



Sample CAP Specific Training

Maine DOE
Office of Special Services
Monitoring Team

Updated August 2023



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Agenda



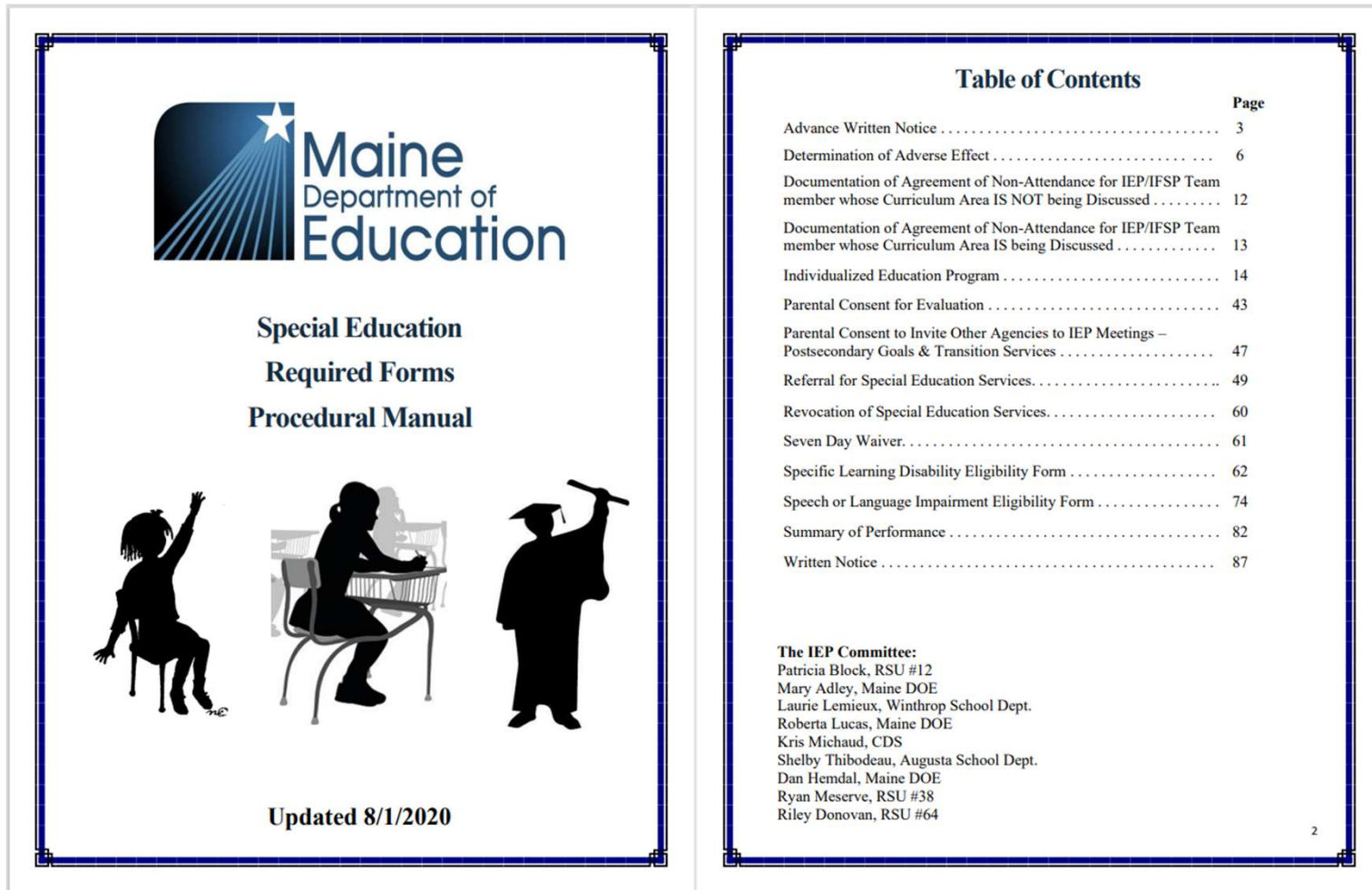
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1. Introductions

**2. Review specific findings from the
Corrective Action Plan - CAP**

3. Questions

Procedural Manual



The image shows the cover of the 'Special Education Required Forms Procedural Manual' on the left and its 'Table of Contents' on the right. The cover features the Maine Department of Education logo, the title, and three silhouettes of a child, a student at a desk, and a graduate. The table of contents lists various forms and their page numbers.

Maine Department of Education

**Special Education
Required Forms
Procedural Manual**

Updated 8/1/2020

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The IEP Committee:
Patricia Block, RSU #12
Mary Adley, Maine DOE
Laurie Lemieux, Winthrop School Dept.
Roberta Lucas, Maine DOE
Kris Michaud, CDS
Shelby Thibodeau, Augusta School Dept.
Dan Hemdal, Maine DOE
Ryan Meserve, RSU #38
Riley Donovan, RSU #64

2

<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>

Corrective Action Plan – CAP



**CAP Due Date –
April 30, 2024**

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CAP Evidence Submission

Prong I – Correction to non-compliance from children’s files found during the Self-Assessment or the On-Site visit and are included on the EMT.

1-4 – based on number of findings

Prong II – Evidence of systemic change from children’s 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 child count.

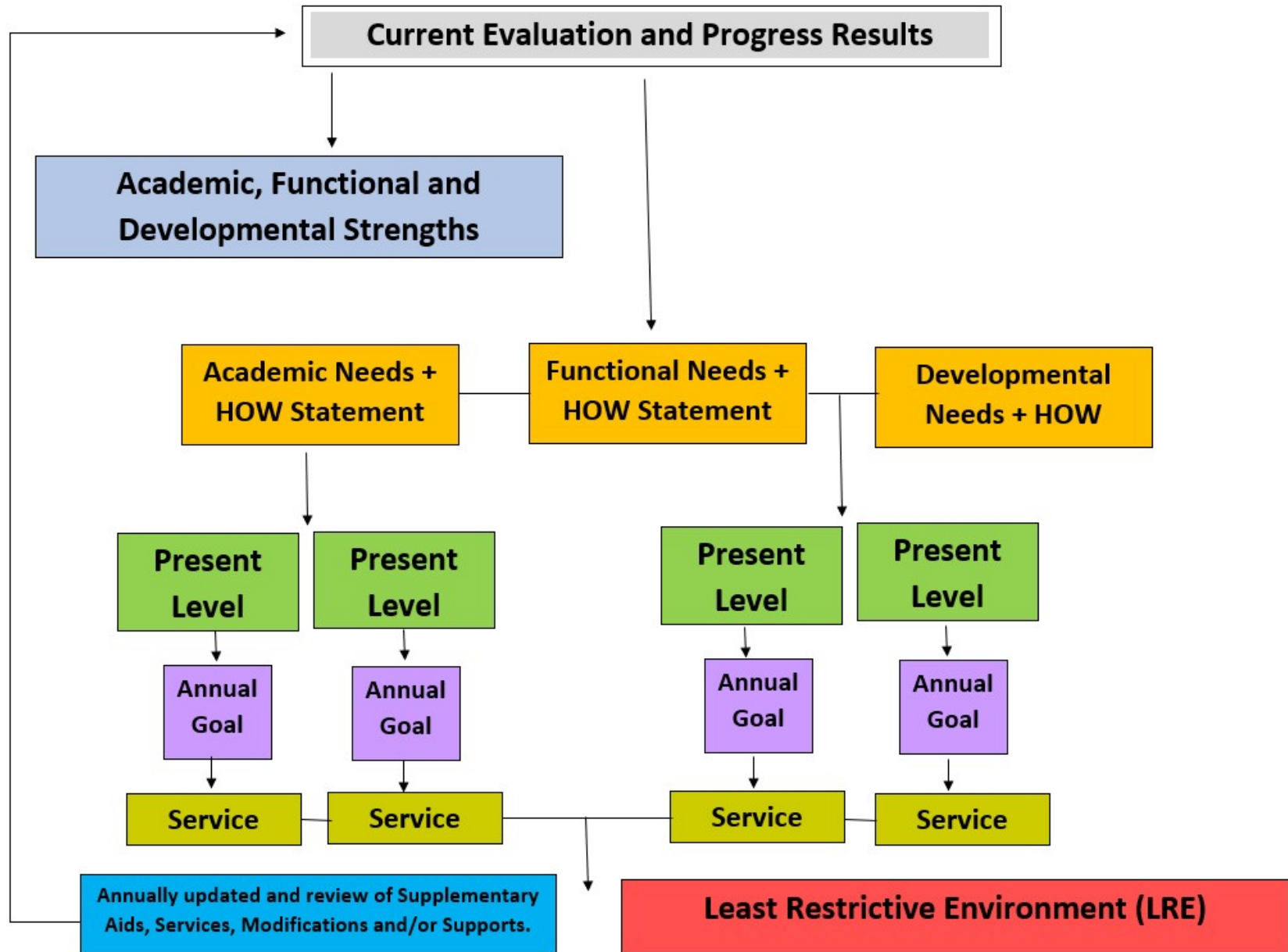
1-5 – based on Child Count and percent compliance of Prong I



What is the Purpose of an IEP?

The Individuals with Disabilities Education Act (IDEA) says the purpose of an *Individualized* Education Program (IEP) is “to ensure that all children with disabilities have available to them a *free appropriate public education* (FAPE) that emphasizes *special education* and related services designed to meet their *unique needs* and *prepare them* for further education, employment and independent living”, *and to promote movement back to general education.*

Individualized Education Plan IEP Alignment



Section 2: Disability

2. DISABILITY

<input type="checkbox"/> Autism	<input type="checkbox"/> Deaf-Blindness	<input type="checkbox"/> Deafness
<input type="checkbox"/> Developmental Delay (3-5)	<input type="checkbox"/> Developmental Delay (Kindergarten)	<input type="checkbox"/> Emotional Disturbance
<input type="checkbox"/> Hearing Impairment	<input type="checkbox"/> Intellectual Disability	<input type="checkbox"/> Visual Impairment (including Blindness)
<input type="checkbox"/> Other Health Impairment	<input type="checkbox"/> Orthopedic Impairment	<input type="checkbox"/> Speech/Language Impairment
<input type="checkbox"/> Specific Learning Disability	<input type="checkbox"/> Traumatic Brain Injury	<input type="checkbox"/> Multiple Disability <i>(check all applicable concomitant disabilities)</i>

MUSER – Maine Unified Special Education Regulations

MUSER VII.2.A-M outlines all Disability Categories, including the Definition and the Procedure for Determination.



Section 2: Disability

A child with a Disability is an Individual Who –

- Has reached the age of 3 years;
- Has neither graduated from a secondary school program with a regular HS diploma nor reached 22 years of age;
- Has been observed in the learning environment/classroom setting; and
- Has been evaluated according to these rules and has been determined to have a disability which requires the provision of special education and supportive services.
- A child with a disability shall have one or more of the disabilities listed in MUSER VII.2.A-M

An Administrative Letter was issued January 21, 2021, outlining the change in Ending Age for Special Education eligibility.

