	Duration Beginning and End Date
Occupational Therapy Consultation	Occupational Therapist	Special Education/General Education Setting	15 minutes per month	11/1/2022-10/31/2023



SVC2 - Section 7

A statement of the special education and related services to be provided.

34 CFR 300.320(a)(4)

MUSER IX.3.A(1)(d)



Section 7: Special Education and Related Services

7. SPECIAL EDUCATION AND RELATED SERVICES (MUSER IX.3.A.(1)(d) & IX.3.A.(1)(g))

Special Education Services	Position Responsible	Location	Frequency	Duration Beginning and End Date
Specially Designed Instruction				
Speech/Language Services				
Consultation				
Tutorial Instruction				
Extended School Year				
Related Services	Position Responsible	Location	Frequency	Duration Beginning and End Date
Speech/Language Services				
Occupational Therapy				
Physical Therapy				
Social Work Services				
Nursing Services				
Behavioral Health Day Treatment				
Transportation				
Other				

Child's needs drive services and their frequencies not the school or program schedule.



Section 7: Special Education and Related Services

7. SPECIAL EDUCATION AND RELATED SERVICES (MUSER IX.3.A.(1)(d) & IX.3.A.(1)(g))

Special Education Services	Position Responsible	Location	Frequency	Duration Beginning and End Date
Specially Designed Instruction	MUST FILL - Certified special educators or licensed related service providers are positions responsible	MUST FILL - Special Education Setting, General Education Setting, or Special Education/General Education Setting Location	MUST FILL - Minutes, hours, weekly, daily, or monthly	MUST FILL
Speech/Language Services				
Consultation				
Tutorial Instruction				
Extended School Year				
Related Services				Duration Beginning and End Date
Speech/Language Services				MUST FILL
Occupational Therapy				
Physical Therapy				
Social Work Services				
Nursing Services				
Transportation				
Other				

Speech/Language services are a direct special education service when:

1. The child is a child with a Speech/Language impairment (solely or as a part of a Multiple Disability)
2. The child is a child with Autism and Speech/Language services are the child's only service.

❖ **Consultation** is to ensure that skills developed in a previously more restrictive setting (SDI) are being carried over into a less restrictive setting (general education setting). It is specific to student goals and should be documented in the goal itself. *“Given consultation, child will...”* or *“Given specially designed instruction and consultation child will...”*



- Discussion of progress and accommodations is not consultation. This should be documented in **Section 6** as an accommodation.

LRE1 - Section 8

An explanation of the extent, if any, to which the child will not participate with non-disabled students in the regular class and in extra-curricular and other non-academic activities.

34 CFR 300.114(a)(2)

MUSER IX.2.B



Section 8: Least Restrictive Environment

“To the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, shall be educated with children who are not disabled, and special classes, separate schooling, or other removal of students with disabilities from the regular educational environment shall occur only when the nature or severity of the disability of a child is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.” MUSER [20 USC 1412(a)(5) and 34 CFR 300.114]



Section 8

8. LEAST RESTRICTIVE ENVIRONMENT

FOR CHILDREN AGES 3-5 ONLY (CDS)		
What percentage of time is this child with non-disabled children?		
General Education Setting		Special Education Setting
More than or equal to 10 hours <input checked="" type="checkbox"/>	Less than 10 hours <input type="checkbox"/>	Total # of hours: 5 hours
<p>An explanation of the extent, if any, to which the child will not participate with non-disabled children in the regular class and in extracurricular and other non-academic activities (MUSER IX.3.A.(1)(e)):</p> <p>Gracie's Autism disability and accompanying deficits in academics and social skills are to such a degree that she requires specially designed instruction in the special education setting to access her programming.</p>		
FOR K-12 ONLY		
What percentage of time is this child with non-disabled children? %	An explanation of the extent, if any, to which the child will not participate with non-disabled children in the regular class and in extracurricular and other non-academic activities (MUSER IX.3.A.(1)(e)):	



DIB1 - Disability Alignment

The IEP is reflective of the child's identifying disability category.

34 CFR 300.320(a)(2)

MUSER VI.2.J(4)



DIB1 - Disability Alignment

Examples of what we see:

- OHI - Child does not have functional programming in the IEP to address the adverse effect presented by the disability category of Other Health Impairment.
- SLD - Child does not have academic programming in the IEP to address the adverse effect presented by the disability category of Specific Learning Disability.



APG5 & FDG2

**Academic and functional annual
progress of the child.**

34 CFR 30.324(b)(1)(i)

MUSER IX.3.D(1)(a)

Andrew F. v. Douglas County School District RE-1, 580 U.S. ____ (2017)



Demonstrating Annual Progress

Consider Endrew F. case -

<https://sites.ed.gov/idea/files/qa-endrewcase-12-07-2017.pdf>

- Do IEPs show progress from year to year?
- Do goals increase in rigor? Independence? Skill level?



