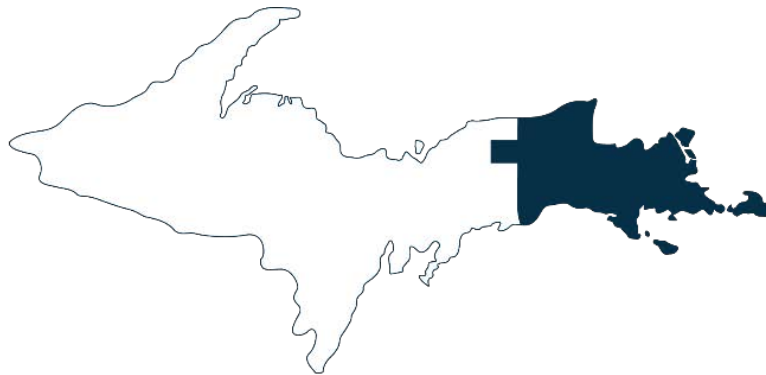


This document is adapted in collaboration with EUPISD constituent districts based on written guidance from the Michigan Department of Education and other sources noted in references.



EASTERN UPPER PENINSULA INTERMEDIATE SCHOOL DISTRICT

Special Education Procedures and

IEP Guidance Manual

JUNE 2018

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Preface

The Eastern Upper Peninsula Intermediate School District (EUPISD) is committed to high expectations for all students, ensuring access to the general education curriculum in the least restrictive setting for all students and in the case of students in post high school programs, access to their community. Improving the educational results for students with disabilities is an essential element of promoting equality of opportunity, full participation, independent living, and economic self-sufficiency within our communities.

In all cases, it is the Individualized Education Program Team (IEPT) that determines the programs and services provided to a student. Programs and services are determined based on student need and are not predetermined based on disability. The process of identifying programs and services for each student includes consideration of teaching for high levels of student achievement while developing social and emotional competency.

Sections 1-5 of this document briefly outline the foundational concepts that are essential to understanding and implementing special education. Sections 6-15 operationalize and detail specific requirements and include best practice tips for practitioners.

The Special Education Procedures and IEP Manual that follows was developed collaboratively with the input of educators representing the region. It is intended to serve as technical assistance for both compliance and best practice guide for educators throughout the EUP in delivery of high quality special education programs and services.

Section 1: Child Find

The Individuals with Disabilities Education Act (IDEA) as well as Section 504 of the Rehabilitation Act of 1973 requires schools to identify, locate, and evaluate all children who have disabilities and need services. While many students are identified when they are young, the child find obligation in Michigan includes all ages of children from birth to age 26. A strong child find system will include collaboration with outside agencies such as physicians and community mental health. Schools are required to adopt written procedures for child find that address at least the following elements: a system of tiered interventions, a robust student assistance team procedure, processes of entry for initials and transfers, timelines associated with evaluation, the use of surrogate parents, and parental consent. In addition to these procedures, schools are also required to annually inform the community of the available special education programs and services.

Section 2: Free and Appropriate Public Education (FAPE)

In May of 2017, the United States Supreme Court issued a decision in the case of [*Endrew F. v. Douglas County School district RE-1*](#) (“*Endrew F.*”) that marked a significant change in the judicial system’s interpretation of a school’s obligation related to the provision of a free and appropriate public education (FAPE). Since the 1982

decision in [Board of Education of the Hendrick Hudson Central School district v. Rowley](#) (“*Rowley*”) has defined FAPE. In *Rowley*, the court determined that a district had met its FAPE obligation if it could demonstrate that the IEP complied with the procedural requirements of IDEA and was “reasonably calculated” to provide the student with educational benefit. Since *Rowley*, some courts have applied the standard to mean more than a de minimis benefit (or some benefit). The parents in *Endrew F.* argued that this standard is not consistent with IDEA and indicated that districts must provide students with disabilities opportunities that are substantially equal to the opportunities provided to non-disabled peers. The Court did not accept the parent’s argument for FAPE, but it did raise the *Rowley* standard. Chief Justice John G. Roberts Jr.’s court opinion indicated meaningful benefit means a child’s “educational program must be appropriately ambitious in light of his circumstances” and that “every child should have the chance to meet challenging objectives.” In order to meet the FAPE meaningful benefit expectation, educators must move past the traditional compliance focus; instead targeting specific research-based practices, procedures, and capacities that will result in improved student outcomes.

Section 3: Specially Designed Instruction (SDI)

[Specially designed instruction](#) (SDI) is the unique set of supports provided to an individual student based on his or her learning needs to remove barriers that result from the student’s disability. The supports are reflected in the student’s individual educational program (IEP) and are [infused throughout the student’s learning experiences and environments](#). SDI is based on a [recognized evidence standard](#) and is [progress monitored](#) with [fidelity](#) to demonstrate its effectiveness over time. SDI exists within all tiers of a [Multi-Tiered System of Supports](#). The purpose of SDI at each tier is student learning and [progress](#) on the grade level standards. Most students with disabilities are served within [general education settings](#) most of the time and are assessed in relation to general education standards. Students with disabilities are legally entitled (through IDEA) to specially designed instruction, including intensive interventions, when the intensity of their needs warrants this level of support.

Section 4: Educational Benefit

Meaningful educational benefit is evidenced in the implementation of an Individualized Education Program (IEP) that provides a true instructional framework for the delivery of specially designed instruction to a student with a disability. When educational benefit is being realized

- the achievement gap between students with disabilities and their non-disabled peers will reduce,
- data will support that a student is placed in his/her least restrictive environment,
- student with disabilities will demonstrate increased academic, social, and behavioral outcomes
- students with disabilities will have higher levels of independence

Meaningful educational benefit requires consideration of student progression over multiple years with emphasis on the connection between student need and the specific educational response outlined in the IEP designed to ensure growth in student skills.

Section 5: Least Restrictive Environment

Specially designed instruction is a set of supports – it is not a place; therefore, it is not defined by where it occurs. The only specification in IDEA is that specially designed instruction must be provided in the least restrictive environment. With the development of instructional technology and implementation of universal design principles that include multiple options for access and expression during learning, the least restrictive environment for most students is the general education environment. An additional benefit of this is the opportunity to prepare students with disabilities for transition to productive postsecondary life that reflects more accurately their schooling experiences. Data-based evidence of the student's intensive needs is used to inform instructional adaptations and integrate all of a student's supports with core instruction. Adapting the general education environment and instructional delivery facilitates the transfer of successful outcomes to all learning environments, as does connecting the intensive intervention to core instruction.

Multi-Tiered Systems of Support (MTSS) and LRE: One way to achieve this is to ensure collaborative planning and problem solving between general and special educators. A solid Multi-Tier System of Supports (MTSS) with embedded Positive Behavior Intervention and Supports (PBIS) are foundational to the provision of FAPE within the LRE. Connecting MTSS with special education enables teams to blend the resources and expertise of both general and special education personnel to provide a unified system of supports that meets the needs of every student. Applying MTSS logic to the educational disability identification process and IEP development reinforces the requirements for the use of ongoing progress monitoring, instructional responsiveness, and data-based decision-making towards the specific goal of improving outcomes for every student

Within a MTSS system, instruction and interventions for all students are implemented using a data-based problem-solving process that matches the intensity of support to meet student needs. Effective universal instruction and interventions are provided for all students, *including students with disabilities*, who need various levels of supports to master grade-strengths and weaknesses.