LD 98 / Chapter 450 codified the change in Ending Age for Special Education eligibility effective October 25, 2023.

Corrective Action Plan – CAP

Maine Department of Education—Corrective Action Plan				
SAU:	Sample			
Finding #	Corrective Action Activities (Initiatives planned to achieve correction)	Evidence of Correction	# of Evidence	Recommended Date of Completion
RAE1 Results of initial or most recent evaluations of the child.	IEP Team meets to consider most recent evaluations or to discuss further evaluations that may need to be conducted and amend the IEP or at the annual IEP meeting address the finding and amend the IEP or at the annual IEP meeting address the finding. Provide training on IEP meeting protocol, including reviewing and discussing evaluations and re-evaluations.	Prong I: Submit compliant 1st page and Section #4A of the IEP and WN.	1	4/30/2024
		Prong II: 1. Submit outline of training and attendance. 2. Submit 1st page and Section #4A of IEP (amended or new) and WN for review of initial or most recent evaluations of the child..	1	
APG4 "How" Statement	IEP Team meets to discuss the statement of how the child's distinctly measureable and persistent academic gaps affect their involvement and progress in the general education curriculum is included in section 4C. Provide training on IEP development including writing the how statemnt.	Prong I: Submit compliant 1st page and Section #4C (Academic Gaps) of the IEP and WN.	2	4/30/2024
		Prong II: 1. Submit outline of training and attendance. 2. Submit 1st page and Section #4C (Academic Gaps) of IEP (amended or new) with academic present level statements and WN	7	
APG3 Present level	Discuss the child's present levels of academic achievement based on strengths and needs of the child. The present level and annual goal should be aligned to the same skill. Provide training on IEP development including writing the present level	Prong I: Submit compliant 1st page and Section #5 (Academic Performance) of the IEP and WN.	4	4/30/2024
		Prong II: 1. Submit outline of training and attendance. 2. Submit 1st page and Section #5 (Academic Performance) of IEP (amended or new) with academic present level statements and WN	3	



100% Findings



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- AFS1 – Academic, functional, developmental-strengths
- APG2 – Academic gaps (skill deficits)
- APG6 – Academic gaps aligned to goal



100% Findings



- FDP2 – Functional/developmental gaps (skill deficits)
- FDP7 – Functional/developmental “how” statement
- FDG1 – Functional/developmental gaps aligned to goals
- FDP3 – Functional/developmental present levels



100% Findings

- FDP6- Functional/developmental goals aligned with service grid
- LRE2 – Least restrictive environment-WN
- APG5 – Academic annual progress
- OOU1-11 – Out-of-unit placements
- MIS1 –Accuracy doc
- MIS2 – Fund authorization
- MIS3 – Qualified personnel
- MIS4 – Parent survey



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100% Findings

- RPP1-4 – Policies/Procedures
- FOT5 – Adverse Effect form
- TRA1-6c– Post-secondary transition plan
- ADWN – Basis of Abbreviated Day



100% Findings

- ADE1,4,5,6 – Abbreviated Day-Educational
- ADM1 – Abbreviated Day-Medical



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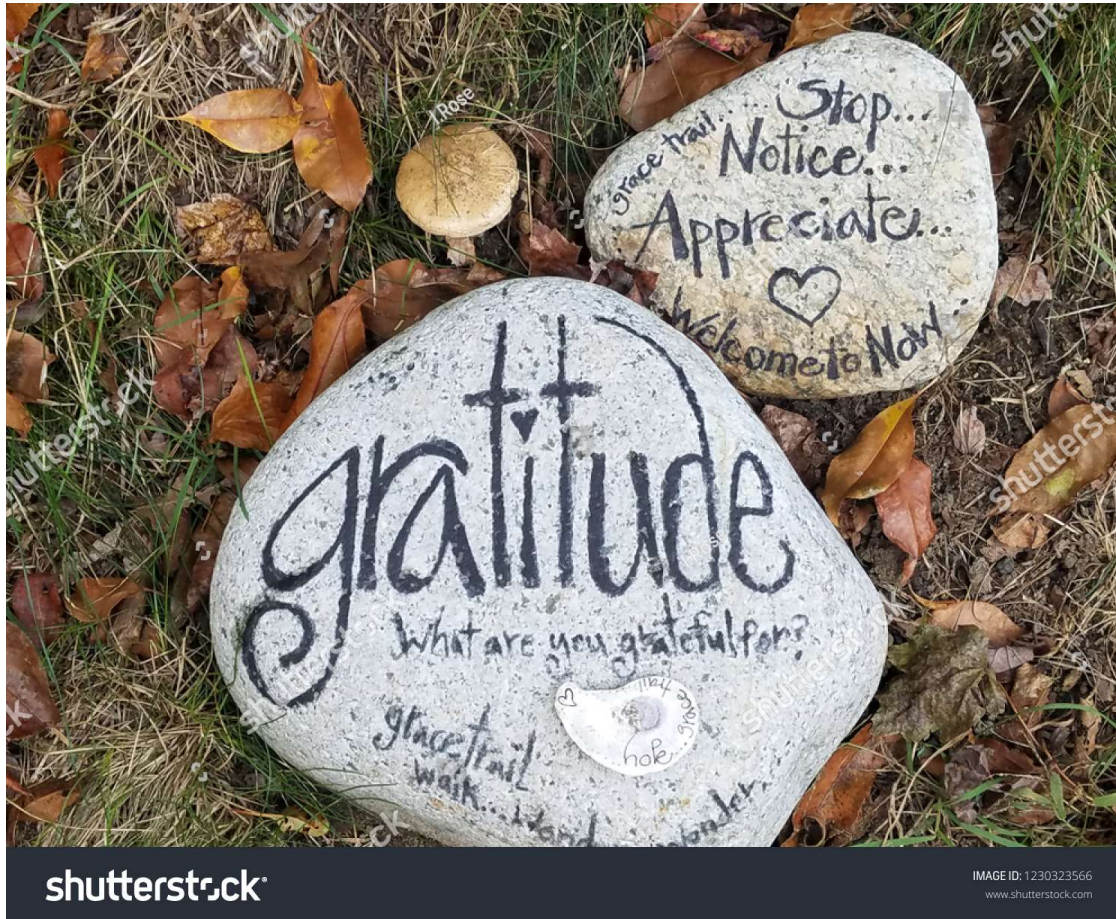


THANK YOU

Keep Up
The
Good
Work



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We compared file review results from your last audit (18-19) to current (22-23).


Here are some highlights:

APG2, Academic Gaps, went from % to %

APG4, Academic "How" Statement, went from % to %

FDP4, Functional Alignment, went from % to %

This comparison speaks to all the hard work you and your staff are doing for your students.



**Findings generated as part of
the Self-Assessment,
On-Site visit or the
EMT review.**



As we go over the specific findings for your CAP, keep in mind the areas that were noted to have shown a decrease in compliance since your last audit. We will go over these within the training and have provided links to trainings specific to these topics. We will continue to provide support and work together to keep improving.

For your convenience, we have included links to short trainings in these areas:
FDP5, Measurable functional goals, went from 90% to 65%.

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

FOT3, Specific Learning Disability form, went from 70% to 50%.

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





RAE1 – Evaluation Results

Results of initial or most recent evaluations of the child.

34 CFR 300.24(a)(1)(iii)

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

Why was this a finding?



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- Missing dates
- No evaluations to support disability category

Instead...



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:

Evaluations completed by Jane Doe on 10/15/22 and 10/17/22:

BASC, administered 10/12/2022

- **Hyperactivity T Score 80 – Elevated**
- **Attention Problems T Score 70 – Elevated**
- **Withdrawal T Score 65 – Elevated**

Woodcock Johnson, administered 10/12/2022

- **Passage Comprehension SS 98 – High Average**
- **Math Calculation SS 72 – Low**
- **Written Expression SS 70 – Low**
- **Writing Fluency SS 78 – Low**
- **Word Attack SS 79 – Low**

Document:

- Evaluation name
- Date eval was given
- Scores that highlight strengths/needs in the student profile
- Maintain any scores that support eligibility



APG4 – Academic “How” Statement

A statement of how academic skill gaps affect the child’s involvement and progress in the general education curriculum.

34 CFR 300.320(a)(1)

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

Why was this a finding?



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- How statement was missing

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 do the distinctly measurable and persistent skill gaps affect the child's involvement and progress in the general education curriculum

Distinctly
Measurable
and Persistent
Gaps



How
Statement



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



How Statement

Student Needs

How Statement

(Reading)
Jimmy's reading fluency deficits

impact his ability to access grade level reading material.

(Writing)
Sarah's spelling deficits

impact her ability to complete grade level writing prompts.

(Listening)
Michael's listening comprehension deficits

impact his ability to paraphrase and restate grade level material.

(Speaking)
Beth's inability to retell stories in a sequential manner

impacts her ability to engage with grade level material.

(Mathematical Problem Solving)
Tom's deficits in addition/subtraction

impacts his ability to participate in grade appropriate math activities.

Instead...



Section 4C

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?

- **Fluent Letter Identification (Distinctly Measurable and Persistent Gaps)**

Skill gaps in this area impact Eli's ability to participate in literacy activities with same age peers. (How Statement)



APG3 – Academic Present Level

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

34 CFR 300.320(a)(1)

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

Why was this a finding?



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- No data
- Blank
- Rubric referenced but not attached
- Subjective language – "about 40%, more than"
- Multiple skills
- Specific assessment or curriculum used



**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.”







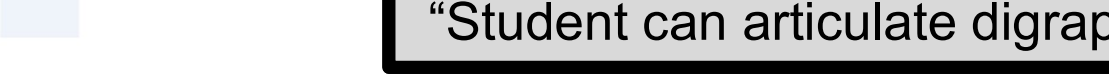






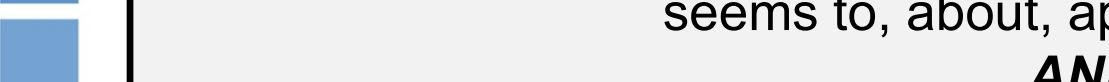





“Student often misspells words.”

“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



Section 5: Academic and Functional/Developmental Performance – Present Level

REMEMBER: The present level is written in a way that provides baseline data of the child's performance (independently or with support) which is essential for determining appropriate goals for the next IEP.



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 demonstrate) skills in reading, writing, listening, speaking, and thinking (or other academic areas) tasks and demonstrate appropriate skills in reading, writing, listening, speaking, and thinking (or other academic areas) 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...

Instead...



Section 5

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

When presented with corresponding flash cards, Jennifer can read the first 22 words on the high frequency word list with 100% accuracy.

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 when presented with corresponding flash cards, Jennifer will read the first 50 words on the high frequency word list with 100% accuracy, across 3 consecutive presentations, , as measured by data collection, teacher observation, work samples or similar. CCSS.ELA-Literacy.L.1.2d



SBG1 – Standards Based Goals

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)

Why was this a finding?



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- Goal has no aligned gap in section 4C
- Present level and goal reference different skills

Instead...

