

**MARYLAND**  
STATEWIDE  
INDIVIDUALIZED EDUCATION PROGRAM  
(IEP)  
PROCESS GUIDE

**Maryland State Department of Education  
Division of Special Education/Early Intervention Services**

**July 1, 2011**

# ***Maryland Statewide Individualized Education Program (IEP)***

## ***Process Guide***

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## Introduction

The United States Department of Education, Office of Special Education Programs (OSEP), has advised states that each Individualized Education Program (IEP) written on or after July 1, 2005, must comply with the Requirements of the 2004 reauthorization of the Individuals with Disabilities Education Improvement Act (IDEA). The Maryland Statewide IEP released June 29, 2006, addresses that requirement. The Statewide IEP will also aid public agencies with data collection and provide service providers with a student educational services planning tool. Therefore, the State Department of Education has directed that all IEPs written for students in Maryland be completed on these forms.

### Statewide IEP Implementation Timeline

July 1, 2005	July 1, 2006	July 1, 2007	July 1, 2008
<ul style="list-style-type: none"> <li>• Online IEP pilots</li> </ul>	<ul style="list-style-type: none"> <li>• Additional expansion to LSS</li> <li>• Parallel data collection with online IEP and SSIS</li> <li>• Web based online IEP expansion for data decision making</li> <li>• Vendor money to support templates for statewide online IEP usage</li> <li>• Develop additional modules</li> </ul>	<ul style="list-style-type: none"> <li>• Statewide IEP usage of template for all public agencies</li> <li>• Public agencies required to have print version of the same format</li> <li>• Parallel data collection continues</li> </ul>	<ul style="list-style-type: none"> <li>• Statewide IEP data collection and format implementation required</li> </ul>

The IEP is a written document that is developed for each eligible student with a disability who is to receive special education and related services. The federal regulations for IDEA specify, at 34 CFR §§300.320-300.328, the procedures that school districts must follow to develop, review, and revise the IEP for each student. The information contained within this document reflects content found in the resources listed below. Public agency personnel may refer to these documents for additional information to ensure appropriate procedures are followed:

- IDEA 2004, 20 U.S.C. 1400, et seq.
- IDEA federal regulations 34 C.F.R. §§300, et seq.
- Education Articles, §8-401— 415, Annotated Code of Maryland<sup>1</sup>
- COMAR 13A.05.01 Provision of a Free Appropriate Public Education to Student with Disabilities
- COMAR 13A.08.03 Discipline of Student with Disabilities
- “Maryland Accommodations Manual, February 2008”
- “Maryland Student Records Manual, 2007”
- “Maryland Online Special Services Information System, October 29, 2007”

The Division of Special Education/Early Intervention Services will be developing professional development materials related to reducing the paperwork related to the development, review, and revision of a student’s IEP. Also, as all materials and brochures are updated special emphasis will be placed on providing direction on how local school systems can reduce any excessive length of IEPs including unnecessary and add-on paperwork.

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<sup>1</sup> The Maryland General Assembly may change State law. If changes are made to State law that would impact the student’s IEP or IEP team decisions, the IEP Process Guide will be revised to reflect changes.  
Revised June 3, 2011

## Commonly Used Terms

**Accommodation** – A practice or procedure that provides a student with a disability equitable access during instruction and to assessments in the areas of: presentation; response; setting; and scheduling. Accommodations do not reduce learning expectations.

[20 U.S.C. §1412(a)(16); COMAR 13A.05.01.03B(1); Maryland Accommodations Manual, February 2008; State Performance Plan Indicator 3]

**Age of Majority** – IDEA requires that at least one year prior to reaching the age of majority in accordance with State law, the parents and student are to be informed of his or her rights under IDEA, which will transfer to him/her, if any. Rights under IDEA do not transfer to students with disabilities under Maryland State law. In certain limited circumstances, all rights accorded to the parents under IDEA shall transfer to a student with a disability. This transfer occurs when the student reaches the age of 18 years, if the student has not been adjudged incompetent under State law and there is documentation that:

- The parents are unavailable or unknown, and the student requests that the parental rights be transferred to the student rather than have a parent surrogate appointed;
- The parents have not participated in the special education decision making process for the student after repeated attempts by the public agency to involve the parents over the previous year;
- The parents have affirmatively rejected participation in the special education decision making process;
- The parents cannot participate in the special education decision making process due to prolonged hospitalization, institutionalization, or serious illness or infirmity of one or both of the parents and the parents have consented to the transfer of rights to the student;
- The parents cannot participate in the special education decision making process due to extraordinary circumstances beyond their control, and the parents have consented to the transfer of rights to the student; or
- The student is living outside of the parents' home and is not in the care or custody of another public agency.

If the parents of a student with a disability, with whom the student resides, do not consent to the transfer of rights to the student at the age of 18, and the student has not been adjudged incompetent under State law, either party may file for due process to determine whether the rights should be transferred.

If a parent surrogate in accordance with federal and State laws and regulations has represented a student with a disability, the public agency shall provide any written notice required under federal and State laws and regulations to both the student and parent surrogate. All other rights afforded the parent surrogate under IDEA shall transfer to the student if the student has not been adjudged incompetent under State law and the student requests that the rights transfer to the student.

[Education Article §8-412.1, Annotated Code of Maryland]

**Alternate Maryland School Assessment (Alt-MSA)** – The Alternate Maryland School Assessment (Alt-MSA) is the alternate assessment to the Maryland School Assessment Program (MSA). Students with the most significant cognitive disabilities participate in the Alt-MSA if through the IEP process it has been determined they cannot participate in the MSA even with accommodations (see participation guidelines below). The Alt-MSA assesses and reports student attainment of individually selected indicators and objectives from the reading, mathematics, and science content standards. A portfolio for the Alt-MSA is constructed of artifacts, such as student work samples, that document individual student mastery of the assessed reading, mathematics, and science objectives. Students participate in Alt-MSA in grades 3 through 8, and grade 10. Alt-MSA results are reported in three proficiency levels (Basic, Proficient, and Advanced) as part of the State Accountability program. Results from the Alt-MSA are aggregated with those from the MSA for accountability purposes, but the number of Alt-MSA students reported as “proficient” or above will be capped at 1% of the total number of assessed students at each grade and content. Refer to the *“Maryland Accommodation Manual,” 2008* for additional information regarding the guidelines for Alt-MSA.

Each student’s IEP team makes the decision as to which assessment is appropriate for an individual student. It is best practice for a student’s IEP team to use the *Mod-MSA or Mod-HSA IEP Team Decision-Making Process Eligibility Tool* as a safeguard to ensure appropriate identification of students with disabilities for participation in the Mod-MSA, Alt-MSA, or Mod-HSA. This completed tool must be maintained in the student’s cumulative school record, to verify student eligibility to participate in the Mod-MSA, Alt-MSA, or Mod-HSA. A student with a significant cognitive disability will participate in Alt-MSA if he or she meets **each** of the following criteria:

- The student is learning (at emerging, readiness, or functional literacy levels) extended Maryland reading and extended Maryland mathematics content standards objectives.

**AND**

- The student requires explicit and ongoing instruction in functional skills.

**AND**

- The student requires extensive and substantial modification (e.g., reduced complexity of objectives and learning materials, and more time to learn) of the general education curriculum. The curriculum differs significantly from that of their non-disabled peers. They learn different objectives, may use different materials, and may participate in different learning activities.

**AND**

- The student requires intensive instruction and may require extensive supports, including physical prompts, to learn, apply, and transfer or generalize knowledge and skills to multiple settings.

**AND**

- The student requires extensive support to perform and participate meaningfully and productively in daily activities in school, home, community, and work environments.

**AND**

- The student cannot participate in the MSA even with accommodations.

Students not meeting the criteria above will participate in the MSA, with or without accommodations, as appropriate, based on their IEP.

[Maryland Accommodations Manual, February 2008; COMAR 13A.03.02; State Performance Plan Indicator 3]

**Assessment** – The process of collecting data for an evaluation to be used by an Individualized Education Program (IEP) team to determine a student’s need for special education and related services.

[COMAR 13A.05.01.03B(2)]

**Assistive Technology Device** – Any item, piece of equipment, or product system, whether acquired commercially off the shelf, modified, or customized, that is used to increase, maintain, or improve functional capabilities of a student with a disability. The term does not include a medical device that is surgically implanted, or the replacement of such device.

[20 U.S.C. §1401(1); 34 C.F.R. §300.5; COMAR 13A.05.01.03B(4)(a)]

**Assistive Technology Service** – Any service that directly assists a student with a disability in the selection, acquisition, or use of an assistive technology device. Such term includes:

- The evaluation of the needs of such student, including a functional evaluation of the student in the student’s customary environment;
- Purchasing, leasing, or otherwise providing for the acquisition of assistive technology devices by such student;
- Selecting, designing, fitting, customizing, adapting, applying, maintaining, repairing, or replacing assistive technology devices;
- Coordinating and using other therapies, interventions, or services with assistive technology devices, such as those associated with existing education and rehabilitation plans and programs;
- Training or technical assistance for such student, or, where appropriate, the family of such student; and

- Training or technical assistance for professionals (including individuals providing education and rehabilitation services), employers, or other individuals who provide services to, employ, or are otherwise substantially involved in the major life functions of such student.

