General IEP Information
VAC 20-81-110

What is an IEP?

An Individualized Education Program (IEP) is a written statement for a child with a disability that is developed, reviewed and revised in a team meeting. The IEP specifies the individual educational needs of the child and what special education and related services are necessary to meet the child’s educational needs.

Accountability

Staunton City Schools must provide special education and related services to a child with a disability in accordance with the child’s IEP. However, the VADOE or Staunton City Schools are not prohibited from establishing their own accountability systems regarding teacher, school or agency performance.

Staunton City Schools shall take steps to ensure that one or both of the parents of the child with a disability are present at each IEP meeting or are afforded the opportunity to participate. This assurance includes:

- Notifying the parent(s) of the meeting early enough to ensure that they will have an opportunity to attend; and
- Scheduling the meeting at a mutually agreed on time and place.

Staunton City Schools is responsible for initiating and conducting meetings to develop, review and revise the IEP of each eligible child with a disability.

Staunton City Schools shall ensure that a child’s IEP is accessible to each regular education teacher, special education teacher, related service provider and other service provider who is responsible for its implementation.
Staunton City Schools shall ensure the child’s IEP is accessible to each regular education teacher, special education teacher, related service provider and other service personnel who is responsible for its implementation.

Staunton City Schools shall ensure that teachers and providers are informed of:
- Their specific responsibilities related to implementing the child’s IEP; and
- The specific accommodations, modifications and supports that shall be provided to the child in accordance with the IEP.

Staunton City Schools is responsible for initiating and conducting the meetings to develop, review and revise the IEP for a child with a disability.

To the extent possible, Staunton City Schools shall encourage the consolidation of re-evaluation and IEP meetings for the child.

Staunton City Schools must make a good faith effort to assist the child to achieve the goals, including benchmarks or objectives listed in the IEP.

Staunton City Schools shall provide special education and related services to a child with a disability in accordance with the child’s IEP.

If changes are made to the child’s IEP, Staunton City Schools shall ensure that the child’s IEP team is informed of those changes.

**When Are IEPs Written?**

- IEPs must be reviewed periodically, but not less than annually. An IEP cannot extend beyond one calendar year (365 days) **under any circumstance**.
IEPs must be in effect at the beginning of each school year for each child in Staunton. This means every eligible child must have a current, active, valid IEP in place by the first day of school. No exceptions.

An active IEP must be in effect for each child with a disability within our jurisdiction, with the exception of children placed in a private school by parents when FAPE is not at issue. (See the "Service Plan" Section of this handbook)

An IEP must be written before special education and related services are provided to an eligible child.

An IEP must be developed within 30 calendar days of the date of the initial determination that the child needs special education and related services. The IEP must be implemented as soon as possible following parental consent to the IEP, not to exceed 30 calendar days, unless Staunton City Schools documents the reasons for the delay.

An IEP must be developed within 30 calendar days of the date the eligibility group determines that the child remains eligible for special education and related services following re-evaluation, if the IEP team determines that changes are needed to the child's IEP or if the parent requests it.

An IEP must be implemented as soon as possible following parental consent to the IEP.

What does it mean to review an IEP?

An IEP team must meet at least annually to determine whether the annual goals are being achieved and to revise its provisions, as appropriate, to address:

1. Any lack of expected progress toward the annual goals and in the general curriculum, if appropriate;
2. The results of any reevaluation conducted under this chapter;
3. Information about the child provided to or by the parent or parents;
4. The child’s anticipated needs; or
5. Other matters.

Nothing in this section limits a parent’s right to ask for revisions to their child’s IEP if the parent feels the efforts required by this section are not being met.
Who are the Members of an IEP team?

☒ The parent(s) of the child;

☒ A representative of the LEA who is qualified to provide or supervise specially designed instruction to meet the unique needs of children with disabilities; is knowledgeable about the general education curriculum; and is knowledgeable about the availability of resources of Staunton City Schools. This person is the administrator or the administrator’s designee.

On an IEP, this person’s signature guarantees, legally, the resources, staff and services written on the IEP.

☒ Whenever appropriate, the child;

☒ **Not less than one** regular education teacher of the child (if the child is or may be participating in the regular education environment at any point in time);

☒ **Not less than one** special education teacher of the child. For a child whose only disability is speech-language impairment, the special education provider shall be the speech-language pathologist;

☒ Any applicable related service providers;

☒ An individual who can interpret the instructional implications of evaluation results. This individual may be a member of the team serving in another capacity, other than the parent.

☒ A representative of Staunton City Schools who is:
  (1) Qualified to provide or supervise the provision of specially designed instruction to meet the unique needs of children with disabilities;
  (2) Knowledgeable about the general education curriculum; and
  (3) Knowledgeable about the availability of resources of Staunton City Schools.
Staunton City Schools shall invite a student with a disability of any age to attend the student’s IEP meeting if a purpose of the meeting will be the consideration of:

(1) The student’s postsecondary goals;
(2) The needed transition services of the student; or
(3) Both

To the extent appropriate and with the consent of the parent(s) or a child who has reached the age of majority (age 18), Staunton City Schools shall invite a representative of any participating agency that is likely to be responsible for providing or paying for transition services.