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Use of Data

Data should be used to:

- ✓ assist in program effectiveness
- ✓ determining the need for change







All District IEP Trainings Scheduled

Tuesday 10/24/23 9 am-11:30 am

[IEP Training Registration Link \(10/24/23\)](#)

Tuesday 1/9/24 12:30 pm-3 pm

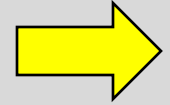
[IEP Training Registration Link \(1/9/24\)](#)

Thursday 5/2/24 9 am-11:30 am

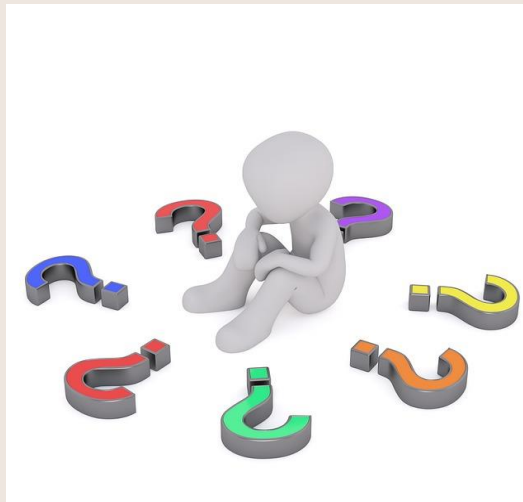
[IEP Training Registration Link \(5/2/24\)](#)



Other Considerations



As you prepare to submit your other Desk Audit components, please remember the following:



Eligibility Forms -

<u>Finding</u>	<u>What</u>
<p>FOT4</p>	<p>Speech/Language Eligibility Criteria –</p> <ul style="list-style-type: none"> • Make sure there are no Blank Boxes/Areas • Document the criteria(s) that documents adverse impact • Verification must include data • Document and Include all Severity Rating Scales • Document conversation/completion of form in Written Notice <p>MUSER VII.3</p> <p style="text-align: right;">34 CFR 300.8(c)(11) MUSER VII.2.K(2)</p>
<p>FOT5</p>	<p>Form for Determination of Adverse Effect on Educational Performance –</p> <ul style="list-style-type: none"> • Make sure there are no Blank Boxes/Areas • Document Reason for Use of Form • N/A means Not Available • Verification must include data • Document conversation/completion of form in Written Notice <p>MUSER VII.3</p> <p style="text-align: right;">34 CFR 300.8(c) MUSER VII.3</p>

Eligibility Forms

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B11: Child Find -

<u>Finding</u>	<u>What</u>
INR1	<p>Procedural Safeguards –</p> <ul style="list-style-type: none">• Procedural Safeguards were offered to parent upon initial referral• Document as enclosure in the AWN or Written Notice of the initial referral meeting <p>34 CFR 300.504(a)(1) MUSER Appendix 1</p>
INR3	<p>Timeline –</p> <ul style="list-style-type: none">• Evaluations were completed within 60 calendar days (days from date consent to evaluate was received by SAU to date eligibility meeting held)• Record on the consent form when received back in CDS• Include parental consent• Include cover page of all evaluations parent signed consent to complete with date received back in CDS• Include WN from eligibility meeting• Compliance data reported to Office of Special Education Programs (OSEP) annually <p>34 CFR 300.301(c)(1)(ii) MUSER V.A.3(a)(i)</p>

Child Find

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Notes about Timelines

- Site visits begin in January 2024, so please submit Self-Assessment and all Desk Audit evidence by December 1, 2023.
- Evidence can be submitted to:
 - monitoring.doe@maine.gov or
 - Department of Education
 - Attention: Julie Pelletier
 - 23 State House Station
 - Augusta, ME 04333-0023



Notes about Timelines

- Pre-Findings will be issued the Friday after your site visit. You have one month to submit evidence of correction of Pre-Findings.
- Pre-Findings are areas that are not an indication of systemic non-compliance.
- Correction of Pre-Findings can result in 100% compliance in that area and, therefore, keep it off your CAP.
- Correction of Pre-Findings is OPTIONAL.
- You will also have one month to correct any DIB1-Disability Alignment findings. This is not optional and may result in a Prong II CAP finding, depending on the percent of non-compliance.



Notes about Timelines

- ❖ For visits that take place **January-March**
 - CAP will be issued April 30, 2024
 - CAP will be due Feb 28, 2025
- ❖ For visits that take place **April-May**
 - CAP will be issued June 30, 2024
 - CAP will be due April 30, 2025

CAP Evidence Submission

Prong I - Correction to non-compliance from files reviewed during On-Site visit and are included on the EMT. The number of Prong I submissions are based on the instances of non-compliance. Federal regulations require correction of each instance of non-compliance.

Prong II - Evidence of systemic change from files not included in the Self-Assessment and On-Site visit and were not included on the EMT. The number of Prong II submissions are based on % compliance.