[20 U.S.C. §1401(2); 34 C.F.R. §300.6; COMAR 13A.05.01.03B(5)(b)]

**Behavioral Intervention Plan (BIP)** – A proactive plan designed to address problem behaviors exhibited by a student in the educational setting through the use of positive behavioral interventions, strategies, and supports.

[COMAR13A.08.04.02B(1)]

**Bridge Plan for Academic Validation (Bridge Plan)** – The Bridge Plan for Academic Validation is for students failing to meet the passing score on any one HSA at least twice. Eligible students would also have to meet additional local and state criteria—such as minimum GPA, satisfactory attendance, passing grades in all HSA subjects, and participation in academic remediation. Students meeting the eligibility criteria would be permitted to complete an Academic Validation project that demonstrates the content and skills of each HSA they failed to pass. To be eligible for the Bridge Plan, students must have failed an HSA at least twice, passed the HSA-related course, and completed an assistance program offered by their school or school system—for example, tutoring or after-school instruction. Students must also have an acceptable attendance record and be making satisfactory progress toward graduation. Local school systems will determine when a student may begin work on the Bridge Plan. A local review panel, established by your school district, will evaluate the Academic Validation Project(s) at the end of the assigned work period, and your local superintendent will give final approval. For additional information, see: <http://www.mdbridgeplan.org>

[COMAR13A.03.02.09B(d)(2)]

**COMAR** – Code of Maryland Regulations. Title 13A, State Board of Education, includes all regulations adopted by the State Board of Education for the provision of public education to students in the State of Maryland. Within Title 13A, the following chapters are specifically applicable to students with disabilities:

- COMAR 13A.05.01 Provision of a Free Appropriate Public Education
- COMAR 13A.05.02 Administration of Services for Students with Disabilities
- COMAR 13A.08.03 Discipline of Students with Disabilities
- COMAR 13A.08.04 Student Behavioral Interventions

**Consent** - A public agency is required to ensure the parent has been fully informed of all information relevant to the activity for which consent is sought, in the parent's native language or other mode of communication; understands and agrees in writing to the carrying out of the activity for which the parent's consent is sought, and the consent describes that activity and lists the records, if any, that will be released and to whom; and understand that the granting of consent is voluntary on the part of the parent and

may be revoked at any time. Consent includes that if the parent revoke consent, that revocation is not retroactive and does not negate an action that occurred after the consent was given and before the consent was revoked; and if the parent revokes consent in writing for their child's receipt of special education services after the child is initially provided special education and related services, the public agency is not required to amend the student's education records to remove any references to the child's receipt of special education and related services because of the revocation of consent.

[34 CFR §§300.9, and 300.300]

**Direct Service** – Instructional and/or related services provided to the student

**Discussion to Support Decision(s) (optional)** – A text field available to an IEP team to provide additional information relative to an area within the student's IEP where decisions are made. If an IEP team intends to use the student's IEP to satisfy the requirements for prior written notice (PWN), this text field provides space for that purpose. Please refer to the definition of prior written notice (PWN) below.

[20 U.S.C. §1415; 34 C.F.R. §300.503; COMAR 13A.05.01.12]

**Document Basis for Decision(s) (required)** – A required text field for an IEP team to provide additional information to document the basis of the IEP team's decision. If addressed properly, documentation will meet requirements of prior written notice (PWN), in accordance with 34 C.F.R. §300.503 and COMAR 13A.05.01.12, PWN includes:

- A description of the action proposed or refused;
- An explanation of why the public agency proposes or refuses to take the action;
- A description of the options the public agency considered and the reason the options were rejected;
- A description of each assessment procedure, test, record, or report the public agency uses as a basis for the proposal or refusal;
- A description of any other factors relevant to the proposed or refused action;-
- A list of sources a parent may contact to obtain assistance in understanding the provisions of IDEA; and
- If an action proposed by a public agency also requires parental consent, a public agency may provide notice at the same time it requests consent.

[20 U.S.C §1415; 34 C.F.R. §300.503; COMAR 13A.05.01.12]

**Early Childhood Transition** – Children referred by the Local Infants and Toddlers Program (LITP) prior to age 3, who are found eligible for IDEA Part B preschool services, have an IEP developed and implemented on or before their third birthday.

[20 U.S.C. §1412(a)(9); 34 C.F.R. §300.124; COMAR 13A.05.01.08A(2); State

## Performance Plan Indicator 12]

To ensure a smooth transition for toddlers receiving early intervention services under IDEA Part C to preschool or other appropriate services, the LITP shall notify the local school system of the jurisdiction in which the student resides that the student will shortly reach the age of eligibility for preschool services under IDEA Part B. In the case of the student who may be eligible for IDEA Part B preschool services, with the approval of the family of the student, convene a Transition Planning Meeting among the LITP, the family, and the local school system at least 90 days and at the discretion of all parties, not more than 9 months before the student is eligible for the preschool services, to discuss any services that the student may receive. In the case of a student who may not be eligible for preschool services, with the approval of the family, make reasonable efforts to convene a Transition Planning Meeting among the LITP, the family, and providers of other appropriate services for children who are not eligible for preschool services under IDEA Part B, to discuss the appropriate services that the student may receive.

[20 U.S.C. §1416(a)(3)(B); 34 C.F.R. §§300.101(b); 300.124; 300.323; COMAR 13A.05.01.08A(2); State Performance Plan Indicators 12]

**English Language Proficiency Test (ELPT)** – A test of English language proficiency administered to English language learners upon their entry into the school system and annually during a testing window in the spring. The test measures a student's English language ability in the areas of listening, speaking, reading, writing, and comprehension. Assessment results are used by the local school systems to make decisions as to each student's participation in English for Speakers of Other Languages (ESOL) programs. The State uses ELPT assessment results when reporting information related to the English Language Proficiency Performance Targets/Annual Measurable Achievement Objectives (AMAOs); the AMAO for attainment of English proficiency and the AMAO for progress in learning English.

The IEP team for a student with a disability who is also an English language learner shall decide the appropriate accommodation(s) at the IEP development or review meeting for the year in which the student is scheduled to take the ELPT and indicate the decision on the student's IEP. The student's IEP team will forward recommended accommodations to the School Test Coordinator. Accommodations must be justified and documented in the student's IEP.

[Maryland Accommodations Manual, February 2008]

**Evaluation** – The review of information from parents; existing data; and results of assessment procedures at a meeting of the IEP team and other qualified professionals, as appropriate, to determine whether a student has a disability, and the nature and extent of the special education and related services that the student needs.

[20 U.S.C. §1414(a); 34 C.F.R. §§300.301 – 300.311; COMAR 13A.05.01.06C(1)]

**Extended Individualized Family Service Plan (IFSP) Option** – By the age of three (3), if a child with a current IFSP is determined eligible for special education and related services, the child's family may choose to continue to receive early intervention services with an educational component that promotes school readiness and incorporates preliteracy, language, and numeracy through an IFSP until the child enters kindergarten.

**Extended School Year Services (ESY)** – the individualized extension of specific special education and related services provided to a student with a disability beyond the normal school year of the public agency, in accordance with the IEP, at no cost to the parents of the student; and which meet the standards of the Maryland State Department of Education. The determination of a student's need for ESY services is made annually on an individual student basis by the student's IEP team.

[34 C.F.R. 300.106; COMAR 13A.05.01.03B(26)]

**Free Appropriate Public Education (FAPE)** – Special education and related services that are provided at public expense, under public supervision and direction, and without charge; meet state and federal requirements; include preschool, elementary school, or secondary school education; and are provided according to an IEP.

[20 U.S.C. §1412(a)(1)(A); 34 C.F.R. §300.101– 300.113; COMAR 13A.05.01.03B(27)]

**Functional Behavioral Assessment (FBA)** – The systematic process of gathering information to guide the development of an effective and efficient behavioral intervention plan for the problem behavior. An FBA includes the identification of the functions of the problem behavior for the student; a description of the problem behavior exhibited in the educational setting; and identification of environmental and other factors and settings that contribute to or predict the occurrence, nonoccurrence, and maintenance of the behavior over time.

[COMAR 13A.08.04.02B (5)]

**High School Assessment** – The Maryland High School Assessments (HSA) are a series of end-of-course tests that extend the expectations of the Maryland School Assessments into high school and currently consists of four core examinations: English, algebra/data analysis, government, and biology. All students taking a core learning goals course in one of these subject areas must take the relevant High School Assessment.

[See State graduation requirements in COMAR 13A.03.02; Maryland Accommodations Manual, February 2008; State Performance Plan Indicator 3]

**Identification** – The decision that a student is eligible for special education and related services as a student with a disability in accordance with the Individuals with Disabilities Education Act (IDEA).

[20 U.S.C. §1414(b)(4) and (5); 34 C.F.R. §300.306; COMAR 13A.05.01.04-.06]

**Indirect Service** – A service provided for or on behalf of the student to ensure implementation of the individualized educational program (IEP) in the least restrictive environment (LRE).

**Individualized Education Program (IEP)** – A written description of the special education and related services for a student with a disability that is developed, reviewed, and revised by the student’s IEP team.