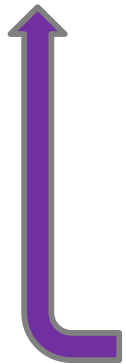


Section 4C

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?

- Addition with regrouping
- Single digit subtraction

XXXX's gaps in math computation affect their involvement in the general education curriculum xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx.



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

XXXX solves 2-digit addition problems with regrouping in 0% of opportunities.

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

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



Progress:

By (date), given (service), XXXX will solve 2-digit addition problems with regrouping in 50% of opportunities over 5 consecutive presentations as measured by (evidence).

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)):

XXXX can solve single-digit subtraction problems in 40% of opportunities.

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

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



Progress:

By (date), given (service), XXXX will solve single-digit subtraction problems in 80% of opportunities over 5 consecutive presentations as measured by (evidence).

Objective(s) required? Yes No

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



SBG3 – Standards Based Goals

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

Why was this a finding?



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- No measurement data
- Measurement based on grade level
- Uses specific curriculum as measurement



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
- state and local assessments
- grades or report cards
- specific academic curriculums

**Do NOT include specific curriculums
in your Present Levels or Goals.**



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**Consider this
Pretend Reading Curriculum...**



Do NOT include specific curriculums in your Present Levels or Goals.

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

Leo is currently at Level A in the Pretend Reading Curriculum.

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

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

By 11/2/2022, given specially designed instruction, Leo will move from Level A to Level B in the Pretend Reading Curriculum, as measured by work samples, data collection, teacher observation or similar. MLR R.3



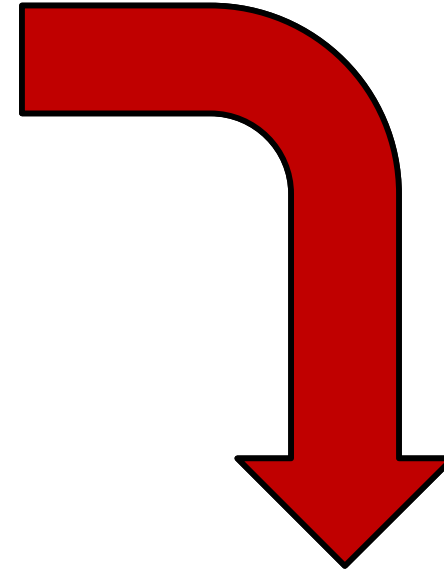
Pretend Reading Curriculum
Level A

Child will learn:

19 Basic Consonant Sounds

High Frequency Sight Words 1-25

Segment Simple CVC Words




Pretend Reading Curriculum
Level B

Child will learn:

Vowel Sounds

High Frequency Sight Words 26-40

Segment Simple CCVC Words



Pretend Reading Curriculum
Level B

Child will learn:

Vowel Sounds

High Frequency Sight Words 26-40

Segment Simple CCVC Words

If Leo masters the vowel sounds and can segment simple CCVC words, but does not master the high frequency sight words, you can't do Progress Monitoring.

Remember: a goal should only include 1 skill; if the child has skill deficits in BOTH vowel sounds and sight words, these would be two different goals.

Pretend Reading Curriculum Level A

Child will learn:

19 Basic Consonant Sounds

High Frequency Sight Words 1-25

Segment Simple CVC Words

Do not include specific curriculums.

Focus on the **specific skill deficits** and include those deficits in the Present Levels and the Goals.

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

Leo can segment simple CVC words with 15% accuracy.

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

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

By 11/2/2022, given specially designed instruction, Leo will segment CVC words with 80%, as measured by data collection, teacher observation, work samples or similar. CITATION HERE

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)):

Leo currently identifies 7 of the 19 basic consonant sound.

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

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

By 11/2/2022, given specially designed instruction, Leo will identify 19 of the basic 19 basic consonant sounds with 100% accuracy, as measured by work samples, data collection, teacher observation or similar. MLR R.3



Instead...



Section 5

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

Mary can decode CVC words with 62% accuracy.

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

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

By 11/2/2022, given specially designed instruction, Mary will decode CVC words with 80%, as measured by work samples, data collection, teacher observation or similar. MLR R.3



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)

Why was this a finding?



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- Citation linking to standards was missing



Instead...

Section 5

Present Levels of Academic Performance (MUSER IX.3.A.(1)(a)(i) & (ii)):
Walter spells CVC words with 35% accuracy.

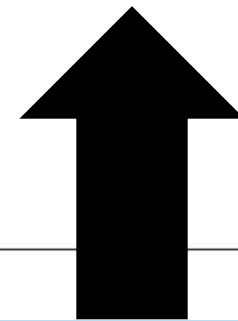
Measurable Goal (MUSER IX.3.A.(1)(b) & (c))

By 11/1/2022, given specially designed instruction, Walter will be able to spell CVC words with 90% accuracy, as measured by data collection, teacher observation, work samples or similar. [MLR L.C.2](#)

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.



MLR = Maine Learning Results

L = Strand (Language)

C = Grade Span (**C**hildhood (K-5), **E**arly **A**dolescence (6-8), and **A**dolescence (9-Diploma))

2 = Standard Number



SBG5 – Standards Based Goals

Academic IEP Goal/Special Education Service Alignment.

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

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

Why was this a finding?



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- Math goal but no service for math
- Consultation listed in goal but not the service grid

Instead...



Section 5

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)):

Sammy spells CVC words with 35% accuracy.

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

By 11/2023, given specially designed instruction, Sammy will be able to spell CVC words with 90% accuracy, as measured by data collection, teacher observation, work samples or similar. MLR L.C.2

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

Sammy writes sentences with 3 words or fewer.

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

By 11/2023, given specially designed instruction, Sammy will be able to expand his writing by creating sentences that have 4 or more words with 80%, as measured by data collection, teacher observation, work samples or similar. MLR W.C.3

Progress:

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

Given a definition, Sammy expresses the correct vocabulary word with 50% accuracy.

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

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

By 11/2023, given specially designed instruction, Sammy will be able to express the correct vocabulary word with 80%, as measured by data collection, teacher observation, work samples or similar, when given a definition. MLR L.C.6

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 Writing	Special Education Teacher	Special Education Setting	30 minutes per day	11/14/2022-11/13/2023



FDP4 – Alignment

The identified needs of the child are aligned to functional/developmental annual goals.

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

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

Why was this a finding?



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- No gap listed in 4D aligned to goal
- Present level and goal have different data points

Instead...



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?

Jane has deficits in her ability to self-initiate.

This impacts her ability to maintain attention and complete assigned tasks.

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

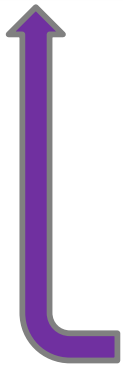
Jane is demonstrating self-initiation skill deficits and can start work tasks within 12 minutes, in 100% of opportunities.

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

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

By 12/1/2023, given specially designed instruction, Jane will demonstrate increased self-initiation skills by starting work tasks within 5 minutes, with less than 2 adult prompts in 80% of opportunities, as measured by data collection and teacher observation.

Progress:





FDP5 – Measurability

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)

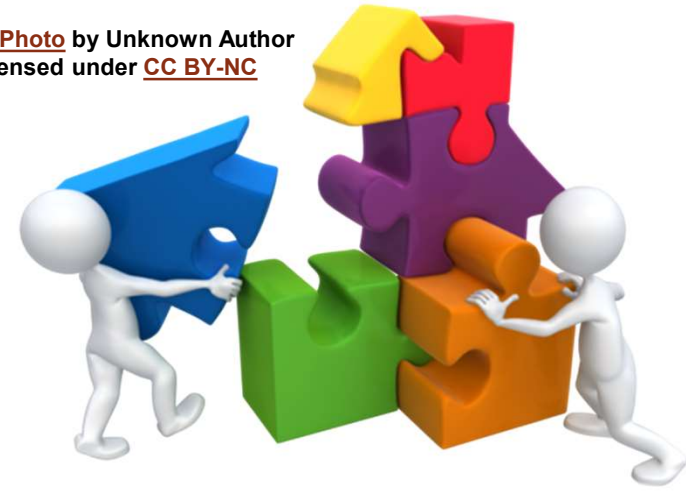
MUSER VII.2

Why was this a finding?



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- Measurement is on outcome (age-appropriate expectation)- grades
- Multiple skills
- Outcome goals (age-appropriate expectation)- attendance, appropriate behavior
- No measurement data



When considering **Skill Deficits** versus **Outcomes** and **Age-Appropriate Expectations**, it is very important to work with your team to review evaluations, data collection, observations, and similar info to figure this out.

Use your Team to determine those **skills** that *might* facilitate a change in any outcome.

Meet Jane



- Jane is in third grade and has been identified with an OHI due to ADD.
- 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?

Jane has deficits in her ability to self-initiate.

This impacts her ability to maintain attention and complete assigned tasks.

- Because she has this very specific skill deficit, she has been unable to reach the age-appropriate expectation of work completion.
- Therefore, we will write a goal around Self-Initiation in Section 5 –

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

Jane is demonstrating self-initiation skill deficits and can start work tasks within 12 minutes, 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, Jane will demonstrate increased self-initiation skills by starting work tasks within 5 minutes, with less than 2 adult prompts in 80% of opportunities, as measured by data collection and teacher observation.



**We will teach
her
Self-Initiation.**

OUTCOME:

**We want Jane to complete work
commensurate to her peers.**

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.**

Meet Louis



- Louis is in fourth grade and has been identified with Emotional Disturbance.
- There are evaluations to support this, and they are documented in Section 4A.
- His 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?

Louis has skill deficits in his ability to read and follow a schedule.

This impacts his ability to attend school and participate in all daily activities across his day.

- Because he has this very specific skill deficit, he has been unable to reach the age-appropriate expectation of consistent attendance in school.
- Therefore, we will write a goal around Self-Initiation in Section 5 –

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

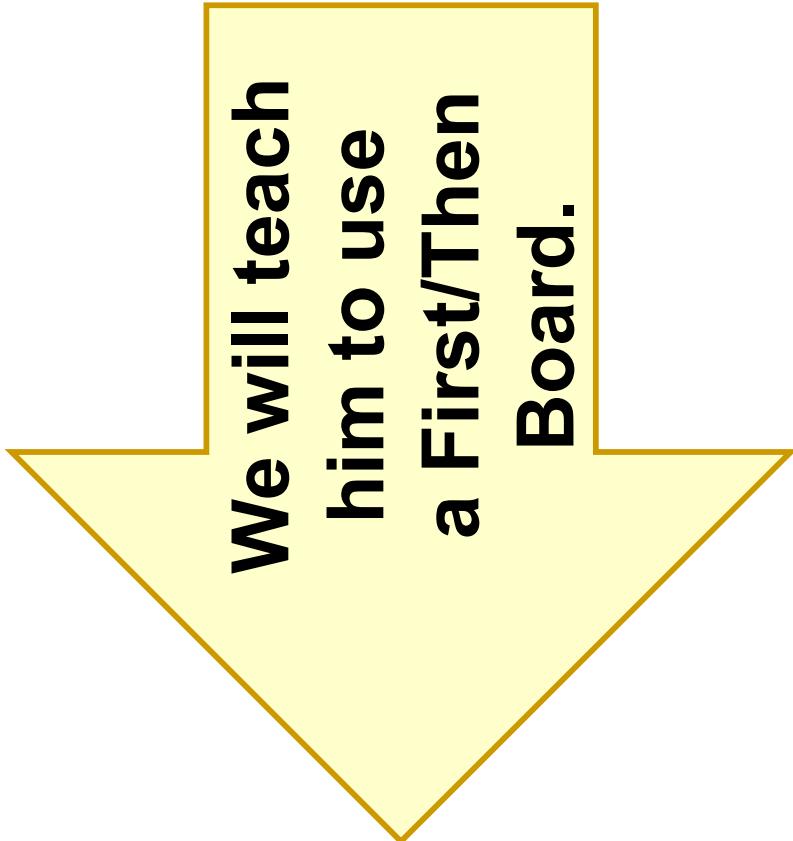

When presented with a schedule that outlines activities, Louis can identify First/Then in 18% of opportunities.