Let's look at the Self-Assessment Microsoft Form

LET'S
DO IT!



Professional Learning Feedback and Contact Hour Form.

Feedback and Contact Hours

Complete this form to provide us with feedback and receive your contact hour certificate. Your feedback matters to us!

* Required

1 Did the training content meet your expectations? *

Yes

No

2 Do you feel that your knowledge or skills have improved with this PD? *

Use the link to complete the form on your computer
OR
Use the QR code to complete the form on your mobile device

<https://forms.office.com/g/by472QQLDJ>



Feedback and Contact Hours

Complete this form to provide us with feedback and receive your contact hour certificate. Your feedback matters to us!

* Required

1 Did the training content meet your expectations? *

Yes

No

2023-24 Professional Development Schedule

<u>DATE</u>	<u>TOPIC/DESCRIPTION</u>	<u>REGISTRATION LINK</u>
Wednesday 9/13/23	Resources	Resources Registration Link
Wednesday 9/27/23	Transition from CDS to Public School	Transition from CDS to Public School Registration Link
Friday 9/29/23	<u>Q&A Session</u>	Q & A Registration Link
Wednesday 10/11/23	Abbreviated Day	Abbreviated Day Registration Link
Tuesday 10/24/23	Fall All District IEP Training	IEP Training Registration Link (10/24/23)
Tuesday 10/24/23	Fall All District B-13 Training	B-13 Training Registration Link (10/24/23)
Wednesday 10/25/23	Discipline & Manifestation Determination	Discipline & Manifestation Determination Registration Link
Friday 10/27/23	<u>Q&A Session</u>	Q & A Registration Link
Wednesday 11/8/23	Least Restrictive Environment	Least Restrictive Environment Registration Link
Wednesday 12/13/23	Orientation and Mobility	Orientation and Mobility Registration Link
Wednesday 12/20/23	Compliant Transition Plans	Compliant Transition Plans Registration Link
Tuesday 1/9/24	Winter All District B-13 Training	B-13 Training Registration Link (1/9/24)
Tuesday 1/9/24	Winter All District IEP Training	IEP Training Registration Link (1/9/24)
Wednesday 1/10/24	Advanced Written Notice & Written Notice	Advanced WN and WN Registration Link



2023-24 Professional Development Schedule (cont.)

<u>DATE</u>	<u>TOPIC/DESCRIPTION</u>	<u>REGISTRATION LINK</u>
Wednesday 1/24/24	Present Level of Performance	Present Level of Performance Registration Link
Friday 1/26/24	<u>Q&A Session</u>	Q & A Registration Link
Wednesday 2/14/24	Writing Measurable Functional Goals and Avoiding Outcomes	Writing Measurable Functional Goals Registration Link
Wednesday 2/28/24	Transition from CDS to Public School	Transition from CDS to Public School Registration Link
Wednesday 3/13/24	Alignment and DIB1 (Disability Alignment)	Alignment and DIB1 Registration Link
Wednesday 3/27/24	Forms – (AE attached to WN)	Forms (AE attached to WN) Registration Link
Friday 3/29/24	<u>Q&A Session</u>	Q & A Registration Link
Wednesday 4/10/24	Special Education Law for General Education Teachers	Special Education Law for General Education Teachers Registration Link
Wednesday 4/24/24	IEP Essentials	IEP Essentials Registration Link
Friday 4/26/24	<u>Q&A Session</u>	Q & A Registration Link
Thursday 5/2/24	Spring All District IEP Training	IEP Training Registration Link (5/2/24)
Thursday 5/2/24	Spring All District B-13 Training	B-13 Training Registration Link (5/2/24)
Wednesday 5/8/24	Consultation/Related Service Goals	Consultation/Related Service Goals Registration Link
Wednesday 5/22/24	Data Collection	Data Collection Registration Link
Friday 5/24/24	<u>Q&A Session</u>	Q & A Registration Link

Please consider sharing the links to these PD opportunities with general education teachers:

Wednesday 10/25/23 - Discipline & Manifestation Determination

Wednesday 4/10/24 - Special Education Law for General Education Teachers

Please consider sharing the links to these PD opportunities with related service providers:

Wednesday 2/14/24 - Writing Measurable Functional Goals and Avoiding Outcomes

Wednesday 5/8/24 - Consultation/Related Service Goals



Resources

Professional Development Calendar -

<https://www.maine.gov/doe/calendar>

Link for Recordings and Power Points -

<https://www.maine.gov/doe/learning/specialed/pl>

Special Education Resources -

<https://www.maine.gov/doe/learning/specialed/supervision>

Special Education Laws and Regulations -

<https://www.maine.gov/doe/learning/specialed/law>

Special Education Forms and Reporting -

<https://www.maine.gov/doe/learning/specialed/forms>

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Ashley Satre

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Julie Pelletier – Secretary Associate

julie.pelletier@maine.gov

**thank
you!**



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