*If any agency invited to send a representative to a meeting does not do so, Staunton City Schools shall take other steps to obtain participation of the other agency in the planning of any transition services.

Whenever appropriate, the child with a disability. If a purpose of the meeting is consideration of the postsecondary goals of the child and the transition services needed to assist the child in reaching those goals, the child must be invited.

*If the student does not attend the IEP meeting, Staunton City Schools shall take other steps to ensure that the student’s preferences and interests are considered.

At the discretion of the parent(s) or Staunton City Schools, other individuals who have knowledge or special expertise regarding the child, including related services personnel, as appropriate. The determination of knowledge or special expertise of any individual shall be made by the party (parent(s) or Staunton City Schools) who invited the individual to be a member of the team;

If the student has a Health Care Plan that will be reviewed at the IEP meeting, the nurse assigned to the school must be invited.

In the case of a child who was previously served under Part C of the Act, an invitation to the initial IEP meeting shall, at the request of the parent, be sent to the Part C service coordinator or other representatives of the Part C system to assist with the smooth transition of services.

The child’s IEP must be accessible to each general education teacher, special education teacher, related service provider who is responsible for its implementation.

Teachers and providers must be informed of:

1. their specific responsibilities related to implementing the child’s IEP; and,
2. The specific accommodations, modifications and supports that must be provided for the child in accordance with their IEP.
Can IEP Members Serve Multiple Roles?

Yes, if they meet the qualifications of each role. Staunton City Schools determines the school personnel required to fill the roles of the required IEP team members.

What if the Student Does Not Attend Their Own IEP Meeting?

Staunton City Schools must take other steps to ensure that the student’s preferences and interests are considered.

FOOD FOR THOUGHT:
WHEN SHOULD STUDENTS LEAD THEIR OWN IEP MEETING?

Can Parents Invite Other Individuals to the IEP Meeting?

Yes, parents may invite other individuals others than those listed above who they believe have knowledge or special expertise regarding the child as appropriate. However, do not include this person (people) on the “Notice of A Meeting” form as Staunton City Schools is not inviting this person, the parent is.
Can Staunton City Schools Invite Other Individuals to the IEP Meeting?

Yes, Staunton City Schools may invite individuals other than those listed above who they believe have knowledge or special expertise regarding the child as appropriate. For example, in the case of a child whose behavior impedes his learning or the learning of others, the case manager should invite someone with Staunton City Schools who is knowledgeable about positive behavioral strategies.

WHERE CAN I FIND THOSE PEOPLE?
Look first in your own building. You have many folks with exceptional skills and talents. Learn from each other. If you need someone outside of your building to assist, contact your school psychologist, the behavioral consultant, or the director of special education. We are all here to help.

If the Child is In Foster Care, Should the Foster Parent and Social Services Worker be Invited to the IEP meeting?

Yes. But, under no circumstances may the Social Services Worker, Foster Care Worker or any other agency representative sign consent for anything related to the provision of special education and related services. They may participate in the development of the IEP. If the agency representative is unable to attend the meeting as scheduled, the meeting may be held without the caseworker.

A foster parent, unless they have also been designated Surrogate Parent by the Director of Special Education, may not assume the role of parent at the meeting, but they may participate in the development of the IEP. Custody is not an issue with regard to special education regulations, parental rights are. Parental rights can only be terminated by a court of law. The case manager is responsible for inviting the parent(s) to the IEP meeting if the parent(s) retain parental rights to the child. Contact the special education office for support with this issue.

Who is Responsible for Ensuring an Appropriate Team Composition is Present at an IEP meeting?

The case manager assigned to the child is responsible for ensuring an appropriate team composition is present (or has input in the development of the IEP). That means that the case manager needs to be certain to give adequate notice to all individuals, including related service providers, of the date, time and location of the meeting.
Are All IEP Team Members Required to Attend Every IEP Meeting?

Not necessarily. A member of the IEP team is not required to attend an IEP meeting, in whole or in part, if the parent(s) of a child with a disability and Staunton City Schools agree, in writing, that attendance of the member is not necessary because the member’s area of the curriculum or related services is not being modified or discussed at the meeting.

Are all IEP Team Members required to stay for the Entire IEP Meeting?

Not necessarily. A member of the IEP team may be excused from attending an IEP meeting, in whole or in part, when the meeting involves a modification to or discussion of the member’s area of the curriculum or related services, if

(i) the parent, in writing, and the public agency consent to the excusal; and,

(ii) the member submits, in writing to the parent and the IEP team, input into the development of the IEP prior to the meeting.

Document any excusal of any member and the reasoning for their excusal on the minutes page of the IEP.