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, Louis will independently respond to a visual First/Then board by transitioning between two presented activities with 50% accuracy, as measured by teacher observation and data collection.



**We will teach
him to use
a First/Then
Board.**

OUTCOME:

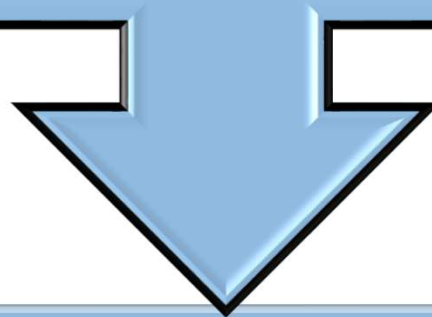
**We want Louis to increase his
attendance.**



Remember

**Teach the skill that helps the student reach the Outcome/
Age-Appropriate Expectation.**

*** Write the goal around that skill ***



**Outcome =
Age-Appropriate Expectation**

Procedural Manual

Pg. 26

Functional/Developmental present levels and annual goals should address gaps in the child's functional/developmental performance, not intended and hopeful outcomes (attendance, work completion, passing classes/grades).

Example:

If a child is not attending school, the child's IEP should not include a goal related to the child attending school 75% of the time. The functional/developmental needs, present levels, and goals should identify and address the gaps that are manifesting in the child not attending school (such as a need for instruction in the utilization of coping skills).



Instead...

Section 5

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

When presented with situations that require Jeffrey to take a break before becoming aggressive, he will exchange the Break card with a partner with 19% accuracy.

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

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

By 10/9/2023, given specially designed instruction, when presented with situations that require Jeffrey to take a break, he will independently exchange the Break card with a partner with 50% accuracy, as measured by teacher observation, data collection, and reduced aggressions.

Progress:



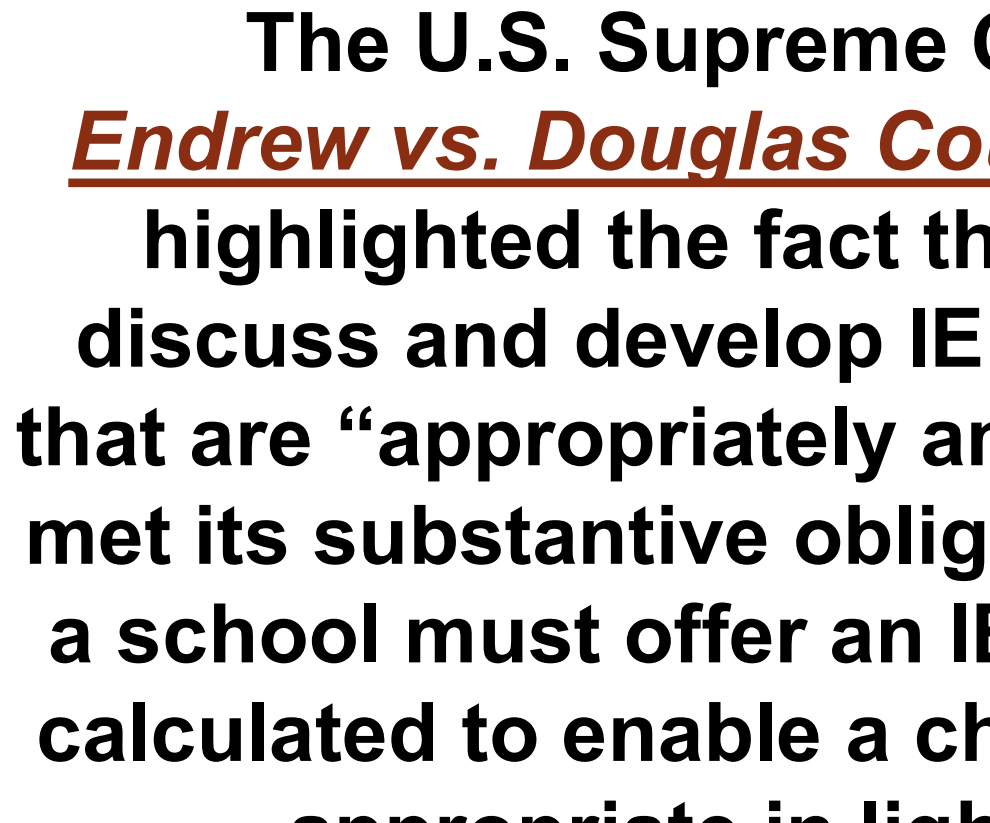
FDG2 – Annual Progress

Functional annual progress of the child.

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

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

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



The U.S. Supreme Court’s ruling in *Endrew vs. Douglas County School District*, highlighted the fact that IEP teams must discuss and develop IEP goals for students that are “appropriately ambitious” and that “to met its substantive obligation under the IDEA, a school must offer an IEP that is reasonably calculated to enable a child to make progress appropriate in light of the child’s circumstances.”



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

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

Use of Data

Data should be used to:

- ✓ collected and maintained with fidelity
- ✓ analyzed consistently
- ✓ used to determine next steps and make changes if necessary



DATA



KNOWLEDGE



ACTION



It is important to remember –



“IEP teams must demonstrate the following indicators of progress:

- The child is receiving all special education, supplementary aids, and related services outlined in the IEP
- The IEP team is making appropriate modifications as required
- Appropriate accommodations are provided
- Measurable IEP goals enable a clear assessment of whether the child is making adequate progress.”

<https://www.smartersteps.com/2018/11/28/endrew-decision-how-do-you-write-ambitious-iep-goals/>



Why is this important when developing and maintaining an IEP and how does the Endrew F. case impact this?

If the IEP team responsible for Endrew F. had effectively maintained and analyzed the data, and then used that data to drive programming, they would probably have identified that he wasn't making progress and would have made appropriate changes.





ALT1 – Alternate Assessment

The Participation Guideline document is used annually to determine if a student meets or does not meet the criteria for participating in alternative assessments.

34 CFR 300.320(a)(6)(ii)
MUSER IX.3.A(1)(f)(ii)

Why was this a finding?



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- Blank

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

B. Alternate Assessments

If the IEP Team determines that the child shall take an alternate assessment on a particular State or district-wide assessment of child achievement, a statement of why the child cannot participate in the regular assessment and why the particular alternate assessment selected is appropriate for the child (MUSER IX.3.A.(1)(f)(ii)(I) & (II)).

Yes, the child meets qualifications outlined in the Participation Decision Flowchart.

• If yes, include an explanation:

← **Cannot be blank**

No, the child does not meet the qualification and will be participating in regular education state and district-wide assessments.

Not applicable.

If the child requires the alternate assessment:

- Check “Yes”
- Provide an explanation
- Child’s academic goals require objectives
- This section is a MUST fill

Instead...



B. Alternate Assessments

If the IEP Team determines that the child shall take an alternate assessment on a particular State or district-wide assessment of child achievement, a statement of why the child cannot participate in the regular assessment and why the particular alternate assessment selected is appropriate for the child (MUSER IX.3.A.(1)(f)(ii)(I) & (II)).

- Yes, the child meets qualifications outlined in the Participation Decision Flowchart.
 - If yes, include an explanation: **The IEP Team used the participation decision flowchart to determine that given the students need for extensively adapted materials and consistently high levels of support, the alternate assessment is the correct choice.**
- No, the child does not meet the qualification and will be participating in regular education state and district-wide assessments.
- Not applicable.



ALT2 – Alternate Assessment

If the student is determined eligible for alternate assessment per the Participation Guideline document, all academic goals must have short-term objectives.

34 CFR 300.320(a)(2)(ii)
MUSER IX.3.A(1)(a)(iii)

Why was this a finding?



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- Missing objectives for academic goals

Instead...



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

Lily is currently able to participate in conversations (including but not limited to: eye contact with the speaker, use of text to speech device), and express her own thoughts in 5 out of 10 opportunities per week.

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

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

Progress:

By November 10, 2023, given SDI in reading strategies, Lily will participate in conversations and express her own thoughts in 8 out of 10 opportunities per week as measured by teacher observation and data collection. CCSL.1.

Objective(s) required? Yes No

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

By February 10, 2023, given SDI in reading strategies, Lily will participate in conversations and express her own thoughts in 6 out of 10 opportunities per week as measured by teacher observation and data collection. CCSL.1.

By May 10, 2023, given SDI in reading strategies, Lily will participate in conversations and express her own thoughts in 7 out of 10 opportunities per week as measured by teacher observation and data collection. CCSL.1.



SVC1 – Service Grid

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

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

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

Why was this a finding?



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- Consult service with no aligned goal
- Missing location in service grid

Instead...



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



LRE1 – Least Restrictive Environment Statement

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

Why was this a finding?



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- No mention of how nature and severity of disability affect access to peers
- Restatement of service grid



Maine Unified Special Education Regulations

Page 120

MUSER X.2.B

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.** [20 USC 1412(a)(5) and 34 CFR 300.114]



Special Education Required Forms Procedural Manual

Page 37

For children ages 5-20

- Identify and explain the nature and severity of the child's disability, and the extent in which they will not be participating with non-disabled children in the regular education class and in extracurricular and other nonacademic activities.
- This statement does not need to include frequency of accommodations and services as they are already documented in previous sections.
- Reflect the specific percentage of time with non-disabled children. A range cannot be utilized.
- N/A is not acceptable. If child is with non-disabled peers 100% of the time, state that in this section.

Instead...



Section 8

8. LEAST RESTRICTIVE ENVIRONMENT

FOR CHILDREN AGES 3-5 ONLY (CDS)			
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)):
General Education Setting		Special Education Setting	
More than or equal to 10 hours <input type="checkbox"/>	Less than 10 hours <input type="checkbox"/>	Total # of hours:	
FOR K-12 ONLY			
What percentage of time is this child with non-disabled children? 73%	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)): Sammy's Other Health Impairment due to ADHD is to such a degree that he requires individual and small group instruction in the special education environment.		



DIB1 – Disability Misalignment

The IEP is not reflective of the child's identifying disability category.