[20 U.S.C. §1414(d); 34 C.F.R. §§300.320 - 300.328; COMAR 13A.05.01.03B(34)]

**IEP Team** – The group of individuals responsible for identifying and evaluating students with disabilities; developing, reviewing, or revising an IEP for a student with a disability; and determining the placement of a student with a disability in the least restrictive environment (LRE). The team may also include, at the discretion of the parent or the local school system, other individuals who have knowledge or special expertise about the student.

[20 U.S.C. §1414(d)(1)(B) – (d)(1)(D); 34 C.F.R. §300.321; COMAR 13A.05.01.03B(35)]

**Individualized Family Service Plan (IFSP)** – a written plan for providing early intervention and other services to an eligible student and the student's family, which shall be consistent with 34 CFR §303.344 and:

- Be developed jointly by the family and appropriate qualified personnel involved in the provision of early intervention services;
- Be based on the multidisciplinary evaluation and assessment of the student, and the assessment of the student's family, as required in 34 CFR §303.322; and
- Include services necessary to enhance the development of the student and the capacity of the family to meet the special needs of the student.

[34 C.F.R. §300.24]

**Language Assessment System (LAS) Links** – The English language proficiency test (ELPT) administered to English language learners upon entry into the school system and annually during a testing window in the spring. The test measures a student’s English language ability in the areas of listening, speaking, reading, writing, and comprehension. The IEP team for a student with a disability who is also an English language learner decides the appropriate accommodation(s) at the IEP development or review meeting for the year in which the student is scheduled to take the ELPT. (Please refer to English language proficiency test (ELPT))

[Maryland Accommodations Manual, February 2008]

**Least Restrictive Environment (LRE)** – An educational environment which meets the needs of a student requiring special education and related services as set forth in the student’s IEP and which, to the maximum extent appropriate to the student’s needs, ensures that the student will be educated with nondisabled peers. To the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are not disabled, and special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only when the nature or severity of the disability of a student is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

[20 U.S.C. §1412(a)(5); 34 C.F.R. §§300.114 - 300.120; COMAR 13A.05.01.10]

**Limited English Proficient** – An individual who does not speak English as his or her primary language and who has a limited ability to read, speak, write, or understand English.

[20 U.S.C. §1401(18); 34 C.F.R. §300.27; COMAR 13A.05.01.03B(37)]

**Maryland Model for School Readiness (MMSR) Kindergarten Assessment** – MMSR is a school readiness framework. It is an assessment and instructional system designed to provide parents, teachers, and early childhood providers with a common understanding of what children know and is able to do upon entering school. It is defined by early learning standards for what children should know and be able to do by the end of kindergarten. In the summer of 2004, the MMSR standards were revised to reflect the State Curriculum (SC) content standards, indicators and objectives. In addition, the MMSR Fall Performance Examples (FPE's) were revised to provide close alignment between the new MMSR standards and exemplars that describe the assessment guidelines for kindergarten and pre-kindergarten.

An important component of the MMSR is the Work Sampling System (WSS), which provides a way for teachers to document and assess children’s skills, knowledge, behavior, and academic accomplishments in a variety of subject areas. By observing students, teachers gain a better understanding of what they know, are able to do, and still need to practice. The WSS is not a conventional readiness test and is not used to place students in particular programs. It is designed to support students’ learning in seven areas:

- Social and personal development;
- Language and literacy;
- Mathematical thinking;
- Scientific thinking;
- Social studies;
- The arts; and

- Physical development.

[Please refer to the Maryland Accommodations Manual, February 2008]

**Maryland School Assessment (MSA)** – The Maryland School Assessment Program (MSA) measures higher order thinking processes in reading (grades 3 through 8) or English/language arts (the end-of course High School Assessment [HSA] in English) and mathematics (grades 3 through 8) and the end-of-course HSA in algebra/data analysis). The MSA is a tool for school improvement and an overall measure of students' knowledge accumulated over several years of schooling. The MSA measures student, school, school system, and state performance and assesses the student's performance against state standards in reading and mathematics. The MSA (except for the English and algebra/data analysis end-of-course tests) includes norm-referenced test items, and the results from these items measure student, school, and school system performance in comparison with national norms. The MSA tests are administered in March of each year, except for the end-of-course tests in English and algebra/data analysis, which are administered in January, May, and summer each year.

[See State graduation requirements in COMAR 13A.03.02; Maryland Accommodations Manual, February 2008; State Performance Plan Indicator 3]

**Maryland State Department of Education (MSDE)** – The State education agency responsible for administration and supervision of local education agencies to ensure the provision of a free appropriate public education is made available to all students with disabilities.

[34 C.F.R. §300; Education Articles §§8-401 – 8-415, Annotated Code of Maryland; COMAR 13A.05.01; COMAR 13A.05.02; COMAR 13A.08.03; COMAR 13A.08.04]

**Medical Assistance Service Coordination** – Case management services which assist students with disabilities receiving medical assistance to gain access to the services recommended in the student's IEP. The Medical Assistance Service Coordinator is an individual who meets the requirements specified in COMAR 10.09.52.03C and provides the services specified in COMAR 10.09.52.04. A service coordinator shall be an employee or under contract with a provider, be chosen by the IEP team or waiver multidisciplinary team, with the approval of the student's parent or parents, taking into consideration the primary disability manifested by the student, the student's needs, and services recommended in the IEP. The Service Coordinator is to:

- Participate in the IEP team to develop, review, or revise the student's IEP, as appropriate, as in gaining access to the services recommended in the IEP;
- Assist the student in gaining access to the services recommended in the IEP; and
- Collect and synthesize evaluation reports and other relevant information about the participant that might be needed by an IEP team.

[COMAR 10.09.52]

**Modification** – A practice or procedure that changes, lowers, or reduces learning expectations. Modifications can increase the gap between the achievement of students with disabilities and expectations for proficiency at a particular grade level. Using modifications may result in implications that could adversely affect students throughout their educational career.

[Maryland Accommodations Manual, February 2008]

**Modified High School Assessment (Mod-HSA)** – The Modified High School Assessments (Mod-HSAs) are Modified Assessments based on level core learning goals and modified academic achievement standards designed for students receiving special education services and who meet specific participation requirements. These end-of-course assessments in algebra/data analysis, English, and biology meet both the Maryland graduation testing requirements (passing the HSAs is required for students who first entered grade 9 in the fall of 2005 or later) and the education accountability requirements of the federal No Child Left Behind Act of 2001 (NCLB). The Mod-HSA in government is part of the Mod-HSA program of graduation testing requirements but is not a part of the NCLB accountability program. [Maryland Accommodations Manual, February 2008]

The Mod-HSAs cover the **same content** (as described in the Maryland Core Learning Goals and Assessment Limits) as the regular High School Assessments (HSA). The test will be administered during each of the regular HSA testing window. Results from the Mod-HSAs are summarized at the school, school system, and State level, and are combined with results from the HSA and the grade 10 Alt-MSA as part of Maryland’s Education Accountability Program. Mod-HSA results will be reported in three proficiency levels (Basic, Proficient, and Advanced) as part of the State Accountability program, but the number of Mod-HSA students reported as “proficient” or above will be capped at 2% of the total number of assessed students at each grade and content. Refer to the *“Maryland Accommodation Manual, February 2008”* for additional information regarding the guidelines for Mod-HSA. [See State graduation requirements in COMAR 13A.03.02; Maryland Accommodations Manual, February 2008; State Performance Plan Indicator 3]

A student who would be eligible for the Mod-HSA would be identified based on his/her individual evaluation information and the instructional and service information on his/her IEP. The student would be identified as appropriate for instruction and assessment using on level core learning goals and modified academic achievement standards aligned with the Algebra/Data Analysis, Biology, English and/or Government. Students pursuing the Mod-HSA are not precluded from completing the requirements for the regular high school diploma. It is best practice for a student’s IEP team to use the Mod-MSA or Mod-HSA *IEP Team Decision-Making Process Eligibility Tool* as a safeguard to ensure appropriate identification of students with disabilities for participation in the Mod-MSA, Alt-MSA, or Mod-HSA. This completed tool must be maintained in the student’s cumulative school record, to verify student eligibility to participate in the Mod-MSA, Alt-MSA, or Mod-HSA. The student would have been identified as meeting **each** of the

following four criteria:

The student learning is based on the State's Academic Content Standards/Core Learning Goals in the appropriate content area being considered: Algebra/data Analysis, Biology, English and/or Government. There must be sufficient objective evidence demonstrating that the student is not likely to achieve proficiency within the school year covered by his/her IEP.

**AND**

The student requires and receives modified academic achievement standards aligned with the Maryland Academic Content Standards/Core Learning Goals in the relevant content area (s) for the student's grade level during instruction and assessment. In addition, specific accommodations implemented in these instructional and assessment settings may include: less complex, fewer and shorter reading passages, shorter or less difficult questions, and test items with fewer answer choices.

**AND**

The student has had consecutive years of individualized intensive academic instruction intervention in the relevant content area (s) consistent with his/her IEP, and although progress towards grade-level standards was made, he/she is not making progress at grade-level.