Section 6: Role of the Case Manager and Facilitator in Development of the IEP

Case managers have two primary duties:

- 1) Manage caseload
 - a. timely scheduling of IEPs & REEDS
 - b. ensure all progress reports are completed

- c. communicate SAS needs and obtaining documentation of implementation
 - d. ensure IEPs are developed and implemented with fidelity
 - e. review student progress across all areas of need frequently to determine effectiveness of plan and need to reconvene the IEP team
- 2) Deliver specially designed instruction or provide therapy (OT, PT, SLP, SSW) and in some cases, provide consultative services to strengthen supports within the school setting

Prior to the meeting case managers must ensure that the following occur:

- Provide parents with copies of evaluation reports and other data that will be used in developing the IEP to provide them the opportunity to be prepared for the discussion at the meeting as the professional staff
- Assure all required participants have been invited and are planning to attend. Collect prior excusals for related services if applicable.
- Review prior year IEP and all progress reports as well as most recent REED and MET reports. Highlight student needs and growth in order to be prepared to discuss student's current needs with the IEP team.

IEP Facilitators primary role is to ensure that the IEP meeting is as efficient and effective as possible. Facilitators have four primary duties:

- 1) Ensure that the meeting logistics are in place – room, copies, projector etc.
- 2) Establish meeting norms and run the agenda (see appendix A for EUP regional IEP agenda)
- 3) Ensure that all IEP members have the opportunity to provide input
- 4) Keep the focus of the IEP Team meeting on developing a plan to provide meaningful educational benefit for the student

At the meeting the IEP Facilitator will:

- Utilize IEP Agenda and checklist (see Appendix B for EUP regional IEP agenda and IEP checklist)
- Make sure that all items on the check list are completed before adjourning the meeting especially the following:
 - Fill out the Prior Written Notice form to document all items that were discussed, but not included in the IEP.
 - Providing a copy of the procedural safeguards to parent(s)
 - Request Medicaid consent

Note: Case managers may also serve as IEP facilitators as designated by the LEA representative

See Appendix C for Special Education Responsibility Assignments Worksheet

Section 7: Role of the Regular Education Teacher in the Development and Implementation of the IEP

Requirements for Regular Education Teachers

- **IEP Attendance:** To have a legally valid IEP, at least one regular education teacher must attend the IEP. Regular Education Teachers are required members of the IEP Team meeting. Michigan rule (300.321 (a)(2)) indicates "not less than

one regular education teacher of the child (if the child is, or may be, participating in the regular education environment) is required.

- Regular education teacher attendance is required because it is necessary to have a person with expertise in the content area of student need.
 - Districts should make every effort to have a regular teacher from the content area that matches student need at the IEP.
 - In situations when a student has multiple regular education teachers, the regular education teacher who attends the IEP is attending on behalf of other instructional staff. The attending teacher should gather data, concerns, and suggestions from other instructional staff prior to the IEP meeting.
- **IEP Participation:** Regular Education Teachers are required to participate in the development and revision of the IEP. Michigan rule (300.324 (a)(3) specifically indicates participation in the development of:
 - Appropriate positive behavior interventions and supports
 - Strategies to support the child
 - Supplementary aids and services
 - Program modification
 - Support for school personnel

It is critical for regular education teachers to provide input and feedback regarding the functional implementation of specific strategies, aids, and services; how IEP components will work within the classroom.

Implementation: Michigan rule (300.324 (a)(3) indicates Regular Education Teachers are required to implement the IEP to enable the child to:

- Advance appropriately toward attaining annual goals
- Be involved and make progress in the general education curriculum
- Be educated and participate with other children with disabilities and nondisabled children

Regular Education Teacher IEP Implementation includes:

- All pieces of the IEP that occur in the general education settings
- Providing supplemental aids and services as they are outlined in the IEP
- Communication and collaboration with IEP service providers:
 - Data related to IEP goals and objectives to support progress monitoring
 - Data that demonstrates mastery and readiness to advance to the next skill
 - Data that demonstrates the student has advanced skills beyond the expectations of the IEP

- Data that demonstrates student is not responding to IEP components or IEP components are not sufficiently meeting needs
 - Data that demonstrates student refusal of accommodation / modification
- **Documentation:** Student growth and progress is dependent upon a regular review of student response to instruction as outlined in the IEP. Documentation and data from the regular education teacher is critical in understanding student growth and progress. Therefore, Regular Education Teachers are legally required to collect data to prove that the IEP is being implemented. Documentation regarding the provision of these components must include at least the following:
 - Who – person who provided the IEP component
 - What - description of IEP component being documented
 - When - date the IEP component was provided
 - Where - setting in which the IEP component was provided

There are many ways to effectively document. Possible documentation sources include:

- Accommodation / Modification Tracking Log (sample forms can be found in Section 20: Resources)
- Samples of student work

Section 8: Role of the School Administrator in the Development and Implementation of the IEP

Requirements for School Administrators

- **Attendance:** To have a legally valid IEP, a representative of the public agency must attend the IEP. In many cases, this role is fulfilled by the building / district administrator. Michigan Rule 300.321 (a) states: The public agency must ensure that the IEP team for each child with a disability includes a representative of the public agency who -
 - I. Is qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of children with disabilities;
 - II. Is knowledgeable about the general education curriculum; and
 - III. Is knowledgeable about the availability of resources of the public agency and decision-making authority on behalf of the district.
- When someone other than the school administrator is going to serve as the public agency designee, best practice is:
 - designation is made in writing,
 - the designee is an employee of the district (not a contracted provider), and

- the designee is not serving multiple roles within the IEP (for example special education provider and MET representative and designee).
- **Participation:** School administrators are critical IEP participants because they are responsible for ensuring the IEP is an appropriate offer of FAPE. School administrators actively engage in the IEP by:
 - setting a vision of high standards for special education students in their building
 - assisting in the facilitation of IEP meetings
 - supporting communication with parents and outside agencies (as applicable)
 - understanding the hallmarks of meaningful educational benefit:
 - Reduction of the achievement gap between students with disabilities and their non-disabled peers
 - Data supports that a student is placed in his/her least restrictive environment
 - Data supports increased academic, social, and behavioral outcomes
 - Higher levels of independence
 - identifying IEP components that are indicative of high quality programming likely to result in educational benefit:
 - Current, specific baseline data
 - Appropriately ambitious goals and objective
 - Transition services that match the student's functioning level and post-secondary goals
 - Supplemental aids and services that are connected to identified needs
 - Programs and services that are connected to identified needs
 - utilizing creative problem solving (outside the box thinking) when challenges arise
- **Implementation:**
 - ensure staff have the capacity (appropriate background, knowledge, training, time) to implement the IEP
 - ensure staff have the resources necessary to implement the IEP
 - establish a system of verification to ensure the fidelity of implementation
 - establish a system to address lack of progress or regression
 - ensure there is a continuum of services available
 - proactively review the effectiveness of programming – both systemically and at the student level –and- respond to implementation barriers in a timely fashion

- **Documentation:** Student growth and progress is dependent upon a regular review of student response to instruction as outlined in the IEP. School administrators are responsible for having a system to regularly collect and review data related to IEP implementation including supplemental aids and services, programs, services, etc.
- **District Representation:** The school administrator is typically the primary point of contact for educational stakeholders (school boards, community agencies, parent groups, etc). In this role, it is crucial for the school administrator to be able to communicate to the district responsibilities related to the rights of special education students.

Section 9: Individualized Education Plan (IEP) Overview

The Individualized Education Program Team (IEPT) takes information from evaluations, assessments, and observations and (1) decides whether or not a student is eligible for special education, and (2) creates an individual education plan for each student in special education.