Procedures for Developing a Draft IEP

1. Invite the parent(s) and child, when appropriate, to an IEP meeting using the “Notice of a Meeting” form. You must give the parents and other IEP team members at least five (5) business days notice.

☐ Be sure to indicate all areas that may be discussed during the course of the IEP meeting. Think about everything that you may talk about during the development of the IEP and check all those areas.

☐ If you are writing an initial IEP or if this is a transfer student new to Staunton City Schools, provide the parent(s) and/or adult child with a copy of Virginia Special Education Procedural Safeguard Requirements under the Individuals with Disabilities Education Act, revised October 2006.
2. Send a copy of the "**Notice of a Meeting**" to all other IEP team members. Be certain to invite related service providers, and transition service providers, when appropriate.

![Reminder](image)

**Remember ALL IEP team members need a minimum of five (5) business days' notice.**

3. When you develop a DRAFT IEP prior to the meeting, send a copy home to the parent(s) and child, when appropriate, before the meeting. You may NOT fill in the Considerations page, Least Restrictive Environment-Service page, or Placement page until the IEP meeting. You may not fill out the transition portions of the IEP until you have input from the student.

4. Hold the IEP meeting, completing the IEP. The IEP remains in DRAFT form until signed informed parental consent is obtained.

- For **initial** IEPs, ask the parent(s) if they would like another copy of their parental rights. By the time you conduct the IEP meeting, they will have received two copies of their parental rights from the School Board Office, and one from the SST when the referral for evaluation was requested.

5. Bring blank forms to the meeting, just in case.

- **Continuing Staunton City students:** for subsequent IEPs and addendums, ask the parents if they would like another copy of their parental rights. Each August, parental rights are provided to all Staunton City students enrolled the first day of school via their first Tuesday folder.

- **Transfer Students:** For students that transfer to Staunton City Schools **at any point** during the school year, include a copy of parental rights with the "**Notice to Attend a Meeting**" and document that you provided a copy of parental rights on the "**Notice to Attend a Meeting**" form.
6. Page 1, Cover Page

A. Get identifying information from the Scholastic Record, Power School and Eligibility Minutes (do not rely on the information on the last IEP).

B. Grade must to include both school years, when applicable, that the IEP covers.

C. The meeting to determine components needed for re-evaluation is 2 years and 9 months from the last eligibility meeting date. This gives the IEP team and others the required 65 business days to complete all testing and hold an eligibility meeting.

How do I figure that date out?

<table>
<thead>
<tr>
<th>Last Eligibility Date</th>
<th>New Eligibility Date</th>
<th>Date IEP Meeting MUST be held to Determine Components for Continued Eligibility</th>
</tr>
</thead>
<tbody>
<tr>
<td>January 1, 2007</td>
<td>January 1, 2010</td>
<td>October 1, 2009</td>
</tr>
<tr>
<td>April 15, 2008</td>
<td>April 15, 2011</td>
<td>January 15, 2011</td>
</tr>
<tr>
<td>October 30, 2007</td>
<td>October 30, 2010</td>
<td>July 30, 2010</td>
</tr>
</tbody>
</table>

D. Signatures are completed at the end of the meeting, after placement is determined. If the IEP is sent home for review, the parent can sign the front, indicating they participated in the development of the IEP, but should check “no” that they did not participate in the meeting.

7. Page 2, Present Level, Part 1

1. Why the student was determined eligible for special education services and 2. Brief history of special education service. Information for both of these will come from a review of eligibility minutes and past IEPs. Identify the disability(ies) using the latest eligibility minutes. For students identified with a Specific Learning Disability, list the academic area(s) the child qualified for at eligibility. For example, “Rich was found eligible under the identifying label of Other Health Impairment on April 1, 2007 due to a diagnosis of Attention Deficit Hyperactivity Disorder. He is demonstrating difficulty sustaining attention and complying with adult requests and school rules. Additionally, his difficulty organizing his materials for class and recognizing personal space is impacting his ability to progress in the
general education curriculum.” “Linda was identified as a student with a Specific Learning Disability in the area of reading because she exhibits a pattern of strength and weaknesses in performance relative to age and State-approved grade level standards.”

3. Parental Concerns. If the parent is not present at the IEP, write, “Parent not present at IEP meeting.” If no concerns are expressed by the parent, write “No concerns voiced by the parent.” Do not leave blank or write N/A. Parental concerns are ALWAYS applicable. If the parent has requested that the IEP be sent home, make certain you obtain their input regarding their concerns prior to holding the IEP meeting.

4. Health History & Medication. If there is no health history and medication that is educationally relevant, write, “None noted” or “Student is healthy with no medications taken.”

5. Related and Vocational Services. List all related services currently provided or note any that were terminated or added with this IEP. Vocational services include ETP, VVTC, Job Placement classes, mentoring and exploratory classes.

6. Strengths. Strengths noted must relate to educational performance.

7. For preschool, the affect of identified disabilities in participating in appropriate activities. See eligibility minutes or previous IEPs for this information. For all students K-12th grade, write “Not applicable due to age.”