**AND**

The student must demonstrate that he/she cannot attain proficiency on the Algebra/Data Analysis, Biology, English and/or Government HSA, even with the provision of accommodations based on documented multiple valid and objective measures of student's progress (or lack of progress). Examples include the end-of-course assessments, district-wide assessments, data gathered from classroom assessments, and other formative assessments that can validate documented academic achievement in response to appropriate instruction. There must be enough time to document

**Modified High School Assessment Plus (Mod-HSA+Plus)** – A Mod-HSA+Plus student is defined as a student who first took the regular HSA and subsequently was determined through the IEP process to be eligible to take the MOD-HSA as a substitute for the HSA. This MOD-HSA+Plus designation is applicable only to meeting the HSA requirement for the Maryland High School Diploma.

**Modified Maryland School Assessment (Mod-MSA)** – The Modified Maryland School Assessment (Mod-MSA) is a series of Alternate Assessments based on grade-level content standards and modified academic achievement standards designed for students receiving special education services who meet specific participation requirements. These assessments of reading and mathematics achievement in grades 3 – 8 and science achievement in grades 5 and 8 are part of the education accountability program under NCLB. The Mod-MSA covers the same grade-level content as the Maryland School

Assessment (MSA) as described in the Maryland State Curriculum (SC). Results from the Mod-MSAs are summarized at the school, school system, and state level, and are combined with results from the regular MSA and the Alt-MSA as part of Maryland's Education Accountability Program.

The Mod-MSA, when available, will be administered concurrently with the MSA, and students will participate in the Mod-MSA in grades 3 through 8. Mod-MSA results will be reported in three proficiency levels (Basic, Proficient, and Advanced) as part of the State Accountability program. Results from the Mod-MSA will be aggregated with those from the MSA for accountability purposes, but the number of Mod-MSA students reported as "proficient" or above will be capped at 2% of the total number of assessed students at each grade and content. Refer to the *Maryland Accommodation Manual, February 2008*" for additional information regarding the guidelines for Mod-MSA. [COMAR 13A.03.02; Maryland Accommodations Manual, February 2008; State Performance Plan Indicator 3]

Students with disabilities must participate in the MSA, Mod-MSA, or the Alt-MSA. A student eligible to participate in the Mod-MSA must be a student with a disability under 20. U.S.C. §1402(3), 34 C.F.R. §300.8, and COMAR 13A.05.01.03B(78) and may be in any of the disability categories listed in the IDEA. The IEP Team, which includes the parent, makes the decisions as to the assessment that is appropriate for each student. It is best practice for a student's IEP team to use the Mod-MSA or Mod-HSA *IEP Team Decision-Making Process Eligibility Tool* as a safeguard to ensure appropriate identification of students with disabilities for participation in the Mod-MSA, Alt-MSA, or Mod-HSA. This completed tool must be maintained in the student's cumulative school record, to verify student eligibility to participate in the Mod-MSA, Alt-MSA, or Mod-HSA.

A student who would have been eligible for the Mod-MSA would be identified based on his/her individual evaluation information and the instructional and service information on his/her IEP. The student would be identified as appropriate for instruction and assessment using modified academic achievement standards aligned with the student's grade-level academic content standards. Students pursuing the Mod-MSA are not precluded from completing the requirements for the regular high school diploma. The student would have been identified as meeting **each** of the following four criteria:

The student is learning based on the State's approved grade-level academic content standards for a grade for which the student is enrolled. There must be sufficient objective evidence demonstrating that the student is not likely to achieve grade-level proficiency within the school year covered by his/her IEP.

## **AND**

The student requires and receives modified academic achievement standards aligned with the Maryland Academic Content Standards for the student's grade-level during assessments and instruction. In addition, specific accommodations implemented in these instructional and assessment settings may include: test items are less complex, fewer and shorter reading passages, shorter or less difficult questions, and test items with fewer answer choices.

**AND**

The student has had consecutive years of individualized intensive academic instruction intervention in Reading and/or Mathematics and/or Science consistent with his/her IEP, and although progress toward grade level standards was made, he/she is not yet making progress at grade level.

**AND**

The student must demonstrate that he/she cannot attain proficiency on the actual grade level MSA, even with the provision of accommodations based on documented multiple valid and objective measures of student's progress (or lack of progress). Examples include the State assessments, district wide assessments, data gathered from classroom assessments, and other formative assessments that can validate documented academic achievement in response to appropriate instruction. There must be enough time to document the progress (or lack of progress) in response to appropriate instruction.

**Parent/Guardian** – Parent/Guardian means a student's natural parents; a student's adoptive parent; a guardian; a person acting as a parent of a student such as a grandparent, stepparent, or other relative with whom the student lives, or an individual who is legally responsible for the student's welfare. Parent also includes a foster parent, with whom the student lives if the foster parent has been granted limited guardianship for educational decision-making purposes by the court that has placed the student in foster care. A parent includes a parent surrogate who has been appointed in accordance with 20 U.S.C. §1415(b) (2), and Education Article, §8-412, Annotated Code of Maryland. The term "parent" does not include a social worker or other employee of a public agency who is responsible for the education or care of the student. [20 U.S.C. §1401(23); 34 C.F.R. §300.30; Education Article §8-412, Annotated Code of Maryland; COMAR 13A.05.01.03B(52)]

**Parent Surrogate** – A person who is appointed by the local school superintendent to act in place of a parent of a student in the educational decision making process when a student is a ward of the State, or the student's parents or unknown or unavailable, in accordance with Education Article §8-412, Annotated Code of Maryland. [20 U.S.C. §1415(b)(2); 34 C.F.R. §300.519; Education Article §8-412, Annotated Code of Maryland; COMAR 13A.05.01.03B(52)]

**Postsecondary Transition** – A coordinated set of activities for the student with a disability that is designed within a results-oriented process that will facilitate and support the student's postsecondary goal(s). [20 U.S.C. §1414(d)(1)(A) and (d)(6); 34 C.F.R. §§300.43; 300.320(b); COMAR 13A.05.01.03B(80); COMAR 13A.05.01.09A(3); State Performance Plan Indicators 13 and 14]

**Prior Written Notice (PWN)** – An IEP team shall provide prior written notice (PWN) to the parent of a student with a disability before the public agency proposes or refuses to initiate or change the identification, evaluation, educational placement of the student, or the provision of FAPE to the student. PWN content includes:

- A description of the action proposed or refused;
- An explanation of why the public agency proposes or refuses to take the action;
- A description of the options the public agency considered and the reason the options were rejected;
- A description of each assessment procedure, test, record, or report the public agency uses as a basis for the proposal or refusal;
- A description of any other factors relevant to the proposed or refused action;
- A statement that the parent has protections under the procedural safeguards of IDEA and the manner in which the parent may obtain a copy of the procedural safeguards;
- A list of sources a parent may contact to obtain assistance in understanding the provisions of this chapter;
- A statement informing a parent of the State written complaint procedures of IDEA;
- If an action proposed by a public agency also requires parental consent, a public agency may provide notice at the same time it requests consent.

[20 U.S.C. §§1415(b)(3) and (4), 1415(c)(1), and 1414(b)(1); 34 C.F.R. §300.503; COMAR 13A.05.01.12]

**Reevaluation** – A review of a student’s IEP by an IEP team at least once every three years, unless the public agency and student’s parents agree otherwise. On the basis of the review, and input from the student’s parents, the IEP team shall identify what additional data, if any, is needed, to determine:

- Whether the student continues to be a student with a disability;
- The educational needs of the student;
- The present levels of academic achievement and related developmental needs of the student;
- Whether additions or modifications to special education and related services are needed to enable the student to meet the measurable annual goals in the student’s IEP and to participate in the general curriculum; and
- Whether the student continues to need special education and related services.

If the IEP team believes additional data is needed, the IEP team shall review the student’s IEP and the additional data within 90 calendar days of the IEP team meeting when the team determined the need for additional data.

[20 U.S.C. §§1401(30); 1414(a)(2); 1414(b)(6); 1414(c); 34 C.F.R. §§300.15; 300.303–300.305; COMAR 13A.05.01.06E]

**Service Plan** – A service plan is a written statement developed and implemented in accordance with 20 U.S.C. 1412(a)(10)(A) that describes the special education and related services a local school system shall provide a parentally placed private school student with a disability designated to receive services including the location of the services and any transportation necessary.

[20 U.S.C. §1412(a)(10)(A); 34 C.F.R. §§300.130 – 300.144 COMAR 13A.05.01.03B(69)]

**Supplementary Aids, Services, Program Modifications, and Supports** – Supports and services that enable a student with a disability to be educated within general education settings alongside nondisabled peers. Appropriate supplementary aids, services, program modifications, and supports may include, but are not limited to the services of various personnel that provide instructional support, indirect consultation, related supportive services, special scheduling, materials, devices, and instructional adaptations as determined appropriate for the individual student.

[20 U.S.C. §1401(33); 34 C.F.R. §§300.42, 300.320(a)(4), 300.324(a)(3)(ii); COMAR 13A.05.01.03B(79); COMAR 13A.05.01.16B]

**Travel Training** – Instruction to students with disabilities, as appropriate, to enable them to: develop an awareness of the environment in which they live; and learn the skills necessary to move effectively and safely from place to place within that environment.