IEP Purposes:

- Initial IEP: The first IEP written for the student (or new MI IEP for out of state transfers students)
- Reevaluation of Eligibility IEP: Required every 3 years– must be combined with a REED
- Review and/or Revise IEP: Each follow up IEP after the Initial IEP that is not a Redetermination IEP
- Transfer IEP: First IEP completed for a student who transfers into the district with existing special education eligibility – must be completed within 30 school days of the transfer or prior to the annual IEP due date, whichever is first
- Other IEPs – a new IEP must be completed for each of the following scenarios:
 - To consider the need for a program change/level change
 - To discuss disciplinary action that may result in a change of placement

IEP Team Members

- Parents are required team members and must be invited, with the meeting time being mutually agreeable. Keep careful documentation of parental contacts. At least three documented attempts are required for each IEPT meeting (e.g. call to set up the meeting, providing the parent the written IEPT invite and a contact a day or two prior to the meeting to remind them about the meeting).
- Students: It is best practice to invite the student to their IEPs whenever possible; however, it is a requirement to invite transition aged students to the IEP that will be in effect as of age 16 and all subsequent IEPs.
- District Superintendent or Designee: A school representative able to commit district resources is required.
- Regular education teacher(s) are required.
- Special education provider(s) are required.

- MET Representative: The team must also include someone able to explain evaluation results.
- The IEPT may also include other people invited by either the district or parent, agency representatives, and the student. Written parental consent is required if the district is inviting an agency representative to an IEP team meeting.

IEP Invitations

- All IEPT members must be provided an IEP invitation.
- For Transition IEPs, there **MUST** be a separate invitation sent to the student in the student's name.
- Note: It is good practice to print an additional copy to use as the sign-in sheet at the IEPT meeting to verify attendance.

Required IEP Components:

Each IEP has a set of core elements defined in the law and set forth in an IEP:

- functional performance
- annual goals
- a description of how the child's progress toward meeting the annual goals will be measured and when periodic reports on the progress will be provided
- special education and related services
- participation in extracurricular activities
- what standardized tests will be administered as well as accommodations necessary for testing
- beginning dates
- specific frequency and duration of related services
- specialized transportation
- what general education placements were considered
- The IEP also has assurances, certified by the superintendent or designee, that the IEP process was followed and the IEP will be implemented.

The IEP document will reflect all decisions that the team makes about how it will address these core elements. The things that the IEP Team considered, but decided not to include in the IEP document must be detailed in Prior Written Notice. It is important to review all documents after the meeting to make sure everything the team discussed was documented either in the IEP or in Prior Written Notice.

When Should an IEP be Reviewed and Revised?

The Michigan Administrative Rules for Special Education (MARSE) indicate the IEP must review the child's IEP periodically, but not less than annually to determine whether the annual goals for the child are being achieved.

Additionally, the IEP must be revised to address the following:

- a. Any lack of progress toward the annual goals and in the general education curriculum
- b. The results of any new evaluation or reevaluation
- c. Information or concerns shared by the parent or teacher
- d. A change in the student's anticipated needs
- e. Other matters, issues or concerns

At any time during the IEP year, a new IEP or amendment can be written per the suggestions or request of any of the IEPT members. If the IEPT determines that minor changes need to be made to the IEP, an amendment to the IEP may be written. This does not require a meeting of the entire IEP team.

*Best Practice Note: To avoid past due IEPs, best practice is to complete a new IEP a month **before** the actual due date.*

Section 10: THE PLAAFP Statement

PLAAFP Statement Development

The Present Level of Academic Achievement and Functional Performance (PLAAFP) is the foundation for writing connected IEPs. The PLAAFP statement should accurately describe the student's performance in **all areas** that are affected by the disability. The IEP team must consider all areas of potential need including:

- academics,
- behavior & social-emotional
- communication
 - general speech/articulation
 - general language
 - language needs for students with limited English proficiency
 - communication/language needs for students who are deaf/hearing impaired
 - Braille instruction for students who are blind/visually impaired
- physical, including accessibility, with facilities/community
 - motor skills
 - sensory needs
- assistive technology
- physical education
- transition supports
- any other area affected by the disability and appropriate to the student's unique educational or vocational needs such as organizational skills, work habits, etc.
- extended school year

Using the PLAAFP information, the IEP Team determines what supports, services, and programs are required for the student to have access to and make progress in the general education curriculum – including:

- measurable annual goals and short-term objectives
- supplementary aids/services
- programs/services
- participation in and accommodations for state and district-wide assessments
- transportation supports
- when age appropriate, transitional services

In other words, the PLAAFP is the foundation for every decision made by the IEP Team. Every item within the IEP must connect back to data in the PLAAFP statement.

When composing PLAAFP statements the IEP team should refer to the most recent REED/MET to ensure accuracy of eligibility and ensure all identified needs are addressed. In addition, it is critical for IEP teams to carefully review the needs that were identified in the most recent IEP. If there is a need in the previous IEP that is not a need in the new IEP, the IEP team must include data to indicate why there is no longer a need.

A Word on Assessment Sources:

Baseline assessment sources must be less than one year old and therefore, updated at each IEP. Best Practice dictates there should be multiple sources of assessment data, both formal and informal, that accurately depicts a student's level of functioning across all areas impacted by his or her disability.

Present level statements must include all the following:

- specific strength(s) of the student
- specific area(s) of difficulty for the student
- comparison to grade level expectations
- assessment/data source
- date of assessment/data
- specific data about the student's performance (percentile rank, score, grade equivalent, etc.)
- specific disability or deficit area
- needs that result from the disability (resource room, supplemental aids, teacher consultant, speech services, OT, PT, social work, ASD consultant, VI consultant, etc.)
- statement connecting need(s) to access and/or progress in general education curriculum
- for students who are or will be age 16 during the life of the IEP, statement connecting need(s) to progress toward post-secondary goal(s)

Assessment sources must match the student's area of need and be appropriate to age/grade/functioning level.

Best Practice Note: Even students with the most involved disability will be engaged in some level of the general education curriculum. The Michigan Department of Education has identified the Essential Elements for grade level standards that are used with students who have more involved levels of disability.

Possible Assessment Sources

- progress reports from previous IEP goals and objectives
- analysis of work samples
- criterion referenced-assessments

- curriculum-based assessments
- district grade level assessments
- documented observation
- standardized assessments
- data from functional behavior assessments
- behavior intervention plan results data

The information in the PLAAFP section of the IEP should be written in brief, clear, specific and accurate statements with enough information to describe the student's current skill levels in objective, measurable terms. The following Strength and Need Template should be used as a guide when PLAAFP statements are being drafted:

Strength Template: (Student) is able to (strength), however he/she has difficulty/cannot_____. Students in the (___) grade are expected to (describe what is expected of typically performing peers).

Need Template: Based upon the (assessment/data source with date), (Student) is able to (specific information about the student's present level /s). Due to his/her (disability), (Student) will need (describe what student will need) in order to have access to and make progress in the general education curriculum. *

*For students with a transition plan – add “and progress toward his/her post-secondary vision.”

IEP Teams should utilize specific phrases that provide a description of student level and avoid vague phrases. For example:

VAGUE PHRASES:	SPECIFIC PHRASES:
Can add	Writes answers to double-digit addition problems
Knows different careers	Can count five careers and five jobs associated with each
Difficulty reading third-grade materials	Reads third grade materials at 70 words per minute
Spends a lot of time in suspension due to behavior problems	When redirected, she becomes angry and disrupts class
She has a language difficulty and will have trouble meeting language arts standards	Her language impairment affects her progress in grade-level standards that include words with multiple meaning
She seldom completes assignments	She completes 25 percent of her homework and turns in 10 percent of the assignments

Section 11: Transition Plan

A Transition IEP that includes a statement of needed transition services is required for the school year in which the student will turn 16 years of age.