Goal page.

Skill Area: Address deficit areas directly related to a child’s disability (e.g. reading, written expression, social skills, organization, math, etc.) Do not write “Occupational Therapy” or “Physical Therapy”—those are not skill areas.

In the present level of performance statement you must describe where the child is performing now, including all effects of the student’s disability on his involvement and progress in the general education curriculum, including academic and functional areas of need. Additionally, you must include recent test scores, along with an explanation of those scores, avoiding educational jargon.

The annual goal must be measurable and must directly relate to what is written in the present level of performance. Measurable goals have 4 parts.

Skill area: Donna will answer both literal and inferential comprehension questions. To What Level: using fiction and nonfiction texts written on a 4th grade level. As Measured By: as measured by curriculum based assessments, class work and running records
Expected Mastery Date: by June 10, 2009

- Objectives/Benchmarks do not have to be measurable, but they must relate directly to the annual measurable goal. Objectives/benchmarks are steps the student will take to gain the skills necessary to master the annual goal. Objectives are taken directly from the present level of performance. Objectives/benchmarks must be written for those students who will be participating in SOL testing through VAAP. Objectives/benchmarks are not required for students who are not participating in SOL testing through VAAP, but objectives/benchmarks must be considered for each goal. If the IEP team determines that objectives/benchmarks are required, check “Short-term objectives/benchmarks are included for this goal.” If the IEP team determines that objectives/benchmarks are not required, check “Short-term objectives/benchmarks are not included for this goal.”

You cannot write, “The student will improve organizational skills by meeting the benchmarks below.”

This is not a measurable goal.

Goals must be measurable, objective and stand alone.

- For each goal, a progress report must be completed. The progress reports do not stay in the IEP. Write a progress report for each goal you write. On the progress report, write out the goal exactly as it is written on the IEP.

When Must Progress Reports be Sent?
Progress reports must be sent with every report card and with every progress reporting cycle if all students in the building receive a progress report.

9. **Accommodations/Modifications**

**What are Accommodations?**

Accommodations must be directly related to the disability and are used to provide equal access to the general education curriculum. Accommodations do not make expectations for content mastery, behavior, etc. different from other students; they provide different vehicles for the student to access the same things other students do.

**What are Modifications?**

Modifications are changes to the curriculum content, physical space, length of day that changes the content, physical space, length of day, etc. for that student. Modifications make something different.

A. Any accommodations listed on this page must also be listed on the standardized testing page(s)/SOL pages of the IEP. See the Testing Section of this handbook for information regarding Standard and Non-Standard Accommodations for SOL tests. Always check with your School Testing Coordinator (STC) for the most recent updates for allowable standard and non-standard accommodations.

If the IEP team determines that a student will participate in SOL testing through VGLA or VSEP, then the accommodation “tests given in multiple choice format” is not appropriate because a participation criteria for VGLA/VSEP is that the student cannot demonstrate mastery of SOL content through a multiple choice format.
B. **Frequency** indicates under what conditions and/or how often the accommodation/modification will be used. Be specific. Do not write “as needed” or “at discretion of teacher”. Write “at student request” only if you have clear documentation in the IEP that the student knows how to and consistently demonstrates the specific self-advocacy skill. Use phrases like “during transitions”, “during tests/quizzes”, “throughout the school day when reading is involved” “when material is written above the student’s independent reading level” to help specify to the IEP team exactly when accommodations/modifications will be used.

C. Typically, **location** will be “integrated settings”. However, location may be any location along the continuum of service options. *IEP teams are required to identify the specific school site (public or private) when the parent expresses concerns about the location of services or refuses the proposed site A listing of more than one anticipated location is permissible, if the parents do not indicate that they will object to any particular school or state that the team should identify a single school.*

D. **Duration** is typically the beginning and ending date of the IEP. For semester classes, dates may vary.

E. If there is a **Behavior Intervention Plan** for school and/or bus behavior, that plan will be listed here as an accommodation. Remember, if there is a BIP in place there must be a corresponding goal page(s) to target the behavior(s) being addressed.

F. For those students needing adult assistance for specific times of the day that assistance should be noted specifically, not “as needed” on the accommodations page.

If 1:1 assistance is required to allow the student to access the general education curriculum, then an accompanying goal for increasing independence and decreasing 1:1 support must be included in the IEP.
10. **SOL Testing Page**

There is one standard SOL testing pages covering grades 3 through High School.

**Grades 3-8**

- Indicate the grade(s) for the assessments in which the student will participate for the duration of the current IEP.

- List the accommodations for each content area to be assessed. See your School Testing Coordinator for the most accurate accounting of what are permissible accommodations.