34 CFR 300.320(a)(2)

MUSER VI.2.J(4)

Why was this a finding?



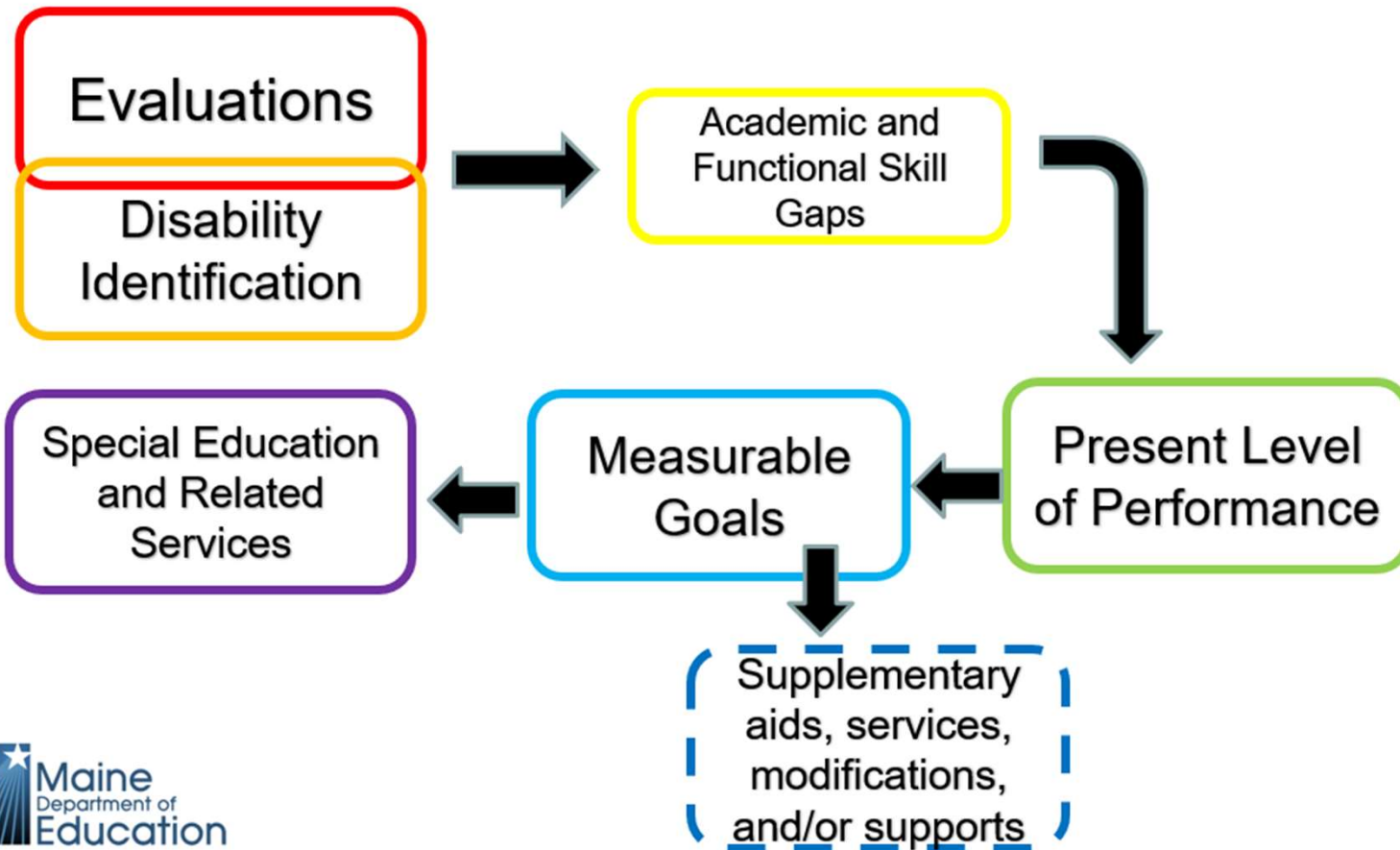
This Photo by Unknown Author is licensed under CC BY

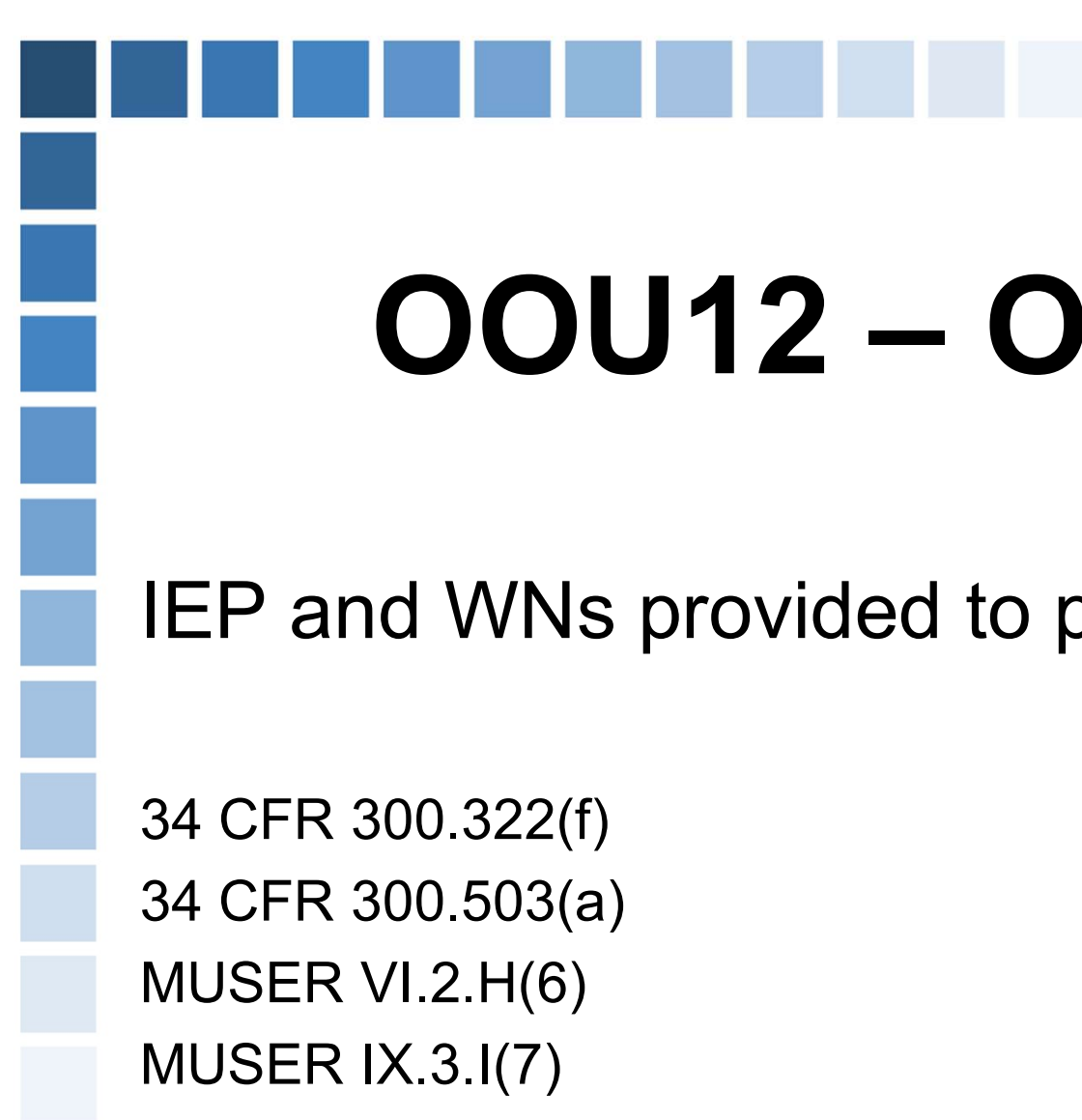
- Programming does not align with identified disability and needs e.g., identified as student with SLD and had no academic programming or OHI with no functional programming

Instead...



Alignment throughout the IEP document





OOU12 – Out of Unit

IEP and WNs provided to parents.

34 CFR 300.322(f)

34 CFR 300.503(a)

MUSER VI.2.H(6)

MUSER IX.3.I(7)

Why was this a finding?



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- IEP and WN not sent or sent outside of the timeline

Instead...



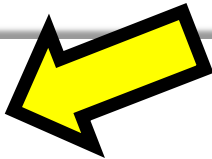
Written Notice

Maine Unified Special Education Regulations (MUSER) Appendix I, 34 CFR 300.503

Date Sent to Parent:		SAU:	
Child's Name:		School:	
Date of Birth:	Grade:	School Phone:	

SAU or CDS Site: **RSU XXX**

Date IEP Sent to Parent: **12/10/2021**



1. CHILD INFORMATION

Child's Name: _____	Annual Date of IEP Meeting: 12/3/2021
Date of Birth: 3/20/2010	Duration of the IEP: 12/13/2021-12/12/2022
Age: 10 Grade: 5	Date of Next Annual IEP Meeting: 12/2/2022
School/Program: _____	Date of Re-Evaluation: 12/1/2024
Parent/Guardian Name: Mr. and Mrs. _____	Date(s) of Amended IEP: NA
Child's Address: XXXXX	Case Manager: _____
City, State, ZIP: XXXXX	
State Agency Client? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	

Findings generated as part of the Desk Audit.



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FOT2 – Summary of Performance

Summary of Performance (SOP) form provided to a child whose eligibility under Part B of the Individuals with Disabilities Education Act (IDEA) was terminated due to graduation from secondary school with a regular diploma or due to exceeding the age eligibility for free appropriate public education (FAPE).

34 CFR 300.305(e)(3)

MUSER VI.2.C.(3)(g)

Why was this a finding?



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- Section 1 had no data



Instead...

Remember

Summary of Performance –

- Make sure there are no Blank Boxes/Areas
- Section I must include data



FOT3 – Learning Disability Eligibility Form

Learning Disability Evaluation Report (if applicable) and evidence that all procedures for determination were followed including classroom observation

34CFR 300.309(a)

MUSER VII.2.L(2)

Why was this a finding?



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- No documentation in WN that form was discussed/completed by IEP Team
- Blank box



Instead...

Remember

Specific Learning Disability Eligibility Form –

- Make sure there are no Blank Boxes/Areas
- Verification must include data
- Include Strengths and Weaknesses
- Team Members must sign the document
- Document conversation/completion of form in Written Notice



FOT4 – Speech/Language Eligibility Form

Speech/Language Eligibility Criteria form was completed including the rating scales by which evaluation data is documented by the IEP team to measure a moderate to severe level of speech or language impairment in all levels of assessment.

34 CFR 300.8(c)(11)

MUSER VII.2.K(2)

Why was this a finding?