[20 U.S.C. §1401(29); 34 C.F.R. §300.39(a)(4); COMAR 13A.05.01.03B(83)]

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# COVER PAGE

## STUDENT AND SCHOOL INFORMATION

<b>Title</b>	<p>This identifies the document as the Statewide IEP form/format developed by the Maryland State Department of Education, Division of Special Education/Early Intervention Services for use by each public agency for students with disabilities requiring an Individualized Education Program (IEP).</p> <p>If a local school system has determined a parentally placed private school student with a disability is to receive services, an IEP team is to develop a Service Plan. See Appendix C for additional information relative to parentally placed private school students with disabilities.</p>
<b>Type of Document</b>	<p>Three options are available. Only those sections that are pertinent to the student should be completed and only those sections need to be included in the final (APPROVED) document. The three options identify the document are as follows:</p> <p><b>Draft</b> – A proposed program for development, review, or revision by the IEP team at an IEP team meeting.</p> <p><b>NOTE:</b> Consistent with Education Article §8-405 of the Annotated Code of Maryland "Provision of Accessible Copies of Documents to Parents" requires school personnel to provide parent(s) with an accessible copy of each assessment, report, data chart(s), draft Individualized Education Program (IEP), or other document the IEP team or other multidisciplinary team plans to discuss at that meeting, at least five (5) business days before the scheduled meeting (Ed. Art. §8-405 and Appendix H Technical Assistance Bulletin 20 Provision of Accessible Copies of Documents to Parents).</p> <p><b>Approved</b> – A document that has been developed, reviewed, and or revised by an IEP team that delineates a student's program of services.</p>

**NOTE:**

School personnel are also required to provide the parent(s) an accessible copy of the completed IEP not later than five (5) business days after the scheduled IEP or other multidisciplinary team meeting. If the IEP has not been completed by the fifth business day after the IEP team meeting, the parent(s) is to be provided an accessible draft copy of the IEP not later than five (5) business days after the scheduled IEP or other multidisciplinary team meeting (Ed. Art. §8-405 and Appendix H Technical Assistance Bulletin 20 Provision of Accessible Copies of Documents to Parents).

**Amended** – Changes to the IEP may be made by creating an addendum that revises the student's IEP since the last approved document. Amendments to the IEP may be made either:

- By the entire IEP team, or
- As provided in 20 U.S.C. §1414(d)(3)(D); 34 C.F.R. §300.324(a)(4); COMAR 13A.05.01.08B(4), if the student's parent and public agency agree not to convene an IEP team meeting, but instead develop a written document to amend or modify the student's IEP rather than redrafting the entire IEP.

The purpose of an addendum is to make minor changes to the student's IEP with the approval of both the parent and the public agency. Only those sections pertinent to the changes the parents and public agency agree to make are completed and only those sections need to be included with the previously approved document.

In making changes to a student's IEP after the annual IEP team meeting for a school year, the parent of a student with a disability and the public agency may agree not to convene an IEP team meeting for the purposes of making such changes, and instead may develop a written document to amend or modify the student's current IEP. [20 U.S.C. §1414(d)(3)(D); 34 C.F.R. §§300.324(a)(4) COMAR 13A.05.01.08B(4)]

The public agency must ensure that the student's service providers are informed of the amendment or modifications. The student's parent must be provided a revised copy of the IEP with the amendments incorporated. [20 U.S.C. §1414(d)(3)(F); 34 C.F.R §300.324(a)(6)]

When the student's IEP is amended, a public agency is required to maintain documentation reflecting the amendments and the agreement of both parties in accordance with local policies and procedures.

[34 C.F.R. §§300.324(a)(4); 300.324(a)(6); COMAR 13A.05.01.08B(6)]

**NOTE:**

34 C.F.R. §300.324(a)(6), consistent with 20 U.S.C. §1414(d)(3)(F) requires the public agency to, upon request of the parent, provide the parent with a revised copy of the IEP with the amendments incorporated.

**NOTE:**

School personnel are also required to provide the parent(s) an accessible copy of the completed IEP not later than five (5) business days after the scheduled IEP or other multidisciplinary team meeting. If the IEP has not been completed by the fifth business day after the IEP team meeting, the parent(s) is to be provided an accessible draft copy of the IEP not later than five (5) business days after the scheduled IEP or other multidisciplinary team meeting (Ed. Art. §8-405 and Appendix H Technical Assistance Bulletin 20 Provision of Accessible Copies of Documents to Parents).

**Heading**

The heading on this page and all subsequent pages identifies the document as a student's IEP using the Statewide IEP form and format. The heading includes:

- Student's Name;
- Agency the student currently attends; and
- IEP team Meeting Date when the document was developed, reviewed, or revised by the student's IEP team. The most recent date on which the IEP team approved an IEP date to be provided to Online Special Services Information System (SSIS) as "IEP Date."

## STUDENT AND SCHOOL INFORMATION

The intent of this section is to provide a quick summary of student and school information. This information is initially completed within other sections of the IEP. The information includes:

- Demographic information about the student;
- Student's disability;
- Areas affected by the disability;
- Important relative dates for past and future IEP team meetings, as appropriate;
- Exit information if the student has exited special education services; and
- A list of the IEP team members present.

### Student Information

Enter Student Name:

**First Name:** Enter up to fifteen (15) characters of the student's first name.

**Middle Initial:** Enter the student's middle name, if available. If the student does not have a middle name, enter "NMN." "NMN" means "No Middle Name." Entering "NMN" assures local school personnel and the local data manager that school personnel have overtly responded to the requirement to provide a student's middle name and have verified that the student does not have a middle name.

**Last Name:** Enter up to twenty-five (25) characters of the student's last name.

**Address:** Address where the student resides, including City Name, State, and Zip Code

Provision has been made for the student's address. It is intended that the address of the student's primary residence, i.e., where he or she spends most of his or her time, be entered on the Student Address line. This convention was adopted to help public agency staff identify where the student is to be transported if special transportation is required. It is recognized that there are various forms of living arrangements and guardianships for students. Public agencies fill in these fields with the most appropriate information aligned with the data maintained in your larger public agency database of all students. Additionally, spaces are provided for phone numbers and public agencies should, likewise, use them

	for their convenience.
<b>Grade</b>	<p>This is the student's grade level during the timeframe in which the IEP will be in effect. The two-digit number of the grade in which the student is placed for the school year in which the document is in effect.</p> <p>Preschool, Ages 3-5  Kindergarten  01 through 12 = grades 1 through 12</p>
<b>Unique Student Identification Number (State)</b>	MSDE has developed a system of unique student identification numbers for <b>ALL</b> students. Each public agency will access a unique student identification number for each student. Please contact your local school system data managers if you have a question in regard the process of selecting a unique student identification number.
<b>Student ID Number</b>	<p>The number assigned by the local education agency. The number can be any combination of numbers and letters, but not more than 10 characters in length. If fewer than 10 characters are used, zeros fill the remaining positions.</p> <p>A public agency may also use a student's social security number. If the social security number is unavailable, the public agency should provide a 9-digit pseudo code, which begins with "9", followed by the public agency 2-digit identifier, and an additional 6 digits.</p> <p><b>NOTE:</b>  Please follow local public agency policies and procedures relative to the use of the social security number or developing and assigning pseudo codes, as applicable.</p>
<b>Date of Birth</b>	The birth date of the student. (month, day, and year)
<b>Age</b>	Indicate the student's age in years and months calculated from the student's date of birth to the date of the IEP team meeting for the document.
<b>Gender</b>	Indicate Male or Female

**Race Codes**

The race of the student.

**Ethnicity**

A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.

Indicate :

**Yes**, student is Hispanic or Latino; or

**No**, student is not Hispanic or Latino

Following the Hispanic question (“yes” or “no”) a “Race Code” must also be selected.

**American Indian or Alaska Native** - A person having origins in any of the original peoples of North and South America (including Central America), and who maintains a tribal affiliation or community attachment.

**Asian** - A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.

**Black or African American** - A person having origins in any of the black racial groups of Africa.

**Native Hawaiian or Other Pacific Islander** - A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

**White** - A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.

**Limited English Proficient**

Limited English proficient is defined as an individual who does not speak English as his or her primary language and who has a limited ability to read, speak, write, or understand English. COMAR 13A.05.01.03B(37)

When completing the Limited English Proficient field, the response entered must be based on information obtained from the parent or student. Most typically, this information is collected when a student is first enrolled and parents complete language survey forms, or when a student is evaluated to determine his or her dominant language. Please follow local public agency policies and procedures relative to language identification.