A Transition IEP must include:

- a coordinated set of activities that are designed to result in improved academic and functional achievement as students transition to adult settings (post-secondary education, vocational education, employment, independent living, , adult services, community participation)
- the individual student's needs, preference and interests
- appropriate measurable postsecondary goals
- current age appropriate transition assessments
- details related to training, education, and employment
- and, where appropriate, independent living skills and functional vocational evaluation
- transition services (including courses of study) needed to assist the student in reaching those goals

The IEP may determine what instruction and educational experiences will assist the student to prepare for transition from secondary education to post-secondary life. The statement of transition service needs should relate directly to the student's goals beyond secondary education and show how planned studies are linked to these goals.

For example, a student interested in exploring a career in computer science may have a statement of transition service needs connected to technology course work, while another student's statement of transition service needs could describe why public bus transportation training is important for future independence in the community.

The district *must invite* a representative of any other agency that is likely to be responsible for providing or paying for transition services and must also obtain written consent prior to inviting outside agencies.

The Michigan Department of Education has provided the following guidance regarding Secondary Transition:

<http://cims.cenmi.org/LinkClick.aspx?fileticket=dOBExWrz2PY%3D&tabid=1647>

Transition Assessment Sources:

- Structured interviews with students, parents, staff, etc.
- Vocational assessments
- Interest inventories
- Documented teacher observation/reports
- Guidance counselor data (courses, vocational assessments, EDP)
- Formal transition assessments (ESTR, TPI, STAT)
- Previous IEPs, METs, PLAAFP statements, diagnostic summaries

- Permanent school record, including student grades and progress reports

Research indicates the following student engagement factors for transition:

- **School-Based Extra-Curricular Activity(s)** should be a part of a student's school experience. Research suggests that involvement in at least one pro-social, ongoing, structured, and meaningful non-academic activity will have a moderate to high positive influence on student success. Bonding to teachers and other school-associated adults in a context outside of the classroom increases the students' emotional commitment to school and the adult-sanctioned values associated with schools (Hirschi, 1969). Studies indicate that youth who participate in extra-curricular activities are more likely to exhibit:
 - better grades (Marsh, 1992)
 - higher test scores (Gerber, 1996)
 - higher educational attainment (Hanks & Eckland, 1976)
 - attend school more regularly (Mahoney & Cairns, 1997)
 - higher self-concept (Marsh, 1992)
- **Employment/Work Experience Prior to Exit** has been shown to have a moderate to high impact on positive post-secondary outcomes - especially if the student is engaged in meaningful career development and has had at least one paid work experience prior to exit. Research has indicated that students who participated in work study were two times more likely to be engaged in full-time post-school employment (Baer, et.al., 2003). Students who had a paid job for one full year during high school were five times more likely to be engaged in post-school employment and education (Bulles et.al., 2000).
- **Self-Determination** is when a student shows evidence of acting on his or her own behalf. Research indicates that students with higher self-determination skills are more likely to be engaged in post-secondary employment (Wehmeyer & Schwartz, 1997) and important adult outcomes, such as employment, independent living, and community integration remain unattainable by many youths with disabilities (Chadsey-Rusch, Rusch, & O'Reilly, 1991).
- **Positive Engagement** is when a student is making decisions that increase the likelihood that the decisions will be accepted, adopted, and become part of their everyday lives. **Social Competence** is when a student possesses the social, emotional, and intellectual skills & behaviors needed to succeed as members of society. Research indicates that students who feel connected to school show higher achievement, are less likely to be involved in risky behaviors, and show less violence and suicidal thoughts/attempts (Blum, Robert. Johns Hopkins Bloomberg School of Public Health, 2005).

Additional Information and resources related to these engagement factors can be found on the EUPISD Website (www.eupschools.org) under the Special Education/Transition section of the site.

Section 12: Determine Measurable Annual Goals and Short-Term Objectives

Annual Goal: An IEP goal must be meaningful (aligned to the area of need) and measurable (have identifiable criteria).

Goals are descriptions of what the student can be expected to accomplish within a 12-month period; they are to be reasonable yet challenging.

A well written goal has four critical elements:

- Clear identification of a skill the student will demonstrate
- Under what conditions or to what level/degree the student will perform
- How progress will be measured/evaluated
- A target date for achieving the goal

Objectives/Benchmarks are intermediate steps in between the present level (PLAAPF) and the annual goal.

A well written objective/benchmark has three critical elements:

- the performance criteria – at what level and under what conditions will the skill be achieved
- the evaluation procedure – a description of what method will be used to document student performance
- the evaluation schedule – the frequency of evaluation procedure

IEP Goals and Objectives must be **skill based, not compliance based**. For example, the IEP goal for a student who is failing classes because she is disorganized and struggles to work on time should be based on teaching her the skills necessary to gaining independent organizational skills. It is never acceptable to have an IEP goal that indicates a student will "pass classes." If IEP teams are struggling to identify the skill a student needs to learn, the following resources may be helpful:

- PBIS World <http://www.pbisworld.com/>
- Intervention Central <http://www.interventioncentral.org/>
- START <https://www.gvsu.edu/autismcenter/start-resources-230.htm>

The Michigan Department of Education has provided the following guidance regarding Measurable Annual Goals and Short-Term Objectives:

https://www.michigan.gov/documents/mde/Measurable_Goals_558267_7.pdf

Section 13: Consideration of Positive Behavior Interventions and Supports (PBIS) in the IEP

The IDEA specifically requires IEP Teams to consider the use of Positive Behavioral Interventions and Supports (PBIS), and other strategies, to address behavior for any child with a disability whose behavior impedes his or her learning or that of others.

School-wide PBIS include a system for identifying and teaching expectations, acknowledging appropriate behavior, responding to inappropriate behavior and a robust data review process.

Classroom PBIS includes proactive responsive approaches that are implemented with all students in a classroom (Tier 1), intensified to support small groups (Tier 2), and delivered individually or to a few students (Tier 3).

Supporting and Responding to Student Behavior

IEP Teams must consider when, whether, and what aspects of a child's IEP related to behavior need to be addressed or revised to ensure FAPE when:

- A pattern of misbehavior is apparent or can be reasonably anticipated based on the child's present levels of performance and needs - to the extent a child's behavior including its impact and consequences impede the child's learning or that of others.
- If the child already has behavioral supports, upon repeated incidents of child misbehavior or classroom disruption, the IEP team should meet to consider whether the child's behavioral supports should be changed.

Consideration should look at the following potential data sources:

- Incidents of child misbehavior and classroom disruption
- Violations of a code of student conduct
- Amount, frequency, and pattern of office disciplinary referrals
- Suspension or other exclusionary practices
- Level of intensity involved with behavioral incidents

When there is data indicating the need for PBIS support, the IEP team must document the need in the PLAAFP statement. Other areas within the IEP that typically connect to a need for PBIS supports include:

- Goals/objectives
- Supplementary Aids and Services
- Programs and Services
- Transportation

Students who require a Behavior Intervention Plan and/or Crisis plan must have this noted in the PLAAFP statement.

When there is not data indicating the need for PBIS support, the IEP team must document the consideration in Notice. Documentation typically includes statements

regarding the student's positive response to PBIS Tier 1 Supports and the lack of data to support the need for additional PBIS support in the student's IEP.

Note: IEP Teams must document consideration of the needs for a Functional Behavior Assessment when a student presents with a pattern of behavior that disrupts the learning environment. See Appendix D for the EUPISD Functional Behavior Assessment Guidelines.

For more information related to requirements for PBIS and behavior supports within IEPs please see:

20 U.S.C. §1414(d)(3)(B)(i)

[Dear Colleague Letter](#)

Section 14: Providing Educational Benefit through a Continuum of Programs and Services

The Individuals with Disabilities Education Act (IDEA) guarantees students with disabilities access to a full continuum of programs/services. Decisions regarding programs and services are made by an IEP team at an IEP team meeting and are individualized based on data. Current data to support program/service determination must be provided in the PLAAFP statement. Additional data from the MET and IEP goal progress reports should substantiate the program/service decisions.