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- Severity rating scales were blank
- No documentation in WN that form was completed

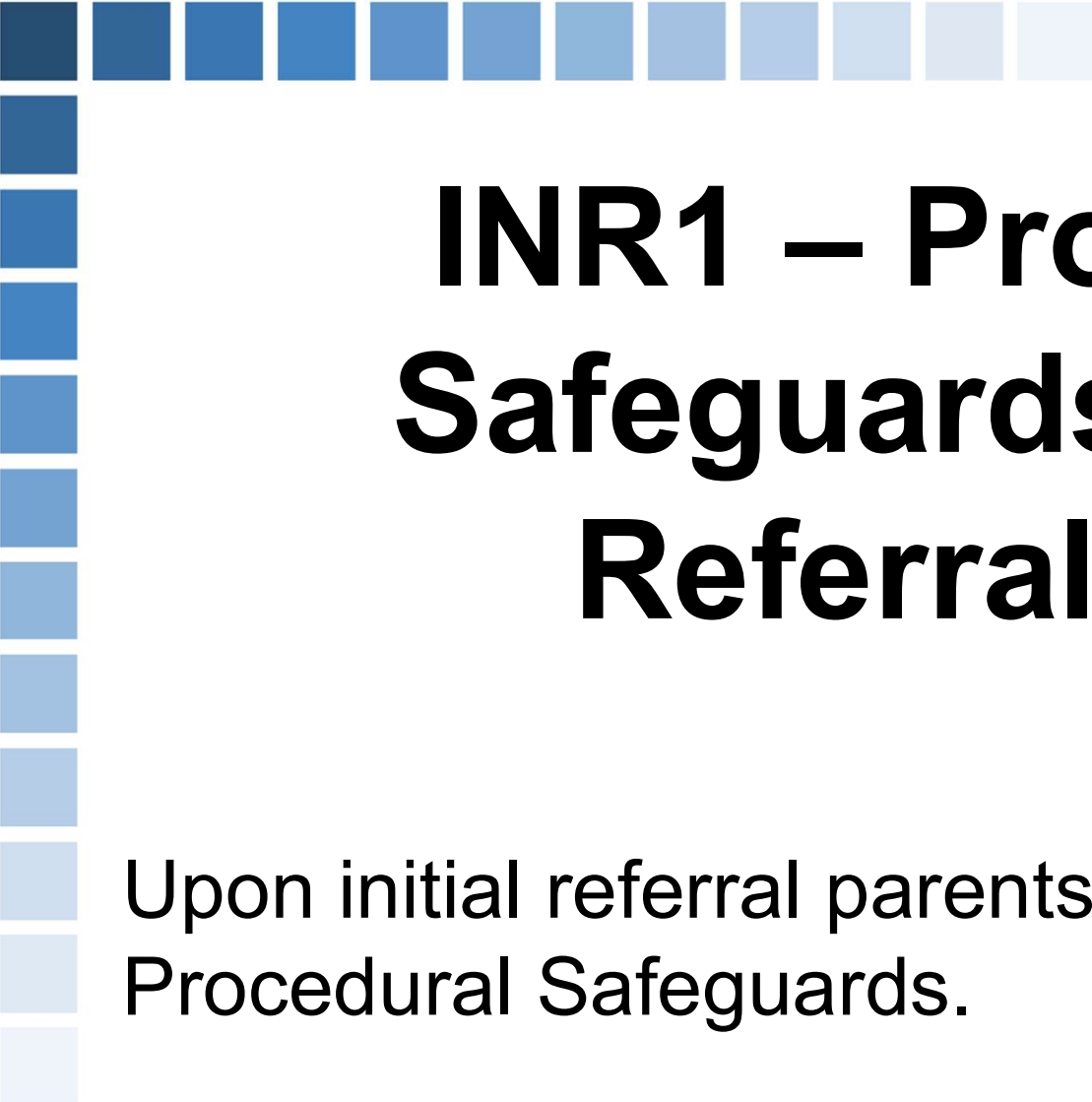


Instead...

Remember

Speech/Language Eligibility Criteria –

- 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



INR1 – Procedural Safeguards – Initial Referral (B11)

Upon initial referral parents were provided
Procedural Safeguards.

34 CFR 300.504(a)(1)

MUSER Appendix 1

Why was this a finding?



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- No documentation that parents were offered procedural safeguards at initial referral



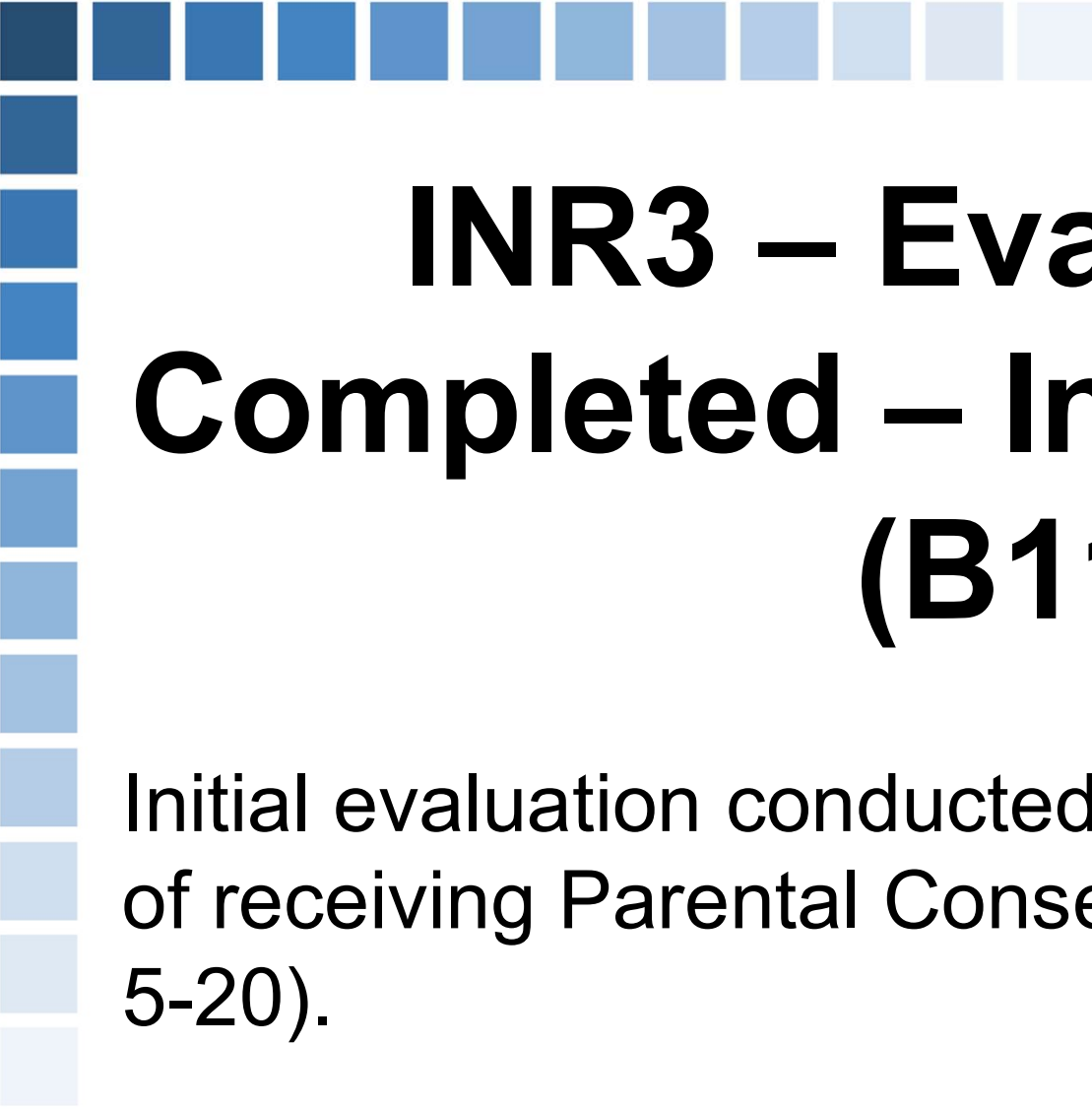
Instead...



Remember

Procedural Safeguards –

- Procedural Safeguards were offered to parent at initial referral
- Document as enclosure in Advanced Written Notice or Written Notice of the initial referral meeting



INR3 – Evaluations Completed – Initial Referral (B11)

Initial evaluation conducted within 45 school days of receiving Parental Consent for Evaluation (for 5-20).

34 CFR 300.301(c)(1)(ii)
MUSER V.A.3(a)(i)

Why was this a finding?



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- Evaluations were completed outside 45-day timeline



Instead...



Remember

Timeline –

- Evaluations were completed within 45-school days (45 school days from date consent to evaluate was received by SAU to date eligibility meeting held)
- Record on the consent form when received back in the SAU
- Include school calendar to allow to count school days
- Include parental consent
- Include cover page of all evaluations parent signed consent to complete
- Date when evaluations when received back in the SAU
- Include WN from eligibility meeting
- Compliance data reported to Office of Special Education Programs (OSEP) annually



TRA7 – Transition Planning (B13)

Transition plan includes courses of study needed to assist the child in reaching post-secondary goals.

34 CFR 300.320(b)(2)

MUSER IX.3.A(1)(h)(ii)

Why was this a finding?



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- Only grade 11 listed



Instead...

Section 9E

E. Planned Course of Study (MUSER IX.3.(A)(l)(h)(ii))

The class schedule must be multi-year (through exit), specific, individualized, and directly linked to the post-secondary goals. Course of Study must address all post-secondary goals that are identified for the child.

2022-2023: English 9, Algebra1, World History 1, Ecology/Earth Science, Art, PE, Spanish

2023-2024: English 10, Geometry, U. S. History, Biology, Band, Spanish II, Health

2024-2025: English 11, Algebra II, World History II, Introduction to Business, Carpentry I

2025-2026: English 12, Financial Math, Independent Study (Intro. To Marketing), Carpentry II



TRA8 – Transition Planning (B13)

IEP identified transition services needed to assist the child in reaching post-secondary goals.

34 CFR 300.320(b)(2)

MUSER IX.3.A(1)(h)(ii)

Why was this a finding?



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- "Child will" statements

Instead...



Section 9F

F. Transition Services and Activities (MUSER IX.3(A)(I)(h)(ii))

Describe the activities provided by the adults in the school and in the community, that will enable and promote the child's progress toward meeting annual and post-secondary goals. Include special education, general education, related services, services from other agencies, and services provided by families, as appropriate for the child's needs. Transition services and activities should be specific and individualized.

Education/Instruction and Related Services:

- Special education for reading deficits
- Speech/therapy services

Career/Employment and Other Post-Secondary Adult Living Objectives:

- Volunteer at animal shelter
- Dog walking

Community Experiences:

- Boy Scouts
- Church group
- Driver's ed

If Appropriate, Daily Living Skills and/or Functional Vocational Evaluation:



TRA9 – Transition Planning (B13)

IEP contains measurable annual goals related to the child's transition services identified in the IEP.

34 CFR 300.43(a)(2)

MUSER VI.2.C(3)(a)

Why was this a finding?



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- No annual goals linked to transition services

Instead...