	Indicate:  <b>YES</b> (limited English proficient); or <b>NO</b> (not limited English proficient)
<b>Student's Native Language</b>	If <b>YES</b> is indicated above, identify the student's native language. Native language is defined as the language normally used by an individual who is limited English proficient, or the language normally used by the parent of the student. This includes American sign language for students who are deaf or hearing impaired, when applicable. On the Student Record Card 1 Side 1 school personnel are to document the language spoken in the home.  [COMAR 13A.08.02.01; and Student Records Manual 2008]
<b>Residence County</b>	The public jurisdiction of where the parent or legal guardian of the student resides.
<b>Residence School</b>	The school the student would attend if not disabled. This includes: <ul style="list-style-type: none"> <li>• Students identified as receiving home instruction;</li> <li>• Parentally placed in a private school; and</li> <li>• Homeless, unknown school.</li> </ul>
<b>Service County</b>	The public agency responsible to provide the special education services. This includes local school systems, Department of Juvenile Services (DJS), Adult Correctional Facilities, Edison Schools, Maryland School for Blind (MSB), and Maryland School for Deaf (MSD).
<b>Service School</b>	The public agency school, nonpublic school, or private school that identifies where the student receives special education service(s). In addition to public and nonpublic schools, this includes: <ul style="list-style-type: none"> <li>• Students identified as receiving home instruction;</li> <li>• Students parentally placed in a private school; and</li> <li>• Homeless students, unknown school.</li> </ul>
<b>Financially Responsible Jurisdiction</b>	<b><u>Out of County Living Arrangement</u></b>  The financially responsible county is the county where the parent or legal guardian of a student in an out-of-county living arrangement resides. If the parents of the student live apart, the financially responsible county is:

- The county where the parent who has been awarded custody of the student resides;
- If custody has not been awarded, the county where the parent with whom the student lives when not in a foster care home or residential facility resides;
- If custody has been awarded to both parents and the parents reside in different counties, both counties shall be considered financially responsible and shall pay one-half the amount; or
- If custody has been awarded to both parents and one parent resides in a county and the other resides out-of-state, the county shall be considered the financially responsible county.

### **Informal Kinship Care**

"Informal kinship care" means a living arrangement in which a relative of a student, who is not in the care, custody, or guardianship of the local department of social services, provides for the care and custody of the student due to a serious family hardship.

"Serious family hardship" means:

- Death of a parent or legal guardian of the student;
- Serious illness of a parent or legal guardian of the student;
- Drug addiction of a parent or legal guardian of the student;
- Incarceration of a parent or legal guardian of the student;
- Abandonment by a parent or legal guardian of a student; or
- Assignment of a parent or legal guardian of a student to active military duty.

"Receiving agency" means the local education agency for the county where the relative of a student in an informal kinship care relationship resides.

"Sending agency" means the local education agency for a county where the parent or legal guardian of a student in an informal kinship care relationship resides, and as further defined in Education Article, §4-122.1, Annotated Code of Maryland.

A local school superintendent shall allow the student, who is a Maryland resident to attend a public school in a county other than the county where the student is domiciled with the student's parent or legal guardian if:

- The student lives with a relative providing informal kinship care in the county; and

- The relative verifies the informal kinship care relationship through a sworn affidavit.

The relative providing informal kinship care shall make the full range of educational decisions for the student unless the court:

- Appoints a guardian for the student; or
- Awards custody of the student to someone other than the relative providing informal kinship care.

The parent or legal guardian of a student in an informal kinship care relationship shall have final decision-making authority regarding the educational needs of the student.

Education funding of a student in informal kinship care shall be provided in accordance with Education Article, §4-122.1, Annotated Code of Maryland.

The student in an informal kinship care relationship shall receive an appropriate education from the receiving agency.

The receiving agency shall include a student enrolled as the result of an informal kinship care relationship in its full-time equivalent enrollment as provided by Education Article, §5-202(a), Annotated Code of Maryland.

**Care and Custody of a State Agency**

Indicate **YES** or **NO**.

**YES**, if a court has appointed a state agency the responsibility for care or custody of a student. The public agency may need to invite the student’s caseworker to attend the student’s IEP team meetings. The public agency may also need to determine whether or not the public agency may need to appoint a parent surrogate to represent the student.

**NO**, if the student is represented by a parent/guardian.

**Name of State Agency**

If **YES** was indicated above for “Custody and Care of a State Agency,” enter the name of the state agency.

**Parent Surrogate**

Indicate the name of the person appointed to act as the student’s parent in educational decision-making. This individual shall be invited to IEP team meetings.

[34 C.F.R. §300.519; Education Article §8-412, Annotated Code of Maryland COMAR 13A.05.01.03B(52)]

<b>Parent/ Guardian 1 and 2</b>	Enter the name of the parent/guardian with whom the student lives. It is recognized that there are various forms of living arrangements and guardianships for students. Additionally, spaces have been provided for phone numbers and public agencies should, likewise, use them for their convenience.
	<b>NOTE:</b> A public agency may collect more than two sets of information for parent/guardian. The Maryland online tool will only display information for two parent/guardians.
<b>Parent's Native Language</b>	An individual's primary language or the language normally used by an individual who has a limited ability to read, speak, write, or understand English. On the Student Record Card 1 Side 1 school personnel are to document the language spoken in the home. [COMAR 13A.08.02.01; and Student Records Manual 2008]
<b>Interpreter Needed</b>	If a parent is limited English proficient or deaf indicate whether an interpreter/ transliteration is provided to assure the parent's access to information and equitable participation in IEP team meeting.  [34 C.F.R. §300.503; COMAR 13A.05.01.12C]
<b>Case Manager</b>	School personnel responsible for managing the special education paperwork and requirements in accordance with local public agency policies and procedures.
<b>IEP Team Meeting Date(s)</b>	Enter the date of the most recent IEP team meeting on which the IEP team met to develop, review, or revise the student's IEP, as appropriate.  <b>NOTE:</b> Additional dates may also be listed to identify the date(s) of additional IEP team meetings to develop, review, or revise the student's IEPs, and dates of IEP addendums.
<b>IEP Annual Review Date</b>	A student's IEP is reviewed at least once within a calendar year. This is called the annual review. Enter the date of the previous annual review of the student's IEP, if applicable.
<b>Procedural Safeguards Document</b>	Document the parent's receipt of the Procedural Safeguards – Parental Rights document. A copy of the Procedural Safeguards – Parental Rights document must be given to the parent of the student only one time a school year. An additional copy must also be given to the student's parent:

- Upon initial referral or parent request for evaluation;
- Upon receipt of the first State complaint under 34 C.F.R. §§300.151 – 300.153 in a school year;
- Upon receipt of the first due process complaint under 34 C.F.R. §300.507 in a school year;
- In accordance with the discipline procedures in §300.530(h); and
- Upon request by a parent.

[34 C.F.R. §300.504; COMAR 13A.05.01.11]

**Projected  
Annual  
Review Date  
Most Recent  
Evaluation  
Date**

Enter a projected date for reviewing the current IEP within one calendar year of the date of the IEP team meeting.

**Initial Evaluation**

The date the student’s IEP team met to consider existing data, information from parents, and additional data to complete an initial evaluation of a student within:

- Sixty (60) days of parental consent for assessments; and
- Ninety (90) days of the public agency receiving a written referral.

[34 C.F.R §300.300; COMAR 13A.05.01.06A]

**Reevaluation**

The date the IEP team met to consider existing data, information from parents, additional data, if determined needed. A reevaluation shall occur:

- Not more frequently than once a year, unless the parent and public agency agree otherwise; and
- At least once every three years, unless the parent and public agency agree that a reevaluation is not necessary.

If after the review of existing data and information from the parents, the IEP team and parents agree no additional data or assessments are necessary to determine whether the student continues to be a student with a disability requiring the provision of special education and related services that date is the date of the reevaluation.

If the IEP team determines the need for additional data, the public agency shall conduct assessment procedures. The results of assessment procedures shall be used by the IEP team in reviewing, and, as appropriate, revising the student's IEP within 90

days of the IEP team meeting when the IEP team determined that additional data was needed to determine whether the student continues to be a student with a disability requiring the provision of special education and related services.

[20 U.S.C. §§1401(30); 1414(b)(6); 34 C.F.R. §§300.15; 300.303 – 305 COMAR 13A.05.01.06E]

**Projected  
Evaluation  
Date**

Subsequent evaluations are called reevaluations and shall occur:

- Not more frequently than once a year, unless the parent and public agency agree otherwise; and
- At least once every three years, unless the parent and public agency agree that a reevaluation is not necessary.

[20 U.S.C. §§1401(30); 1414(b)(6); 34 C.F.R. §§300.15; 300.303 – 300.311(d); COMAR 13A.05.01.06E(2)]

**Primary  
Disability**

Although it is possible that a student may have more than one disability, enter the disability most indicative of the student's primary disability. A student evaluated and determined by an IEP team to be a student with a disability or a student with a developmental delay, who, because of the disability requires special education and related services:

- Autism,
- Deaf-blindness,
- Deafness,
- Developmental delay,<sup>1</sup>
- Emotional disability,
- Hearing impairment,
- Intellectual disability,
- Multiple disabilities,<sup>2</sup>
- Orthopedic impairment,
- Other health impairment,
- Specific learning disability,
- Speech or language impairment,
- Traumatic brain injury, or
- Visual impairment, including blindness

**NOTE:**

<sup>1</sup>Please refer to local policies, procedures, and practices relative to students with a developmental delay.

<sup>2</sup> 1. Specify **each** disability from any of the three categories of disabling conditions the student's IEP team identifies as

concomitant that causes such severe educational problems that the student cannot be accommodated in special education instructional services solely for one of the impairments.

- **Cognitive includes:** Autism, Emotional Disability, Intellectual Disability, Specific Learning Disability, Speech or Language Impairment, and Traumatic Brain Injury.
- **Sensory includes:** Deaf-Blindness, Deafness, Hearing Impairment, and Visual Impairment including Blindness.
- **Physical includes:** Orthopedic Impairment, and Other Health Impairment.