<table>
<thead>
<tr>
<th>DON'T FORGET!</th>
</tr>
</thead>
<tbody>
<tr>
<td>If the accommodation is not used regularly by the student, it may not be used solely for testing situations.</td>
</tr>
</tbody>
</table>
When discussing SOL testing participation, remember this is a conversation and decision, based on data, about how the student demonstrates content knowledge, not about passing a test. A student may be able to demonstrate all they know about a particular subject through multiple choice formats with or without accommodations and still not achieve a passing score.

The IEP team must examine work samples of the student’s independent work. The IEP team must compare work samples completed in a multiple choice format with work samples completed in other formats. The samples compared must contain the same SOL content.

The questions are:
1. Does the student demonstrate individual achievement of Standards of Learning content through means other than multiple-choice formats?
2. As a result of the disability, is the student unable to demonstrate individual achievement on the Standards of Learning test for the assigned course or grade level using accommodations?

The IEP team must maintain the evidence it uses to complete this worksheet in the student’s cumulative folder.

VGLA IEP Page

If the IEP team determines that participation in SOL testing through a VGLA format is appropriate for a given content area, under the accommodations column, write “VGLA” for that content area. Then, in the bottom section of the page, write “Donna will participate in standard testing for science, reading and social studies. For math, Donna demonstrates SOL content mastery though means other than multiple choice formats. Donna will participate in the SOL testing program through the VGLA format for math. Documentation for this decision is retained in her cumulative folder. This decision has no bearing on promotion, retention or graduation.”
Virginia Alternate Assessment Program

If the IEP team determines that participation in the SOL testing program through the VAAP is appropriate when completing the “Virginia Alternate Assessment Program” IEP pages (2), under the accommodation section write “VAAP” for each content area assessed. At the bottom of the SOL testing participation page write, “HL will participate in the SOL testing program through the VAAP format because he demonstrates significant cognitive disabilities that necessitates extensive, direct instruction in a variety of settings to show active interaction and achievement. This decision has no bearing on promotion, retention or graduation.”

For Grades 9-12, or 8th Graders Participating in High School Credit Classes

For the, check each content box for each EOC test they will participate in based on their program of studies and current class schedule.

If the IEP team determines that participation in the SOL testing program through the Virginia Substitute Evaluation Program (VSEP) is appropriate for a student in a given course by completing the VSEP worksheets, then under the accommodation column for that course write “VSEP.” In the bottom section of the page write, “Donna will participate in standard testing for algebra 1. Due to her disability in reading and written expression she will participate in SOL testing through VSEP for English 11 reading and English 11 writing because she does demonstrate achievement in these areas through multiple choice formats. This decision has no bearing on promotion, retention or graduation.”

If the student is participating in the Virginia Alternate Assessment Program (VAAP), write “Lynn will participate in the SOL testing program through participation in VAAP because he demonstrates significant cognitive disabilities that necessitate extensive, direct instruction in a variety of settings to show active interaction and achievement. Lynn is pursuing a special certificate. This decision has no bearing on promotion or retention.”
If the IEP team determines that a student will participate in VGLA or VSEP, then the accommodation “tests given in multiple choice format” is not appropriate because a participation criteria for VGLA/VSEP is that the student cannot demonstrate mastery of SOL content through a multiple choice format.

If the student is not participating in any end-of-course tests for the duration of the IEP, the IEP team must still write a statement regarding non-participation in the SOL testing program for the duration of the IEP. Example: “Clay will not take any end-of-course SOL tests for the duration of this IEP. He will participate in the SOL testing program when enrolled in classes with end-of-course tests. He is pursuing a XXXXX diploma.”

11. Transition Pages

These pages may be completed for any student at any age the IEP team determines discussion of transition service is appropriate but must be completed beginning when the student is aged 14 and every year thereafter.

Watch birthdates! If a student will turn 14 during the course of the IEP, even though he is 13 when the IEP is written, you must invite the student to the IEP.
If transition services are discussed during the IEP meeting, the student must be invited and must be given the opportunity to participate in the development of the plan regardless of their age.

For every student, 9th-12th grade, provide the parent and student with a copy of “Age of Majority” letter. You can provide a copy of the initial letter with each subsequent IEP, but you need to attach the letter to each IEP until the student graduates or exits school.

If there is no transitional instruction needed in a particular area, you must indicate why.

Example: “Jan is pursuing a standard diploma. She is a strong self-advocate and uses her accommodations when needed.”

12. Least Restrictive Environment-Services Page

This page may not be filled out until the IEP meeting. After discussing the present level of performance, goals and needed accommodations/modifications, the IEP team must review the five components of LRE listed at the top of the page before determining services and placement.

Service list the service in relation to skill areas, such as “reading instruction”, “social skills instruction”, “fine motor development”, “articulation”, etc.

Frequency may be listed by class period length, blocks, minutes or hours in a day, week or month. This is the total amount of special education and related services the student will receive.

Amount of Services Received in Regular Class is the amount of services that the student receives in the general education classes. This is may be listed by class period length, blocks, minutes or hours in a day, week or month.