Section 9d to Section 5

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

By September 2024, given social work services in preparation for attending a four-year college or university to study marketing or for work in the carpentry field and independent living, Dan will work on managing his anxiety by using techniques learned during social work sessions 8 out of 10 trials as measured by self-reporting and social work sessions.

Objective(s) required? Yes No

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



ADLR – LRE Percentage

Student may be placed on abbreviated day only for educational needs or medical needs.

MUSER X.2.C(2)(c)

Why was this a finding?



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- Abbreviated day LRE not based on full school day

Instead...



8. LEAST RESTRICTIVE ENVIRONMENT

FOR CHILDREN AGES 3-5 ONLY (CDS)			
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)):
General Education Setting		Special Education Setting	
More than or equal to 10 hours <input type="checkbox"/>	Less than 10 hours <input type="checkbox"/>	Total # of hours:	
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)):		

- **LRE is based on a full school day**
 - Student attends school for 2 hours/day and spends that time solely in special ed - LRE is 0%
 - Student attends school for 2 hours/day and 1 hour/day is in general ed - LRE is 1 hour out of 6 hours (17%), not 1 hour out of 2 hours (50%)

Abbreviated Day - Educational

<u>Finding</u>	<u>What</u>	<u>Where</u>
ADWN	Basis of Abbreviated Day – Educational or Medical Only	WN
ADLR	LRE Percentage is based on full school day	IEP 8
ADE1	How the student will access curriculum and IEP services	IEP 6&7, WN
ADE2	How the student will access assessments	IEP 6, WN
ADE3	Revised IEP including: <ul style="list-style-type: none"> ➤ Re-entry plan – no longer than 45 calendar days ➤ Actions the SAU will take to assist the child to participate in full day 	IEP, WN
ADE4	If more than 45 calendar days, IEP team must convene every 20 school days	AWN, WN
ADE5	Documentation that 20-day meeting addresses the following: <ul style="list-style-type: none"> ➤ Review progress toward return ➤ Review progress in education setting ➤ Determine what setting will allow the student to progress 	AWN, WN
ADE6	Revised IEP addresses reason for abbreviated day (i.e. FBA, behavior plan, counseling, gaps/goals/services/accommodations)	IEP, WN



ADE2 – Access to Assessments

IEP and WN address how the student will access assessments.

MUSER VI.2.L(1)(a)

Why was this a finding?



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- No mention of how student will access assessments on abbreviated day



MUSER VI.2.L(1)(b) - Abbreviated School Day (page 70)

(b) Address how the child will participate in local and statewide assessments;

Instead...



At least 7 days prior to the date upon which the school unit proposes or refuses to initiate or change the identification, evaluation or educational placement or provision of early intervention services for your child age birth to 2 years, or a free appropriate public education (FAPE) to your child age 3 through 20 years, you must be provided the following notice (MUSER Appendix 1, 34 CFR 300.503):

1. Describe the action(s) regarding the referral, evaluation, identification, programming or placement proposed or refused by the SAU:
2. Explain why the SAU is proposing or refusing to take the above action(s):
3. Describe each evaluation procedure, assessment, record or report the SAU used as a basis for the proposed or refused action(s):
4. Describe any other options that were considered and how those options were rejected:
5. Describe any other factors that influenced the decision above:
6. Description of the proposed placement:

❖ Document in WN/IEP how the student will access state and local assessments



ADE3 – Re-Entry Plan

Revised IEP and WN address re-entry plan of no longer than 45 days and the actions the SAU will take to assist the child to participate in a full day of school.

MUSER VI.2.L(1)(c)


MUSER VI.2.L(1)(d)

Why was this a finding?

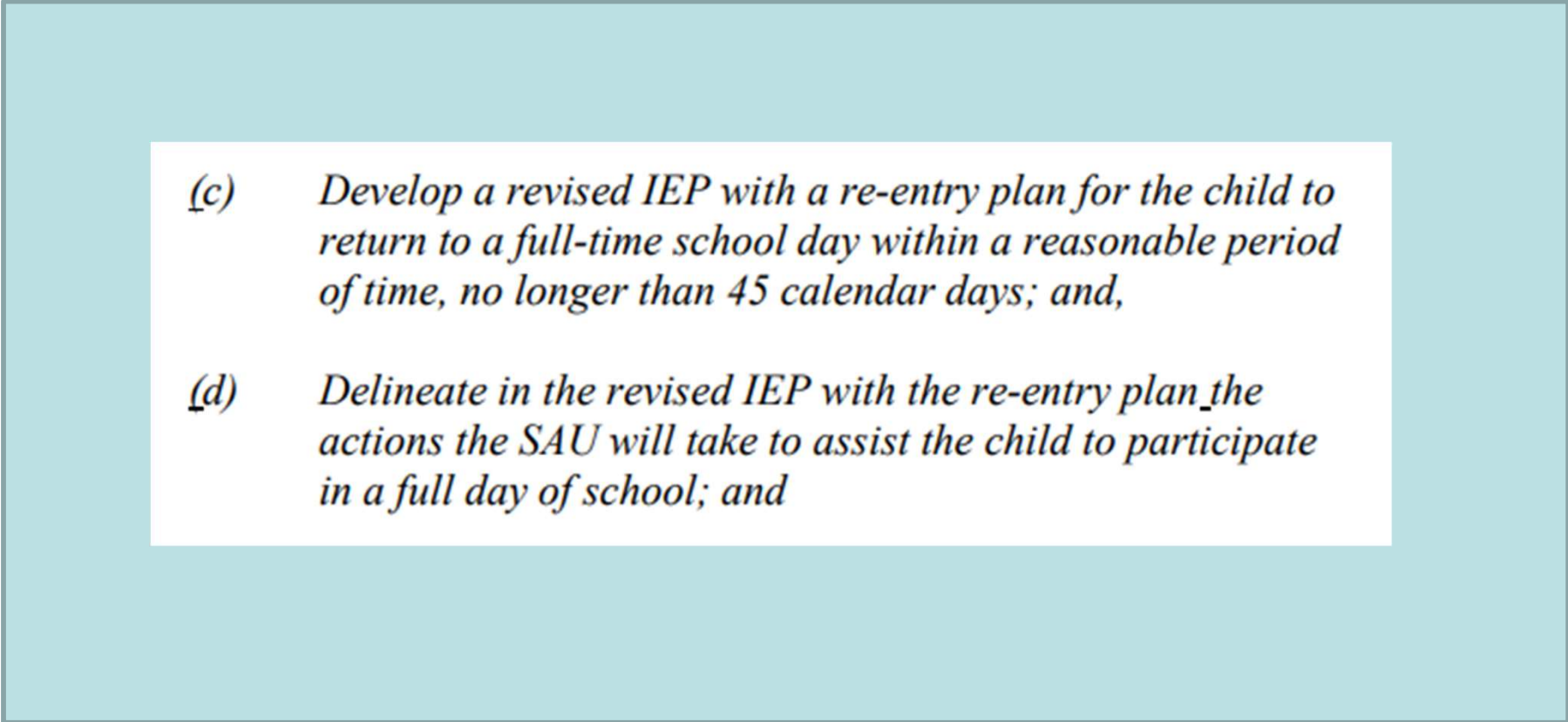


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- No discussion of re-entry plan in IEP or WN



MUSER VI.2.L(1)(c) and (d) - Abbreviated School Day (page 70)

- 
- (c) Develop a revised IEP with a re-entry plan for the child to return to a full-time school day within a reasonable period of time, no longer than 45 calendar days; and,*
 - (d) Delineate in the revised IEP with the re-entry plan the actions the SAU will take to assist the child to participate in a full day of school; and*

Instead...



Dear ,

At least 7 days prior to the date upon which the school unit proposes or refuses to initiate or change the identification, evaluation or educational placement or provision of early intervention services for your child age birth to 2 years, or a free appropriate public education (FAPE) to your child age 3 through 20 years, you must be provided the following notice (MUSER Appendix 1, 34 CFR 300.503):

1. Describe the action(s) regarding the referral, evaluation, identification, programming or placement proposed or refused by the SAU:
2. Explain why the SAU is proposing or refusing to take the above action(s):
3. Describe each evaluation procedure, assessment, record or report the SAU used as a basis for the proposed or refused action(s):
4. Describe any other options that the Team, which includes the parent, considered and the reasons why those options were rejected:
5. Describe any other factors that are relevant to the SAU's proposed or refused action(s) described above:
6. Description of the points made by the parent including the parent's description of their child's 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				
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				
Transportation				
Other				

*IEP and WN-reflect services that the IEP Team determined were necessary for the duration of the Abbreviated Day and services needed to increase to a full day.

Abbreviated Day - Medical

<u>Finding</u>	<u>What</u>	<u>Where</u>
ADWN	Basis of Abbreviated Day – Educational or Medical Only	WN
ADM1	How the student will access curriculum and IEP services	IEP 6&7, WN
ADM2	How the student will access assessments	IEP 6, WN
ADM3	Team must meet every 90 calendar days to review progress and amend IEP as necessary	AWN, IEP, WN
ADM4	IEP Team reconvenes when student is medically able to increase school day	AWN, WN



ADM2 – Access to Assessments

IEP and WN address how the student will access assessments.

MUSER VI.2.L(2)(c)

Why was this a finding?



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- No mention of how student will access assessments on abbreviated day



MUSER VI.2.L(2)(c) - Abbreviated School Day (page 70)

(c) Address how the child will participate in local and statewide assessments consistent with the child's individual medical needs; and

Instead...



At least 7 days prior to the date upon which the school unit proposes or refuses to initiate or change the identification, evaluation or educational placement or provision of early intervention services for your child age birth to 2 years, or a free appropriate public education (FAPE) to your child age 3 through 20 years, you must be provided the following notice (MUSER Appendix 1, 34 CFR 300.503):

1. Describe the action(s) regarding the referral, evaluation, identification, programming or placement proposed or refused by the SAU:
2. Explain why the SAU is proposing or refusing to take the above action(s):
3. Describe each evaluation procedure, assessment, record or report the SAU used as a basis for the proposed or refused action(s):
4. Describe any other options that were considered and how those options were rejected:
5. Describe any other factors that influenced the decision above:
6. Description of the proposed placement:

❖ Document in WN/IEP how the student will access state and local assessments



ADM3 – Team reconvenes every 90 days

IEP team meets at least every 90 calendar days to review progress and amend IEP as necessary.

MUSER VI.2.L(2)(d)

Why was this a finding?