2. Concomitant means happening or existing along with or at the same time as something else.

3. A student is **not** required to be identified as a student with an intellectual disability as one of the disabilities.

**Autism** A developmental disability which:

- (a) Does not include emotional disability;
- (b) Significantly affects verbal and nonverbal communication and social interaction;
- (c) Is generally evident before 3 years old;
- (d) Adversely affects a student's educational performance; and
- (e) May be characterized by:
  - (i) Engagement in repetitive activities and stereotyped movements,
  - (ii) Resistance to environmental change or change in daily routines, and
  - (iii) Unusual responses to sensory experiences.

[34 C.F.R. §300.8(c)(1) COMAR 13A.05.01.03B(8)]

**Deaf-Blindness**

A concomitant hearing and visual impairments, the combination of which causes such severe communication and other developmental and educational needs that the student cannot be accommodated solely as a student with deafness or a student with blindness.

[34 C.F.R. §300.8(c)(2) COMAR 13A.05.01.03B(17)]

<b>Deafness</b>	<p>Deafness means a hearing impairment which:</p> <ul style="list-style-type: none"> <li>(a) Is so severe that the student is impaired in processing linguistic information through hearing, with or without amplification; and</li> <li>(b) Adversely affects the student's educational performance.</li> </ul>
<b>Developmental Delay, ages three – seven</b>	<p>[34 C.F.R. §300.8(c)(3) COMAR 13A.05.01.03B(18)]</p> <p>This code may be used by a public agency utilizing the MSDE developmental delay definition. A student from three through sevens old assessed and evaluated as having:</p> <ul style="list-style-type: none"> <li>(a) A 25 percent or greater delay in adaptive, cognitive, communicative, emotional, physical, or social development;</li> <li>(b) Atypical development or behavior; or</li> <li>(c) A diagnosed physical or mental condition.</li> </ul>
<b>Emotional Disability</b>	<p><b>NOTE:</b> Please refer to local policies, procedures, and practices relative to students with a developmental delay.</p> <p>[34 C.F.R. §300.8(b) COMAR 13A.05.01.03B(77)]</p> <p>A condition exhibiting one or more of the following characteristics over a long period of time and to a marked degree, that adversely affects a student's educational performance:</p> <ul style="list-style-type: none"> <li>(i) An inability to learn that cannot be explained by intellectual, sensory or health factors;</li> <li>(ii) An inability to build or maintain satisfactory interpersonal relationships with peers and teachers;</li> <li>(iii) Inappropriate types of behavior or feelings under normal circumstances;</li> <li>(iv) A general, pervasive mood of unhappiness or depression; or</li> <li>(v) A tendency to develop physical symptoms or fears associated with personal or school problems.</li> </ul>
<b>Hearing Impairment</b>	<p>Emotional disability includes schizophrenia. Emotional disability does not include a student who is socially maladjusted, unless it is determined that the student has an emotional disability.</p> <p>[34 C.F.R. §300.8(c)(4)] COMAR 13A.05.01.03.B(22)]</p> <p>An impairment in hearing, whether permanent or fluctuating, that adversely affects a student's educational performance.</p> <p>[34 C.F.R. §300.8(c)(5) COMAR 13A.05.01.03.B(29)]</p>

<b>Intellectual Disability</b>	<p>General intellectual functioning, adversely affecting a student's educational performance, which:</p> <ul style="list-style-type: none"> <li>(a) Is significantly sub average;</li> <li>(b) Exists concurrently with deficits in adaptive behavior; and</li> <li>(c) Is manifested during the developmental period.</li> </ul> <p>[34 C.F.R. §300.8(c)(6) COMAR 13A.05.01.03B(42)]</p>
<b>Multiple Disabilities</b>	<p>Concomitant impairments, such as intellectual disability-blindness or intellectual disability-orthopedic impairment, the combination of which causes such severe educational problems that the student cannot be accommodated in special education programs solely for one of the impairments. "Multiple disabilities" does not include students with deaf-blindness.</p> <p><b>NOTE:</b></p> <ol style="list-style-type: none"> <li>1. Specify <b>each</b> disability from any of the three categories of disabling conditions the student's IEP team identifies as concomitant that causes such severe educational problems that the student cannot be accommodated in special education instructional services solely for one of the impairments. <ul style="list-style-type: none"> <li>• <b>Cognitive includes:</b> Autism, Emotional Disability, Intellectual Disability, Specific Learning Disability, Speech or Language Impairment, and Traumatic Brain Injury.</li> <li>• <b>Sensory includes:</b> Deaf-Blindness, Deafness, Hearing Impairment, and Visual Impairment including Blindness.</li> <li>• <b>Physical includes:</b> Orthopedic Impairment, and Other Health Impairment.</li> </ul> </li> <li>2. Concomitant means happening or existing along with or at the same time as something else.</li> <li>3. A student is <b>not</b> required to be identified as a student with an intellectual disability as one of the disabilities.</li> </ol> <p>[34 C.F.R. §300.8(c)(7) COMAR 13A.05.01.03B(44)]</p>
<b>Orthopedic Impairment</b>	<p>A severe orthopedic impairment that adversely affects a student's educational performance. Orthopedic impairment includes impairments:</p> <ul style="list-style-type: none"> <li>(a) Caused by congenital anomaly, such as clubfoot or absence</li> </ul>

- of some member;
- (b) Caused by disease such as poliomyelitis or bone tuberculosis; and
- (c) From other causes such as cerebral palsy, amputations, and fractures or burns which cause contractures.

[34 C.F.R. §300.8(c)(8) COMAR 13A.05.01.03B(50)]

**Other Health Impairment**

Having limited strength, vitality, or alertness, including a heightened alertness to environmental stimuli, that results in limited alertness with respect to the educational environment that is adversely affecting a student's educational performance, due to chronic or acute health problems such as:

- Asthma;
- Attention deficit disorder or attention deficit hyperactivity disorder;
- Diabetes;
- Epilepsy;
- A heart condition;
- Hemophilia;
- Lead poisoning;
- Leukemia;
- Nephritis;
- Rheumatic fever;
- Sickle cell anemia; or
- Tourette Syndrome.

[34 C.F.R. §300.8(c)(9); COMAR 13A.05.01.03B(51)]

**Specific Learning Disability**

A disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, that may manifest itself in the imperfect ability to listen, think, speak, read, write, spell, or do mathematical calculations. It includes conditions such as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia.

It **does not** include students who have learning problems primarily the result of:

- Visual;
- Hearing;
- Motor impairment;
- Intellectual disability;
- Emotional disability;

- Environmental;
- Cultural; or
- Economic disadvantage.

[34 C.F.R. §300.8(c)(10); COMAR 13A.05.01.03B(7)]

**Speech or Language Impairment**

A communication disorder such as stuttering, impaired articulation, voice impairment, or language impairment that adversely affects a student's educational performance.

[34 C.F.R. §300.8(c)(11); COMAR 13A.05.01.03B(74)]

**Traumatic Brain Injury**

An acquired injury to the brain, caused by an external force, resulting in total or partial functional disability or psychosocial impairment, or both, that adversely affects a student's educational performance. Traumatic brain injury includes open or closed head injuries resulting in impairments in one or more areas such as:

- (i) Cognition;
- (ii) Language;
- (iii) Memory;
- (iv) Attention;
- (v) Reasoning;
- (vi) Abstract thinking;
- (vii) Judgment;
- (viii) Problem solving;
- (ix) Sensory, perceptual and motor abilities;
- (x) Psychosocial behavior;
- (xi) Physical functions;
- (xii) Information processing; and
- (xiii) Speech.

Traumatic brain injury does not include brain injuries that are congenital, degenerative, brain injuries induced by birth trauma.

[34 C.F.R. §300.8(c)(12); COMAR 13A.05.01.03B(82)]

**Visual Impairment, including Blindness**

An impairment in vision, which, even with correction, adversely affects a student's educational performance.

Visual impairment includes partial sight and blindness.

[34 C.F.R. §300.8(c)(13) COMAR 13A.05.01.03B(84)]

<b>Areas Affected by Disability</b>	<p>The identified academic, health, physical, and behavioral area(s), as appropriate, identified by the IEP team as areas affected by the disability, including developmental, and functional needs of the student to enable the student to be involved in and progress in the general curriculum, and each special education and related service needed by the student, regardless of whether the need is commonly linked to the student's disability.</p> <p>[34 C.F.R. §300.320; COMAR 13A.05.01.04 – .06; COMAR 13A.05.01.09A(1)(a)]</p>
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## EXIT INFORMATION

<b>Exit Date</b>	<p>Date student exited special education. All student data submitted in the annual June Exit Report must have exit dates ranging from July 1 of the previous year to June 30 of the reporting year. All services must be ended in the June data submission. Date of exit must be the same as, or after the date of the last IEP.</p> <p>[MSDE Student Records Manual 2008; SSIS Manual, October 2009]</p>
<b>Exit Category</b>	<p>Enter the reason the student exited from special education program:</p> <p><b>A = Returned to general education</b> - student who was served in special education during the previous reporting year, but at some point during that 12-month period, returned to general education as a result of having met the objectives of his or her IEP. This is a student who no longer has an IEP and is receiving all educational services from a general education program.</p> <p><b>B = Graduated with Maryland High School Diploma</b> - student who exited an educational program through receipt of a high school diploma identical to that for which students without disabilities are eligible.</p> <p><b>C = Received Maryland High School Certificate of Program Completion</b> - student who exited an educational program through receipt of a Maryland High School Certificate of Program Completion or IEP Team determination that the</p>

student has developed appropriate skills for the individual to enter the world of work.