Amount of Services Received Outside the Regular Class is the amount of service provided outside the general education setting for the primary disability only. This is may be listed by class period length, blocks, minutes or hours in a day, week or month.

Location is the where the services are provided, e.g. general education classroom, resource room, integrated settings. IEP teams are required to identify the specific school site (public or private) when the parent expresses concerns about the location of services or refuses the proposed site A listing of more than
one anticipated location is permissible, if the parents do not indicate that they will object to any particular school or state that the team should identify a single school.

**Duration** is the beginning and ending dates of the service. Typically, these dates will reflect the beginning and ending dates of the IEP. For semester classes, the beginning and ending dates will vary.

**Specialized Transportation** If specialized transportation is required for the delivery of FAPE, then list specialized transportation here.

<table>
<thead>
<tr>
<th>Services</th>
<th>Frequency</th>
<th>Amount of Services Received in Regular Class</th>
<th>Amount of Service Received Outside Regular Class</th>
<th>*Location</th>
<th>Duration</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reading</td>
<td>60 minutes daily/5 days weekly</td>
<td>30 minutes daily/5 days weekly</td>
<td>30 minutes daily/5 days weekly</td>
<td>Integrated Settings</td>
<td>1.1.2008 to 1.1.2009</td>
</tr>
<tr>
<td>Fine Motor</td>
<td>45 minutes weekly</td>
<td>30 minutes weekly</td>
<td>15 minutes weekly</td>
<td>Integrated Settings/Resource Room</td>
<td>1.1.2008 to 1.1.2009</td>
</tr>
</tbody>
</table>

**Example: Reading Instruction**
Brenda receives an hour of services daily for an identified Specific Learning Disability in reading. Of that 1 hour of total service, 30 minutes of instruction occur in a language arts class and 30 minutes of instruction occur in a resource setting.

**Example: Fine Motor**
Brenda also receives instruction 45 minutes weekly to work on fine motor skill development. Of those 45 minutes, she receives 30 minutes of instruction in the general education classroom and 15 minutes of instruction in a resource room setting.

* IEP teams are required to identify the specific school site (public or private) when the parent expresses concerns about the location of services or refuses the proposed site A listing of more than one anticipated location is permissible, if the parents do not indicate that they will object to any particular school or state that the team should identify a single school.
How do I Determine Percent of Time?

**Daily** 7 hours x 60 minutes = 420 minutes

<table>
<thead>
<tr>
<th>Minutes of Services Per Day</th>
<th>Percentage of Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>30</td>
<td>7%</td>
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<tr>
<td>60</td>
<td>14%</td>
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<td>90</td>
<td>21%</td>
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<td>120</td>
<td>29%</td>
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<td>130</td>
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<td>180</td>
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</tr>
<tr>
<td>390</td>
<td>93%</td>
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<tr>
<td>420</td>
<td>100%</td>
</tr>
</tbody>
</table>

**Monitor/Consult = 1%**

**Block Scheduling**

<table>
<thead>
<tr>
<th>Minutes of Services Per Day</th>
<th>Percentage of Time</th>
</tr>
</thead>
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**Collaborative Model = 6% per 90 minute block**

420 minutes x 5 days = 2100 minutes a week

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<td>83%</td>
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<td>Minutes of Services Per Week</td>
<td>Percentage of Time</td>
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</table>

**Extended School Year** requires that the teacher keep data indicating the need for ESY services. See the “**Extended School Year**” Section for specific guidance and appropriate paperwork.

13. **Placement Page**

This page may not be completed before the IEP meeting.

Say, “Now it is time to discuss the options for placement in order to implement the goals outlined in this IEP.”

Check only the options you discuss as possible placements.

Under Placement Decision, write which option(s) the team selected and why.

Example: “Based upon most recent assessments, classroom performance, goals, parental and student input and committee discussion, the IEP team determines that primary reading instruction in the resource room is the LRE for Mickey. He will not participate with students without disabilities for primary reading instruction due to the nature and severity of his reading disability. He will participate with students without disabilities in general education classes, programs and activities for the remainder of his day.”
A specialized transportation request must be completed for EACH school year.

In May of every school year, you MUST send an update specialized transportation request for the following year.

Considerations Page

- This page may not be completed until the IEP meeting.

- For all students review the first four considerations and check each box as the consideration is reviewed by the IEP team. Write a brief statement indicating how the IEP team has addressed each consideration.

- As needed, check the boxes regarding behavior, limited English proficiency, visual impairments and hearing loss if these areas impact the child’s ability to participate and progress in the general education curriculum. If you check that behavior is impacting the child’s ability to participate and progress in the general education curriculum, you must have a goal page and a BIP to address these concerns.

Children who have a hearing loss or who are deaf are NOT Limited English proficient for the purposes of the IEP, unless they are also bilingual.

Prior Notice of IEP and Placement Decision

- Review the Prior Notice and Placement Decision paragraph with the parent(s), emphasizing procedures for resolving disagreements they may have with the school system with regard to the evaluation, identification and placement proceedings and the provision of a free appropriate public education.