At times, there may be students who demonstrate needs that are beyond the current continuum of programs/services scheduled in the district. In these cases, the IEP team must critically analyze student data to determine what is required to provide FAPE for the student. Decisions made in these (as in all program/service decisions) must be documented in a timely manner in the IEP.

Whenever an IEP team considers a more or less restrictive option than what is finalized in the IEP, the options considered but not selected must be described in Prior Written Notice. The IEP team must clearly outline what was considered and why it was not selected.

Within the IEP, the frequency and duration of program/services must be clearly documented using specific terms like hours/minutes and # of times per week or # of sessions per month. IEP teams should not use vague phrases such as "class periods" or "as needed" to describe the amount of program/service time.

The continuum of programs and services may include: (this is not an exhaustive list)

- Resource Room
- Co-teaching
- Self-contained
- Center based program
- Teacher consultant services

- Speech and Language Pathology
- School Social Work Services
- Occupational Therapy Services
- Physical Therapy Services
- Assistive Technology Services

Service Provision – consult versus direct

Public agencies are required to maintain records to show compliance through documentation of the implementation of programs and services. The Education Department General Administrative Regulations (EDGAR) and MARSE indicate documentation of programs and services must include sufficient written detail to demonstrate compliance. Documentation is required for all direct and consultative programs/services. The documentation must include both the frequency and the duration of programs/services.

The following links are examples of documents used to document programs/services:
[Guidelines for Documentation of Delivery of Special Education and/or Related Services](#)

Section 15: Supplementary Aids and Services

The IDEA requires IEP teams consider which, if any, special education related services, supports and supplementary aids would be appropriate for addressing student needs. Supplementary aids and services means aids, services, and other supports that are provided in regular education classes, other education-related settings, and in extracurricular and nonacademic settings, to enable children with disabilities to be educated with nondisabled children to the maximum extent appropriate.

The IEP team makes the decision regarding what is included in supplementary aids and services based on individualized student data from the PLAAFP statement, the MET, and the student's progress on previous IEP goals/objectives.

Just as when writing measurable goals, the IEP team must be clear and concise in the description of the accommodations so that it is easily understood by everyone who may need to use the accommodation or track its effectiveness. IEPs should not include the words "as needed" as this does not indicate where the aid is needed, when it is needed or the condition which requires its use.

Within the IEP, the time/frequency, the condition, and the location for each supplemental aid and service must be documented.

- Time/Frequency: when and/or how often will the aid/service be provided
- Condition: under what circumstances will the aid/service be provided
- Location: where will the aid/service be provided

Documentation of all supplemental aids and services is required. This documentation must include the time/frequency, condition, and location.

Note: The Statewide Autism Resources and Training (START) Project recommends IEP teams consider academic modifications from the perspective of a hierarchy to allow students to interact with general education curriculum while still addressing his/her unique educational needs. The Differentiated Output Hierarchy includes:

- Open Ended Questions
- Visual Organization Strategies
- Closed Strategies
- Choice Strategies
- Yes / No Strategies

Additional information regarding the Hierarchy can be found at <https://docs.google.com/document/d/1RuYnEynvQQ0h2C0G0uiGDwmlb7hW7bdObXGaE3ZQhes/edit> with specific examples by grade level and content found at <http://www.gvsu.edu/autismcenter/differentiated-output-hierarchy-136.htm>

Section 16: State Assessments

Assessment Selection Guidance

MI-Access, Michigan's Alternate Assessment Program, based on Alternate Achievement Standards (AA-AAS), is designed for students whose Individualized Education Program (IEP) teams have determined that it is not appropriate for them to participate in the state's general education assessments, which include the Michigan Student Test of Educational Progress (M-Step) and the Michigan Merit Examination (MME), or MI-Access, the state's alternate assessment based on modified achievement standards.

Assessment Options (M-Step or Mi-Access)

The student's IEP team—not individual teachers, principals, or others—determine which state assessment is most appropriate for the student based on his or her cognitive functioning level, curriculum, and instruction. The IEP team should consider a student's past performance on state and district level standardized testing when making assessment decisions. It is also critical for IEP teams to consider potential consequences of having the student participate in an alternate assessment based on alternate achievement standards.

The IEP team can determine that a student would take the M-Step for one or more content areas and MI-Access Functional Independence (FI) for the remaining content area(s). For example: A student could take M-Step for mathematics and FI in English Language Arts (ELA). The IEP team is responsible for making this decision for each content area assessed at a given grade.

Currently, MI-Access assessments are available for three student populations:

1. **Functional Independence** assessments are for students who have, or function as if they have¹ **mild** cognitive impairment. They also have a limited ability to

generalize learning across contexts and their learning rates are significantly slower than those of their age-level peers. These students typically can assess their personal strengths and limitations, and access resources, strategies, supports, and linkages to help them maximize their independence. In adulthood, these students will most likely be able to meet their own needs and live successfully in their communities without overt support from others.

2. **Supported Independence** assessments are for students who have, or function as if they have¹ **moderate** cognitive impairment. These students may also have both cognitive and physical impairments that impact their ability to generalize or transfer learning; however, they usually can follow learned routines and demonstrate independent living skills. These students are expected to require ongoing support in adulthood.
3. **Participation assessments** are for students who have, or function as if they have¹ **severe** cognitive impairment. These students may have both significant cognitive and physical impairments that limit their ability to generalize or transfer learning, and thus makes determining their actual abilities and skills difficult. These students are expected to require extensive, ongoing support in adulthood.

¹ The phrase “or those who function as if they have” such impairment refers to students who adaptively function in environments that differ from their special education categories and, as a result, should be given the MI-Access assessment that best suits their “adaptive functioning” level of independence.

The Michigan Department of Education has released the following guidance to assist IEP teams in making assessment determinations
[Should My Student Take the Alternate Assessment?](#)

Assessment Accommodations

The IEP team also determines what accommodations a student will have on state assessments. The accommodations should match the accommodations the student regularly receives in their IEP. For example, if a student does not require assessments to be read aloud in order to make progress in the general education curriculum – then she should not have assessments read aloud as an accommodation on the state assessment.

The Michigan Department of Education has released the following guidance to assist IEP teams in understanding accommodations on state assessments:
[Student supports and accommodations table for State Assessments](#)

Section 17: Prior Written Notice

Prior Written Notice is written information given to the parent by a district to explain an action the district wants to take or is refusing to take, with a student who has a disability or is suspected of having a disability. Notice provides the reason(s) that the district is proposing or refusing an activity. Notice must always be given before consent is requested.

Prior Written Notice requires the following elements:

Description/explanation of

- the action proposed or refused by the district
- why the district proposes or refuses to take the action
- each evaluation procedure, assessment, record, or report the district used as a basis for the proposed or refused action
- statement that the parent has protection under the procedural safeguards and how a copy of the procedural safeguards can be obtained
- sources for the parent to contact to obtain assistance in understanding the law.
- other options that the Individualized Education Program (IEP) team considered and the reasons why those options were rejected
- other factors relevant to the district’s proposal or refusal.

Activity Requiring Notice	Examples
Evaluation	<ul style="list-style-type: none"> • Prior to requesting consent • When a district says “No, not now...” • Following a written request for an evaluation
Identification	<ul style="list-style-type: none"> • Prior to identification as a student with a disability • Following a parent’s refusal to give consent or revocation of consent • Following a request for change in eligibility
Educational Placement	<ul style="list-style-type: none"> • Any change of placement, including graduation and disciplinary changes of placement • Proposal or refusal to provide a particular educational setting • Proposal or refusal to provide a requested special education program
Provision of FAPE	<ul style="list-style-type: none"> • Any time the contents of an IEP are changed • Following enrollment of an eligible student who was receiving special education a previous district

The Michigan Department of Education has provided the following guidance regarding Prior Written Notice:

https://www.michigan.gov/documents/mde/Session4_NoticeOnePager_439857_7.pdf

Section 18: IEP Amendments

Michigan Administrative Rules for Special Education allow for changes to an IEP by an amendment.