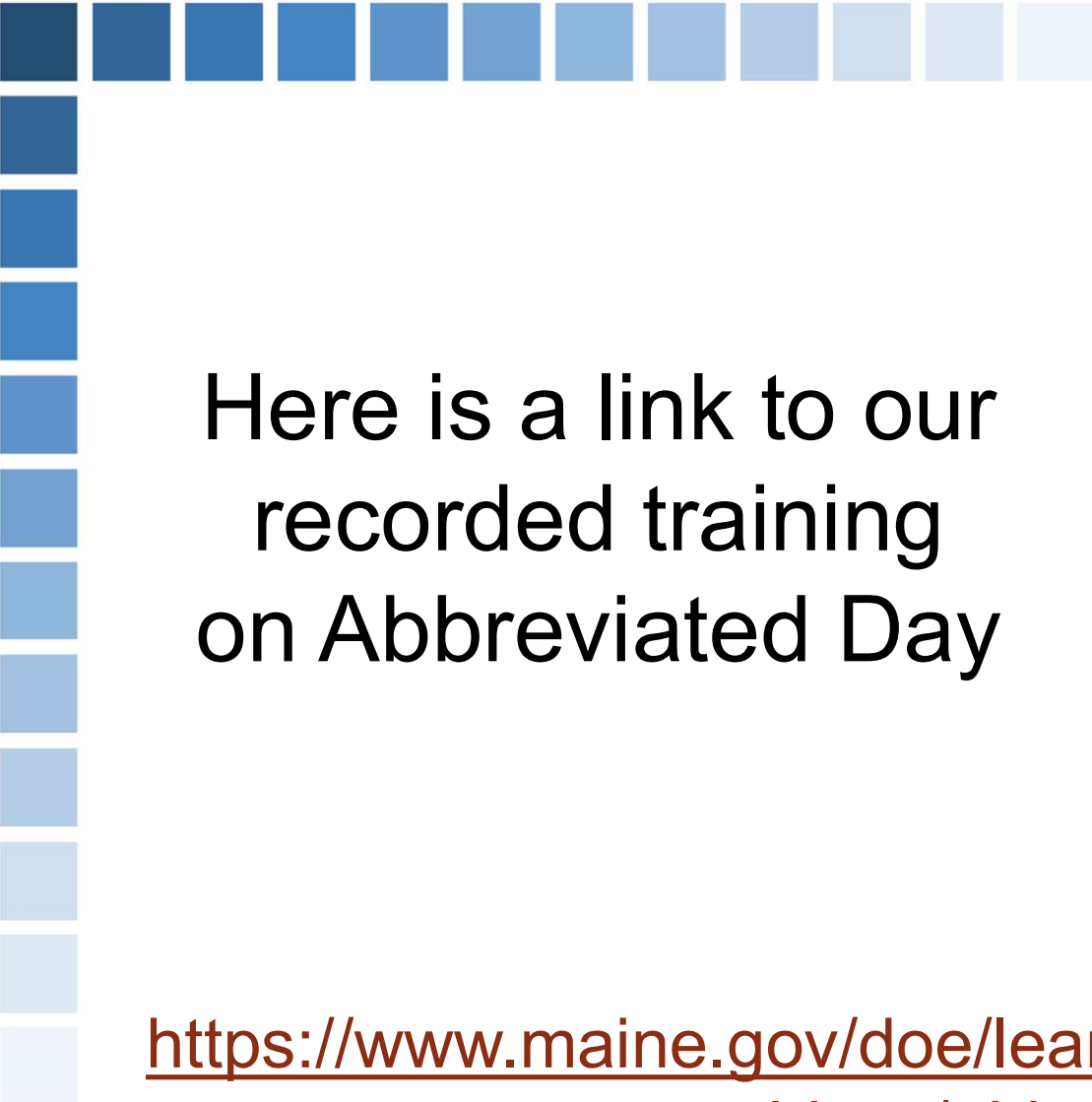


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- No evidence of meeting every 90 calendar days in WN or IEP for student on abbreviated day

MUSER VI.2.L(2) - Abbreviated School Day (page 71)

Until such time as the child is medically able to transition to a full school day, the IEP Team shall meet no less frequently than every 90 calendar days. In exceptional cases, this may be exceeded when determined necessary by the IEP Team consistent with medical recommendation(s). At these meetings, the IEP Team shall review the child's progress and modify the IEP as appropriate. At such time as the child is medically able to increase his/her school day, the IEP Team will reconvene to revise the IEP.



Here is a link to our
recorded training
on Abbreviated Day



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

MUSER – Abbreviated Day

- **Abbreviated school day (page 3)** – Abbreviated school day means any day that a child eligible under this chapter attends school or receives educational services for less time than age/grade peers without disabilities within the same school and/or school program.
- **MUSER X.2.A(4) – Tutorial Instruction (page 114)**
 - Tutorial instruction is to be used in conjunction with abbreviated school day (Section VI.2.L) or Discipline of Children with Disabilities (Section XVII), but in no other circumstances.
- **MUSER VI.2.L - Abbreviated School Day (page 69-71)**
 - **Does not apply to change in placement under Section XVII, Discipline of Children with Disabilities**
 - Initiated only by the IEP team for one of two reasons:
 - The child’s individual educational needs
 - The child’s individual medical needs
 - Abbreviated school day for more than 10 days is considered change of placement and can be made only by the IEP team.
 - Based on educational needs, IEP team must:
 - Address how the student will access general curriculum and IEP services
 - Address how student will participate in assessments
 - Develop revised IEP
 - re-entry plan – no longer than 45 calendar days
 - actions the SAU will take to assist the child participate in a full day of school
 - Document basis for abbreviated day in WN
 - If student does not return to full day within 45 calendar days
 - IEP team must reconvene every 20 school days
 - Review progress toward return
 - Review progress in education setting
 - Determine what setting will allow the student to progress
 - Based on medical needs, IEP team must:
 - Consider medical needs identified by qualified medical professional(s)
 - Address how the student will access general curriculum and IEP services
 - Address how student will participate in assessments
 - Document basis for abbreviated day in WN
 - IEP team must meet at least every 90 calendar days
 - Review progress and amend IEP as necessary
 - IEP team reconvenes when student is medically able to increase school day

Isolated Deficiencies

SAU – Sample

Director – Sample

Due Date – Sample

Isolated Deficiencies (findings not captured on EMT)

IEP sent to parents >21 days after
annual meeting

- [REDACTED]

Next meeting >364 days after annual
meeting date

- [REDACTED]

*Make corrections to the children's files that were found to have errors noted as isolated deficiencies



Questions?



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2023-24 Professional Development Schedule

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

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

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

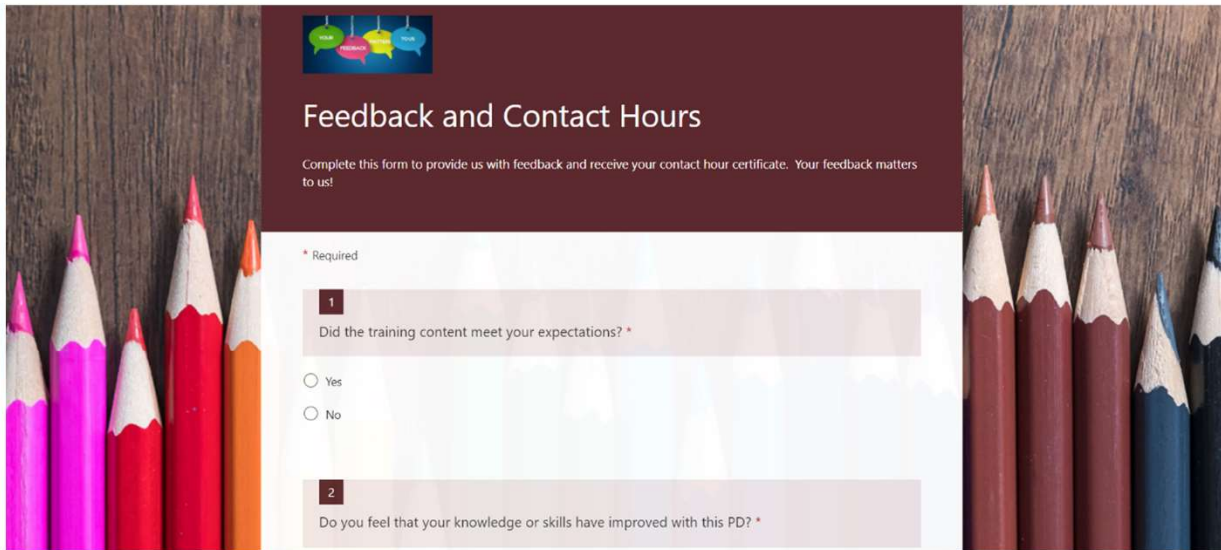
Please consider sharing the links to these PD opportunities with related service providers:

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

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



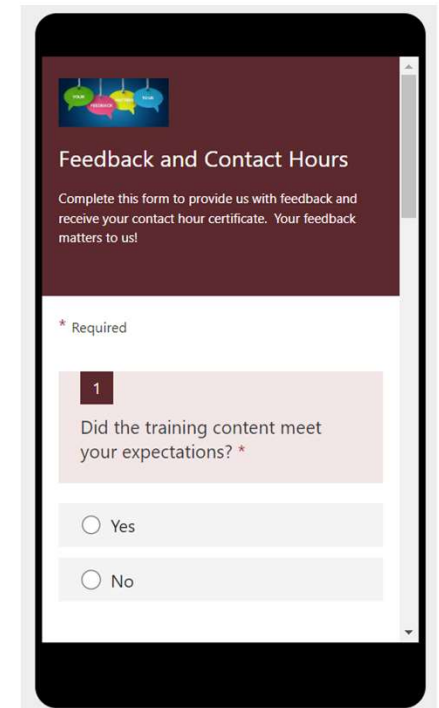
Professional Learning Feedback and Contact Hour Form.



The image shows a computer screen displaying a feedback form. The form has a dark red header with the title "Feedback and Contact Hours" and a sub-header "Complete this form to provide us with feedback and receive your contact hour certificate. Your feedback matters to us!". Below the header, there are two questions, both marked as "Required". Question 1 is "Did the training content meet your expectations? *" with radio button options for "Yes" and "No". Question 2 is "Do you feel that your knowledge or skills have improved with this PD? *". The form is set against a background of several colored pencils (pink, red, orange, blue) on a wooden surface.

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>



The image shows a mobile phone screen displaying the same feedback form as seen on the computer. The form is adapted for a smaller screen, with the header and sub-header at the top. The first question, "Did the training content meet your expectations? *", is the primary focus, with "Yes" and "No" radio button options below it. The background of the form is the same as the computer version.

2022-23 Cohort IEP Quick Reference Document will be emailed with Contact Hour Certificates

2022-2023 Cohort – Tips and Tricks for Writing a Compliant IEP

[For more information, click here for the Special Education Required Forms Procedural Manual](#)

<u>Finding</u>	<u>Location</u>	<u>MUSER Citation</u>	<u>Criteria</u>
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)	<ul style="list-style-type: none"> - Include evaluations that support the eligibility discussion - Include evaluation name - All evaluations must be dated
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)	<ul style="list-style-type: none"> - Based on observations - Include areas of strength and relative strengths - NOT a restatement of evaluations
APG2	Section 4C	Academic needs of the child. MUSER IX.3.C(1)(d)	<ul style="list-style-type: none"> - Academic - Distinctly Measurable and Persistent Skill Gaps - Best documented in a bulleted list - Make sure to include specific skill deficits <ul style="list-style-type: none"> - Fluency, Comprehension, etc. instead of Reading

Page 1 of 11

The IEP Quick Reference Document (IEPQRD) is updated annually.

The 23-24 Cohort IEPQRD can be found on our website.

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

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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