- Have the parent read, initial and sign consent, if they are willing to give consent to implement the IEP after you have reviewed the above with them.

Prior Written Notice

- Complete a Prior Written Notice after completing each IEP and addendum. In particular, any parental requests made during the IEP that were refused, or modified by the IEP team must be documented on a Prior Written Notice form. Document any discussion on the IEP Minutes page to help you remember which area(s) you need to address in a Prior Written Notice form. You may fill out the
**Prior Written Notice** form after the IEP meeting and send it home to the parent in a day or two following the IEP. You must provide a completed **Prior Written Notice** form, within ten (10) calendar days of the IEP meeting.

If the parent refuses to sign to implement the IEP, or indicates by their signature that they do not give permission to implement the IEP, ask the parent(s) to initial next to each section of the IEP those portions they agree with. Set a date at the IEP meeting to reconvene and discuss the remaining sections before the parent leaves the meeting.

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**Frequently Asked Questions**

1. **I have a student on my caseload that is not 14 yet, but will be 14 before the next annual review of the IEP. Since he will turn 14 during the course of the current IEP, do I have to invite him to attend the meeting?**

   Yes, even though the student is not yet 16, he will turn 14 during the course of the IEP and has the right to be invited to participate in the development of the plan.

2. **I have a parent who does not want their child to attend her IEP meeting, even though she is 14. What do I do?**

   Explain to the parent that currently, VA regulation state that at age 14, or younger if appropriate, the student must be invited to participate in her own IEP meetings. As the case manager, you will take other steps to ensure that the student’s preferences and interests are considered in the development of the IEP, and will document on the IEP that the student was invited to participate, but that the parents chose not to have her attend. Remind the parent that at age 18, all rights and responsibilities for participation and consent will transfer solely to the student.

3. **Can a guidance counselor serve as an administrative designee?**

   Generally, the answer is no. Guidance counselors who are endorsed in administration and/or special education may serve as administrative designees. If they do not have those endorsements, they may not serve as an administrative designee under any circumstances.

4. **I have tried to contact the parent by email, by written notice, by phone and I have completed a visit to their home and/or their work, and I cannot get**
them to come in for an IEP meeting. May the IEP team proceed with the meeting?

Yes, provided you have attempted at least 3 times to get in contact with the parent and one of those attempts has been a visit to their home or to their work. Remember, however, that if the review/revision of the IEP results in a significant change of placement, signed informed parental consent must be obtained before changes may be implemented.

5. I have tried to contact the parent by email, by written notice, by phone and I have completed a visit to their home and/or their work, and I cannot get them to come in for an initial IEP meeting. May the IEP team proceed with the meeting?

Yes, the IEP team may proceed with the meeting, but may not implement services on an initial IEP until signed informed consent is obtained from the parent(s). This means you will need to sit down with the parent and review the entire IEP with them prior to asking them for consent.

6. I contacted a parent and she requested that the IEP team proceed without her and that she would like all paperwork sent home for her to review and for signature. Is that OK?

Yes, hold the meeting. Make sure you make copies of all paperwork before sending any home. As with numbers 4 and 5 above, if this is an initial IEP or if this IEP review/revision results in a significant change of placement, the IEP may not be implemented until signed informed consent is obtained from the parent(s).

You must have a completed “Notice to a Meeting” form to accompany every IEP meeting, even if you discuss the meeting by phone. Fill out the “Notice to A Meeting” documenting that the first notice was by phone, and then the 2nd notice is the follow-up paper copy.

7. My building administrator asked me to sit in for her at an IEP meeting as her designee. I am certified in special education, so I am qualified to serve as an LEA representative, but what does it really mean if I sign as an LEA representative?

It means you are qualified to provide or supervise the provision of specially designed instruction to meet the unique needs of children with disabilities; you are
knowledgeable about the general curriculum, and you are knowledgeable about the availability of resources of the LEA. Finally, it means that your signature commits the division to whatever resources it takes to implement the IEP as written. It also means you are responsible for ensuring accuracy of the IEP. If you don’t think this paragraph describes you, don’t sign as an LEA representative.

8. The general education teacher that I invited to the IEP meeting wants to give input prior to the IEP meeting. If he gives input, does he need to be at the IEP meeting?

Not necessarily, if the parents and IEP team agree that the member can submit their input in writing, PRIOR to the IEP meeting, then a team member may be excused.

9. Are arrows, quotation marks or N/A acceptable on any part of an IEP?

No, you need to be specific. For example, if there are no health or medical concerns, write “No concerns noted” or “Student is healthy with no health concerns.” Do not write N/A.

10. Can grades be used to measure annual goals?

No! Grades are subjective measures that are often not dependent on the skill that is addressed in the annual goal.

11. Can an annual goal be measured by mastery of benchmarks/objectives and be considered a measurable goal?

No! A measurable goal must “stand alone” and cannot be measured by the mastery of benchmarks/objectives.