300.324 (a)(4) Agreement.

- 1. In making changes to a child's IEP after the annual IEP Team meeting for a school year, the parent of a child with a disability and the public agency may agree not to convene an IEP Team meeting for the purposes of making those changes, and instead may develop a written document to amend or modify the child's current IEP.*
- 1. If changes are made to the child's IEP in accordance with paragraph (a)(4)(i) of this section, the public agency must ensure that the child's IEP Team is informed of those changes.*

(b)(6) Amendments. Changes to the IEP may be made either by the entire IEP Team at an IEP Team meeting, or as provided in paragraph (a)(4) of this section, by amending the IEP rather than redrafting the entire IEP. Upon request, a parent must be provided with a revised copy of the IEP with the amendments incorporated.

IEP Amendments always require advance agreement between the parent and the public agency. School districts should NOT complete IEP amendments prior to consulting with and obtaining agreement from parents. Documentation of parent contact (including the date and method of contact) should be included in the Amendment Rationale Statement as well as the specific area within the IEP that will be changed. For example: "As per discussion with parent on 4.10.18 at 9:00am, the supplemental aids and services section of the IEP will be amended to add an accommodation for use of a calculator."

IEP Amendments are intended to be utilized only for minor changes to the IEP such as data entry errors.

Section 19: Special Education Records

Special Education Records (IEPs, REEDs, Evaluations, IEP Progress Reports, etc) are part of the student's cumulative file.

The Family Educational Rights and Privacy Act is a federal law that protects the privacy of a student's educational record. Details from the US Department of Education regarding FERPA can be found at:

<https://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html?>

There are specific rules related to the retention of special education records. The Records Retention and Disposal Schedule for Michigan Public Schools can be found here:

https://www.michigan.gov/documents/hal_mhc_rms_local_gs2_171482_7.pdf

Electronic Archives: The EUPISD has made an electronic archival system (CEO) available to local districts free of charge. This system provides an efficient, organized, and secure method for keeping documents that districts are required to retain for extended periods of time. Electronic archival as a region allows for easy transfer of records between districts in the region which enhances efficiency and results in increased consistency of student services. Districts who have adopted CEO as their electronic archival system have experienced increased efficiency and improved access.

Section 20: Resources

Accommodations:

- [Revised Assessment Accommodation Summary Table](#)
- MME Chart of Accommodations Dates—
 - Michigan Statewide Assessment Selection Guidance
 - Assessment Accommodation Summary Table FAQs
 - Assessment Accommodation Summary Table
 - Michigan Merit Examination Accommodations Summary Table

Eligibility criteria:

- [Michigan Merit Exam \(MME\) Student Eligibility](#)
 - Michigan Statewide Assessment Selection Guidance

IEP Development <http://www.mpas.org/resources/special-education-manual>

LRE . <https://www.cde.state.co.us/mtss/sped>

Prior Written Notice:

https://www.michigan.gov/documents/mde/Session4_NoticeOnePager_439857_7.pdf

Specifically Designed Instruction

http://sss.usf.edu/resources/format/pdf/specially_designed_instruction.pdf

See following links for assessment worksheets to complete for the IEP:

- [Michigan Administrative Rules for Special Education \(MARSE\)](#)
- Individuals with Disabilities Education Act (IDEA, Federal Regulations)
 - <http://idea.ed.gov>

- A Seven-Step Process to Creating Standards-Based IEPs
 - www.cenmi.org/documents/sevensteps.pdf

Rules

- [Procedural Safeguards](#)

Guiding Principles



Team Meetings - EUPISD

Professional Role Elimination - Take Off Your Hat

All members of a team are of equal importance and have insight into the student that is important.

No opinions. All decisions are based on the law, the research, and the data

Educating students with disabilities requires use of evidence based practices that are chosen based upon research and data that is collected to ensure the most effective approaches are utilized for the student.

Talk to the Board

The participants orient their body position toward the board which helps to eliminate emotions from the process.

All ideas are good ideas

Each meeting is used to brainstorm ideas; during this time participants need not explain, defend, or convince others of their input. The best idea is agreed upon and developed into an action plan.

No side bars Conversations

Meetings are designed to be efficient and productive. Conversations revolve only around the needs of the student and are shared to the whole team.

No stories

Stick to the facts during the meeting – everyone's time is valuable and stories distract from the task at hand.

All team members follow the agreed upon plan

The meeting doesn't continue in the parking lot. Conversations about the student or the plan don't continue after the meeting ends. Remember – silence equals agreement to the plan.

Appendix A: IEP Agenda

IEP Agenda Student Name: _____
Meeting Date: _____

1. Introductions
 - a. Encourage parental participation - We as a district want you to know you are an equal partner with teachers and other professionals in planning for your child's education.
 - b. Mark participants as present or not
 - c. If a special education provider is absent, fill out excusal form
2. REED
 - a. Check date on Re-eval - within 3 years it must be completed - within 2 years discuss if testing will be necessary for next IEP
 - b. Complete prior to IEP
3. Eligibility
 - a. Discuss primary and secondary eligibilities and check appropriate box(es)
4. Student Strengths
 - a. Enter all strength statements applicable to the student - refer to the strengths/needs template
 - b. Input parent concerns
5. Demonstrated Needs
 - a. Make sure all areas that will be covered with a goal, supplemental aids/services, and/or programs/services are included - refer to strengths/needs template
 - b. Personal care services should be noted under "anticipated needs" for any students who will be receiving help with activities such as: behavior redirection, mobility, toileting, personal hygiene, etc. -refer to guidance document - ISD web page, SE tab, Medicaid, personal care
6. Transition Goals
 - a. Fill in section for any student who is or will turn 16 during the life of the IEP
 - b. Conduct student assessments/interviews prior to the IEP meeting
 - c. Fill in a goal for all areas of transition section and enter applicable activities in each section - refer to B13 checklist
7. Course of Study and Student Rights
 - a. Choose appropriate box for future studies - discuss diploma / certificate of completion
 - b. Choose appropriate box for student rights
8. Goal Page
 - a. Create measurable goals for the IEP
 - b. Objectives must be measurable with baseline data

9. IEP Goal Review
 - a. Were previous goals met? If not, provide rationale.
10. LRE Questions
 - a. If you choose “no” to any of the questions, provide a rationale
11. Supplemental Aids and Services
 - a. Make sure all areas are addressed that were identified on strength page
 - b. REMEMBER data needs to be collected on supplemental aids/services so it is important to be as specific as possible in time/frequency/condition
12. Programs and Services
 - a. Include all programs and services the student receives
 - b. If a student is receiving consult for OT, PT, SSW, ASD, SLP, TC - the time away boxes will all be 0
13. Assessments
 - a. Choose grade to see state assessment options
 - b. Utilize MDE guidance and previous assessment performance to determine appropriate assessment
14. Transportation - Choose appropriate options
15. Follow Up Details
 - a. All IEPs with the exception of speech only students should indicate “Designated Case Manager” as responsible party
 - b. Initial IEP - parents must sign consent
16. Notice
 - a. Include ALL items that were discussed but not included in the IEP
 - b. Because this constitutes the district’s offer of FAPE, the superintendent or designee must sign.
17. Obtain consent for Medicaid Billing if parent has not yet given one-time consent

Appendix B: IEP Checklist

IEP Checklist Student Name: _____ IEP Due Date: _____
Re-Eval Due Date: _____

_____ Ten-Day Notification - Call Home, Phone Notes: _____

_____ Invitation Sent to All Participants, District Representative, Ancillary Staff: _____

_____ Request Subs as Needed

_____ Procedural Safeguards and Parent Handbook: Sent home _____ Provided at Meeting _____

_____ Complete Testing / Gather Data for Strength and Need Statements

_____ Complete Transition Assessment / Interviews

_____ Work in IEP and Develop Draft content

_____ Hold Meeting - follow IEP Agenda

_____ Provide Parent with Copy of IEP

_____ Publish IEP once complete - REMEMBER TO PUBLISH BY THE DUE DATE!!!!!!

_____ Copies

_____ Original to Office

_____ CA-60

_____ Teacher File .

_____ Parent

_____ Provide New Accommodation Lists to Teachers

_____ If Personal Care Services are included in the IEP, notify Andrea Van Sloten which provider will be completing Medicaid Billing for the Student

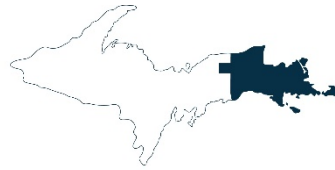
_____ Turn in Checklist with Office copy

Office Use Only

_____ Scanned and Uploaded into CEO
Initials: _____

Date: _____

Appendix C: Special Education Responsibility Assignments



EASTERN UPPER PENINSULA
INTERMEDIATE SCHOOL DISTRICT

SPECIAL EDUCATION RESPONSIBILITY ASSIGNMENTS

Included in this are: Referral/Evaluation Plan/Consent to evaluate process and form/Immediate Placement process and form/MET timelines/ IEP process and form.

Students new to Special Education:

TASK	ROLE RESPONSIBLE
Who receives referrals?	
If the referral is from someone other than the parent, who notifies the parent a referral has been received?	
Who sets up the Review of Existing Evaluation Data (REED) meeting?	
Who obtains Prior Written Notice and consent to evaluate?	
Who arranges IEP dates with parents, teachers, and ancillary staff?	
Who completes and sends invitation (including Procedural Safeguards/Parent Handbook booklets) to the parents regarding the IEP meeting?	
Who notifies all teachers and ancillary staff to complete annual goals/short-term objectives/service information?	
Who completes the draft of the IEP in Electronic IEP system?	
Prior to the IEP meeting, who reviews the IEP draft, including the PLAAFP statement, the goals/objectives, and programs/services?	
Who finalizes the draft IEP, including any changes made at the meeting?	

Out of district transfer students already eligible for special education:

TASK	ROLE RESPONSIBLE
Who reviews records or contacts previous district to confirm special education eligibility?	
Who completes the Prior written notice and Permission to Place in the Electronic IEP system?	
Who obtains the parent(s) signature(s) on the Prior Written Notice and Permission to Place form?	
Who arranges IEP dates with parents, teachers, and ancillary staff?	
Who completes and sends IEP invitation (including Procedural Safeguards and Parent Handbook booklets) to the parents regarding the IEP meeting?	
Who notifies all teachers and ancillary staff to complete annual goals/short-term objectives/service information?	
Who completes the draft of the IEP in the Electronic IEP system?	
Prior to the IEP meeting, who reviews the IEP draft, including the PLAAFP statement, goals, objectives, programs, and services?	
Who finalizes the IEP draft, including any changes made at the meeting?	

Students currently eligible for special education:

TASK	ROLE RESPONSIBLE
Who reviews the IEP due dates in the Electronic IEP system (typically case managers)?	
Who reviews the MET due dates in the Electronic IEP system (typically case managers)?	
Who sets up Review of Existing Evaluation Data (REED) meetings to discuss the redetermination of students currently eligible for special education?	
If a reevaluation is determined to be needed, who obtains Prior Written Notice and Consent to Evaluate?	
Who arranges the IEP dates with the parents, teachers, and ancillary staff?	
Who completes and sends the IEP invitation (including the Procedural Safeguards and Parent Handbook booklets) regarding the IEP meeting?	
Who notifies all teachers and ancillary staff to complete annual goals/short-term objectives/service information?	
Who completes the IEP draft in Electronic IEP system?	
Who finalizes the IEP draft and includes any changes made at the meeting?	

General Tasks:

TASK	ROLE RESPONSIBLE
Who collects progress reports from all providers?	
Who files progress reports in the student's CA60?	
Who sends progress reports home to parents at the same time reports cards are sent home?	

Appendix D: Functional Behavior Assessment Guidelines



EASTERN UPPER PENINSULA
INTERMEDIATE SCHOOL DISTRICT

FUNCTIONAL BEHAVIOR ASSESSMENT GUIDELINES Revised January 2018

Purpose

Functional Behavior Assessment (FBA) is a process of assessment used to determine if there is a relationship between behavior and the environment - and if so, the extent of that relationship. FBA utilizes observations within the environment to determine what environmental conditions tend to occur predictably before the target behavior (antecedents) and what changes are apparent in the environment following the behavior (consequences). The goal of an FBA is to develop an effective intervention plan to change the behavior.

Core Beliefs

1. Function Matters: Function is the purpose of a behavior (a reason why student engages in given behavior or what is in it for him/her). Function describes an observable change in the environment following a behavior (something accessed or avoided as result of behavior). Behavior can function to access or to escape/avoid environmental factors.
2. FBA Requires Repeated Observations of Behavior: FBA is a complex analysis of when, where and under what conditions a behavior occurs and its purpose. The goal is to identify patterns of behavior, not to react to a single intense behavior instance. Repeated observations are necessary to ensure a comprehensive picture of behavior and its relationship to the environment.
3. The Only Purpose of an FBA is to Develop an Effective Intervention Plan - FBA is an assessment that results in changing the instructional behavior of the staff. Information gained from a FBA results in the development of an intervention plan that includes a focus on teaching a behavior or skill while creating an instructional environment in which success is highly likely.

When should a district conduct FBA

Best Practice: FBAs are necessary when a student presents with a pattern of behavior that disrupt the learning environment - a minimum of 3 examples of the behavior have been observed. Factors to consider when looking for a pattern of behavior include:

- Student does not respond to tier 1 classroom management strategies
- Increase in disruptive behaviors such as verbal outbursts, physical aggression, etc.

- Change in work habits such as decrease in work output, increase in time off task, etc.

Legal Requirement (MARSE 34 CFR §300.530)

Determination that behavior was a manifestation of the child's disability If the school district, the parent, and relevant members of the IEP Team determine that the conduct was a manifestation of the child's disability, the IEP Team must either: 1. Conduct a FBA, unless the school district had conducted a FBA before the behavior that resulted in the change of placement occurred, and implement a behavioral intervention plan (BIP) for the child; or 2. If a BIP already has been developed, review the BIP, and modify it, as necessary, to address the behavior.

Participants

- FBA team will include:
- FBA coordinator
- Special education teacher
- General education teacher
- Administrator
- School social worker
- Other FBA team members as applicable

Process Steps

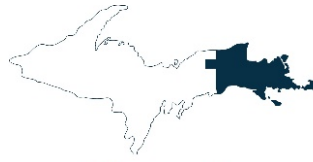
- A FBA will include the following components:
- Teacher interview(s)
- Parent interview(s)
- Student interview
- Observations
- ABC data collection
- ABC data analysis
- Log of Interventions Attempted
- Intervention Recommendations

References

Scott, T. M., & Cooper, J. T. (2017). Functional Behavior Assessment and Function-Based Intervention Planning: Considering the Simple Logic of the Process. *Beyond Behavior*, 26(3), 101-104. doi:10.1177/1074295617716113

For more information on FBA guidelines, as well as flowcharts, worksheets and checklists, please visit www.eupschools.org.