12. The IEP team has noted that a Health Care Plan exists for a student. Do I attach the Health Care Plan to the IEP?

No, do not attach the Health Care Plan to the IEP. It is a good idea to review the Health Care Plan when you review/revise the IEP and list on page 2 of the IEP under “Health History” that there is a health care plan developed/revised on xxxxx (date).

13. I pull a student for social studies instruction so he is participating in the general curriculum, but not on a 3rd grade level. Does he have to participate in the SOL testing program?
Yes, if the student is receiving instruction in the general curriculum (NOTE, not general classroom, but general curriculum), then the student must participate in the SOL testing program.

The bigger question is: why you are pulling a student from instruction?

14. Valley Community Services Board was supposed to have completed an independent living assessment according to the last IEP. Due to budget cuts, they cannot complete that assessment. What is the IEP teams’ responsibility?

The IEP team must meet and discuss the reasons why an independent living assessment was not completed and discuss other options that may be available to complete that assessment. The IEP team is not responsible for an outside agencies failure to complete an assessment, but the IEP team must meet and discuss what happened, and other options that may be available.

15. I have a student who will graduate this spring with a standard diploma. Do I need to provide any notification to the parent and student that eligibility for special education services ends with graduation?

Yes, you need to provide written notice that, upon completion of the requirements for a standard or advanced standard diploma that eligibility for special education services ends. Invite the parent and student to attend an IEP meeting using “Notice of a Meeting” and indicate the purpose of the meeting is to discuss graduation. Fill out the “Parental Notification” form, indicating that, upon completion of the requirements for a standard or advanced standard diploma, eligibility for special education services ends. Attach that notice to the IEP, place a copy in the student’s file, provide a copy to the parent(s) and student, and send a copy to the School Board Office.

16. I have a student who will graduate this spring with a modified standard diploma, a special education certificate or GED certificate. Do I need to provide any notification to the parent and student that eligibility for special education services does not end with graduation?

Yes, you need to do the following:

- If the IEP extends beyond the ending of this academic year, you will need to have an addendum meeting to change the ending date of the IEP to coincide with the ending date of the current academic school year, with the justification that the student will graduate with whichever diploma/certificate he has earned.

- Complete a “Parental Notification” form indicating that the student will graduate in June with a modified standard diploma, a special education certificate or GED certificate, and that eligibility for special education services does not end
until the student earns a standard diploma, turns 22 years of age or is found no longer eligible for special education services.

Attach the “Notice to Attend a Meeting”, the addendum and the completed “Parental Notification” form to the IEP. Provide a copy to the parents/student, a copy for the school file and send a copy to the School Board Office.

17. There are several professionals serving a student that is on my case management list. Each provider must write their own goal page, right?

Not necessarily, and in fact, doing so can lead to disjointed services. We are all responsible for all goals on an IEP. Goals need to be integrated; that means all members of the team working with the child work on all the goals and objectives/benchmarks contained in an IEP. For example, if there are fine motor deficits that need to be addressed in the IEP, all team members need to work on fine motor skills; not just the occupational therapist. It is the case manager’s responsibility to ensure integrated activities are included throughout the school day.

18. Do I have to give a copy of the Virginia Special Education Procedural Safeguard Requirements under the Individuals with Disabilities Education Act, revised October 2006 every time I send paperwork related to the provision of special education and related services to parents?

No, IDEA requires that parents receive a copy of procedural safeguards once a year, upon request or when due process is filed. You must send home a copy of procedural safeguards the first time you contact a parent for a meeting each year. Document on the “Notice of a Meeting” form that you have included a copy of the procedural safeguards. This is your documentation that you have followed the law. Make certain that you do.

19. I have a student who was found eligible for services over the summer. I have another student who transferred from another division with an expired IEP. Can I wait until school starts to write IEPs for these students?

No! The regulations are explicit that an IEP must be in effect for each student who qualifies for special education and related services prior to the first day of school. No excuses, no exceptions.

20. We just found a student eligible for special education and related services. How long do I have to write an IEP?
A meeting to develop and IEP for a child must be conducted within 30 calendar days of a determination that the child needs special education and related services. As soon as possible following the IEP, special education and related services are made available to the child in accordance with the child’s IEP.

22. **Can students earn an advanced studies or standard diploma if they participate in the SOL testing program through VGLA and/or VSEP formats?**

Yes, VGLA and VSEP are part of the SOL testing program. Students participating in the SOL testing program through VGLA and/or VSEP formats are required to demonstrate grade level content standards. If a student achieves a passing score on VSEP and passes the class, then that student earns a verified credit.

If the student participates in the SOL testing program through VGLA format for math or literacy in the 8th grade and achieves a passing score, then those passing scores meet the 8th grade testing requirement for a Modified Standard Diploma.

23. **If a student receives accommodations as part of their IEP, do they receive those same accommodations on benchmark assessments?**

Yes.