Appendix E: Behavior Improvement Plan Guidelines



EASTERN UPPER PENINSULA INTERMEDIATE SCHOOL DISTRICT

BEHAVIOR IMPROVEMENT PLAN GUIDELINES

Revised March 2018

Purpose

The purpose of a Behavior Improvement Plan (BIP) is to identify supports and skills that will allow students to access and participate fully in the general education curriculum. A BIP will identify proactive strategies for preventing undesired behavior rather than reacting to it, identify instructional approaches to teach lagging skills, and identify modifications that can be made to the learning environment in order to prevent behavioral errors and promote socially responsible behavior.

Core Beliefs

1. Function is critical: Functional Behavior Assessment (FBA) is an assessment that results in changing the instructional behavior of the staff. Information gained from a FBA results in the development of an intervention plan that includes a focus on teaching a behavior or skill while creating an instructional environment in which success is highly likely.
2. Behavior is malleable: Environments can be created to change behavior. Changing environments requires change in adult behavior in a consistent and systematic manner. Systems of support are necessary for both students and adults.
3. Students with behavior difficulties have lagging skills: Some students do not know what, how, or when to use or not use a particular behavior. Some students cannot perform a particular behavior correctly, the way you want them to, or for as long as needed. Lagging behavior skills must be explicitly taught.
4. Instruction is the most powerful behavior change tool: Instruction for lagging skills is the most effective and longest lasting method for changing student behavior. Consequences and punishment do not result in lasting behavior change.

Before a BIP - Ensure Tier 1 Supports

1. Established classroom expectations are foundational to managing student behavior: Within each classroom, teachers should have 3 to 5 positively stated expectations that are posted, taught explicitly, and reinforced consistently. Expectations should be retaught until all students achieve mastery, and retaught throughout the year to maintain mastery.
2. Established classroom procedures are foundational to managing student behavior: Procedures (methods) within the classroom provide structure for how students should interact during the day. Procedures are developed for all regularly occurring classroom

activities including entering and leaving the classroom, using the restroom, making up missing assignments, what to do in an emergency, etc. Procedure steps should be posted, utilized consistently, taught and re-taught regularly.

When should a district complete a Behavior Improvement Plan

Best Practice: BIPs are necessary when a student presents with a pattern of behavior of a moderate to severe nature that disrupt the learning environment - a minimum of 3 examples of the behavior have been observed. Factors to consider when looking for a pattern of behavior include:

- Student does not respond to tier 1 classroom management strategies when implemented with fidelity
- Increase in disruptive behaviors such as verbal outbursts, physical aggression, etc.
- Change in work habits such as decrease in work output, increase in time off task, etc.

NOTE A Functional Behavior Assessment must be completed prior to a BIP to ensure appropriate instruction is outlined in the BIP.

Legal Requirement (MARSE 34 CFR §300.530)

Determination that behavior was a manifestation of the child's disability If the school district, the parent, and relevant members of the IEP Team determine that the conduct was a manifestation of the child's disability, the IEP Team must either: 1. Conduct a FBA, unless the school district had conducted a FBA before the behavior that resulted in the change of placement occurred, and implement a behavioral intervention plan (BIP) for the child; or 2. If a BIP already has been developed, review the BIP, and modify it, as necessary, to address the behavior.

Participants

BIP team will include:

- Parent
- Special education teacher
- General education teacher
- Administrator
- Other IEP team members as applicable

Process Steps

A BIP will include the following components:

- Student Strengths
- Background/Medical Information
- Identified Predictors of Behavior
- Identified Function of Behavior
- Proactive Strategies and Environmental Supports
- Replacement Behavior Skills
- Replacement Behavior Teaching Strategies
- Successive Approximations
- Positive Reinforcement Strategies

- Support Plan Procedure
- Plan for Systematic Review

Forms

[Behavior Improvement Plan Template](#)

[Behavior Improvement Plan Implementation Guide](#)

Supporting Materials

[FBA Guidelines](#)

[FBA Fidelity Checklist](#)

[FBA Implementation Guide](#)

[FBA Report Template](#) - *Requires a REED*

[Tier 1 Classroom Management Fidelity Checklist](#)

[Classroom PBIS Guidance Document](#)

[SAT Manual](#)

[SAT Implementation Guide](#)

[SAT Fidelity Checklist](#)

REED Development Guidance - [initial](#) and [already eligible](#)

[Emergency Seclusion and Restraint Implementation Guide](#)

References

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Appendix F: Manifestation Determination Review Guidelines



EASTERN UPPER PENINSULA INTERMEDIATE SCHOOL DISTRICT

MANIFESTATION DETERMINATION GUIDELINES Revised February 2018

Purpose

Manifestation Determination Review (MDR) is a required process of data review when a student with a disability demonstrates problem behavior that results in a change of placement*. The MDR seeks to determine whether offending behavior was a manifestation of the student's disability or due to failure to implement the student's program. A meaningful MDR will result in informed decision-making and appropriate allocation of supports that are crucial to student success.

*Change of placement is defined as removal from a program for:

more than 10 consecutive days

- OR - a series of removals that constitutes a pattern or exceeds 10 cumulative days

- OR - removal from a program to an interim alternative educational setting.

When should a district conduct MDR

Legal Requirement (MARSE 34 CFR §300.530)

A MDR is required within 10 school days of any decision to change the placement of a child with a disability because of a violation of the code of student conduct.

*NOTE: The district MUST document that Procedural Safeguards were provided to the parent/guardian.

Participants

MDR team must include:

- Local Education Agency (LEA) representative (e.g. school administrator)
- Parent(s)/Guardian(s)
- Relevant IEP team members:
 - Administrator
 - General education teacher
 - Special education teacher/provider
 - Individual who can interpret the instructional implications of evaluation results

Other possible participants include:

- Related services professionals
- Individuals invited by the parent

Process Steps

An MDR will include the following components:

- Assemble MDR team that includes all required participants
- Review information and documentation relevant to the student's program and disability including, but not limited to:
 - The student's file
 - Teacher observations
 - Information from the family
- Team considers the information and documentation in light of four key questions:
 1. What data demonstrates the student possesses the requisite skills to engage in an appropriate alternative behavior?
 2. What data demonstrates the student's ability to analyze the problem, generate solutions, evaluate their effectiveness, and select one?
 3. What data demonstrates how the student interprets situations - factually or distortions to fit some existing bias?
 4. What data demonstrates the student can monitor his/her own behavior?
- Determination is made and appropriate steps are followed. See MDR [Flow Chart](#)

Forms

The EUPISD utilizes the MDR form found in the Illuminate SE system. The form can be accessed from a student profile by selecting "Special Education" and "MDR Details."

[Step by Step Guidance for Illuminate MDR](#)

Supporting Materials

[FBA Guidelines](#)

[FBA Report Template](#) - *Requires a REED*

[FBA Fidelity Checklist](#)

[FBA Implementation Guide](#)

[Behavior Improvement Plan Guidelines](#)

[Behavior Improvement Plan Template](#)

[Behavior Improvement Plan Implementation Guide](#)

[Emergency Seclusion and Restraint Implementation Guide](#)

[SAT Manual](#)

[SAT Problem Solving Worksheet](#) - use when student is not SE eligible

[SAT Implementation Guide](#)

[SAT Fidelity Checklist](#)

REED Development Guidance - [initial](#) and [already eligible](#)

[Tier 1 Classroom Management Fidelity Checklist](#)

[Classroom PBIS Guidance Document](#)

References

Knudsen, M.E. and Bethune, S. (2018). Manifestation Determinations: An interdisciplinary guide to best practices. *Teaching Exceptional Children*, 153-159.