**D = Reached 21 years of age** - student who exited special education because of reaching the maximum age.

**E = Deceased** - student who died.

**F = Moved, known to be continuing** - student who moved out of the catchment area and is *KNOWN* to be continuing in another educational program. There need not be evidence that the student is continuing in special education, only that he/she is continuing in a general education program.

**H = Dropped out** - student who was enrolled at some point in the reporting year, was not enrolled at the end of the reporting year, and did not exit through any other basis (returned to general education, graduated, received certificate, reached maximum age, died, or moved). Includes GED recipients.

**I = Special Case** - Other reasons with superintendent's approval. For students under 16 years of age. This code may be used for students who withdraw in grade 8 for religious reasons.

**J = Parent Revokes Consent for Services** – For use when a parent revokes consent for the provision of special education and related services after special education and related services have been implemented.

[MSDE, SSIS Manual draft October 2009]

## IEP TEAM PARTICIPANTS

### IEP Team Participants

The IEP team for a student with a disability includes:

1. The parents of the student;
2. Not less than one regular education teacher of the student, if the student is, or may be participating in the regular education environment;
3. Not less than one special education teacher, or not less than one special education provider of the student;
4. A representative of the public agency who is:

- Qualified to provide, or supervise the provision of specially designed instruction to meet the unique needs of students with disabilities, and
  - Knowledgeable about the general curriculum and is knowledgeable about the availability of resources of the public agency;
5. An individual who can interpret the instructional implications of evaluation results, who may be a member of the team described in Numbers 2 – 4 above;
  6. Other individuals, at the discretion of the parent or public agency, who have knowledge or special expertise regarding the student, including related service personnel, as appropriate; and
  7. The student, if appropriate.

If a student does not have a regular teacher, or is younger than school age, the regular educator shall be an individual qualified to teach a student of the student's age.

**NOTE:**

The parent or public agency may invite other individuals to attend and participate as a member of an IEP team. The determination of the knowledge or special expertise of an individual is made by the party who invited the individual. [34 C.F.R. §300.321(a); COMAR 13A.05.01.07A]

**Transition from Part C to Part B**

In the case of a student who was previously served by a local Infants and Toddlers Program, Part C, an invitation to the initial IEP team meeting must, 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.

[34 C.F.R. §300.321(f); COMAR 13A.05.01.06]

**Additional IEP Team Members for Determination of an SLD**

The determination of whether the student suspected of having a specific learning disability is a student with a disability as defined in § 300.8, must be made by the student's parents and a team of qualified professionals, which must include:

1. The student's regular teacher; or

2. If the student does not have a regular teacher, a regular classroom teacher qualified to teach a student of his or her age; or
3. For a student of less than school age, an individual qualified by the SEA to teach a student of his or her age; and
4. At least one person qualified to conduct individual diagnostic examinations of children, such as a school psychologist, speech-language pathologist, or remedial reading teacher.

[34 C.F.R. §300.308; COMAR 13A.05.01.06D]

### **Secondary Transition**

The public agency must invite the student with a disability to attend the student's IEP team meeting if a purpose of the meeting will be the consideration of the postsecondary goals for the student and the transition services needed to assist the student in reaching those goals under § 300.320(b). If the student does not attend the IEP team meeting, the public agency must take other steps to ensure that the student's preferences and interests are considered.

To implement the requirements for post-secondary transition, the public agency must invite a representative of any participating agency that is likely to be responsible for providing or paying for transition services, with the consent of the student's parent, or student, if applicable.

[34 C.F.R. §300.321(b); COMAR 13A.05.01.07]

### **Nonpublic School Placements by Public Agencies**

Before a local school system places a student with a disability in, or refers a student to, a nonpublic school or facility, the local school system must initiate and conduct a meeting to develop an IEP for the student. The agency must ensure that a representative of the private school or facility attends the meeting. If the representative cannot attend, the agency must use other methods to ensure participation by the nonpublic school or facility, including individual or conference telephone calls. A nonpublic school must contact the fiscally responsible local school system to request IEP team meetings to review the student's IEP, as appropriate. The fiscally responsible local school system remains responsible for compliance with federal and State regulations.

[34 C.F.R. §300.325; COMAR 13A.05.01.16A]

**Parentally Placed Private School Service Plan Meeting**

Each parentally placed private school student with a disability who has been designated to receive services must have a services plan that describes the specific special education and related services that the local school system will provide to the student in light of the services that the local school system has determined it will make available to parentally-placed private school students with disabilities. The services plan must, to the extent appropriate:

- a. Meet the requirements of the IEP with respect to the services provided; and
- b. Be developed, reviewed, and revised consistent with requirements for IEP team membership, Parent Participation, In Effect, and Development Review, and Revision of the IEP.

If a student with a disability is enrolled in a religious or other private school by the student's parents and will receive special education or related services from a local school system, the local school system must:

1. Initiate and conduct meetings to develop, review, and revise a services plan for the student; and
2. Ensure that a representative of the religious or other private school attends each meeting. If the representative cannot attend, the LEA shall use other methods to ensure participation by the religious or other private school, including individual or conference telephone calls.

[34 C.F.R. §§300.137(c); 300.138(b); COMAR 13A.05.01.16B]

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SECTION

I

**MEETING AND IDENTIFYING INFORMATION**

**ELIGIBILITY**

**INITIAL ELIGIBILITY**

Upon completion of the administration of assessments and other evaluation measures, a group of qualified professionals, including the student's parent, determine whether the student is a student with a disability and the educational needs of the student. The public agency is required to provide a copy of the evaluation report to the parent, including the documentation of determination of eligibility.

An IEP team shall complete an **initial** evaluation of a student within:

- Sixty (60) days of parental consent for assessments; and
- Ninety (90) days of the public agency receiving a written referral.

The evaluation must consist of procedures to determine if the student is a student with a disability under 34 CFR 300.8 and to determine the educational needs of the student.

[20 U.S.C. §1414(a)(1)(C); 34 CFR §300.301(c); COMAR 13A.05.01.06A]

**Exception to the Timeline for Completion of Initial Evaluation.**

The timeline for completion of the initial evaluation described shall not apply, in accordance with 20 U.S.C. §1414(a)(1)(C)(ii); 34 C.F.R. §300.300, and COMAR 13A.05.01.06A if:

- The parent of the student repeatedly fails or refuses to produce the student for assessments;
- A student enrolls in a different public agency prior to the completion of the initial evaluation started in the student's former public agency of enrollment; or
- The student's parent and the IEP team extend the timeframe by mutual written agreement.

The exceptions to the timeline with regards to a student who enrolls in another public agency after consent for an initial evaluation was obtained, exception to the 60 day initial evaluation timeframe applies only if:

- The subsequent public agency is making sufficient progress to ensure a prompt completion of the evaluation;
- The parent and subsequent public agency agree to a specific time for completion of the evaluation.

**NOTE:**

In accordance with 34 C.F.R. §300.323(f), if a child with a disability (who had an IEP that was in effect in a previous public agency in another State) transfers to a public agency in a new State, and enrolls in a new school within the same school year, the new public agency (in consultation with the parents) must provide the child with FAPE (including services comparable to those described in the child’s IEP from the previous public agency), **until** [emphasis added] the new public agency:

- (1) Conducts an evaluation pursuant to §§ 300.304 through 300.306 (if determined to be necessary by the new public agency); and
- (2) Develops, adopts, and implements a new IEP, if appropriate, that meets the applicable requirements in §§ 300.320 through 300.324.

Also within the Analysis of Comments and Changes relative to §300.323(f) OSEP states, “The evaluation conducted by the new public agency would be to determine if the child is a child with a disability and to determine the educational needs of the child. Therefore, the evaluation would not be a reevaluation, but would be an initial evaluation by the new public agency, which would require parental consent.” [Analysis of Comments and Changes, page 46682]

If the new local school system determines that no additional or new data/assessments are needed and that existing data from another state meets the criteria for eligibility for services as a students-with a disability in Maryland and adequately addresses the student’s educational needs, the IEP team entering the data into the Statewide IEP, is to consider this an initial evaluation **not** a reevaluation **and** obtain parental consent for the initiation of services.

**Initial Evaluation Eligibility Data**

A student with a suspected disability who may need special education shall be referred, in writing, to an IEP team by the student’s parent or a public agency [20 U.S.C. §1414(a); 34 C.F.R. §300.301(b)].

**Transition from Part C to Part B**

A public agency shall convene an IEP team meeting to determine if a student in transition from a Local Infants and Toddlers Program (LITP) has a disability or developmental delay that requires the provision of special education and related services.

In the case of a student who was previously or is currently served under Part C, 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 LITP to assist with the smooth transition of services.

[20 U.S.C.§1412(a)(9); 34 C.F.R. §§300.124; 300.321(f); 300.323(b);COMAR 13A.05.01.07A(8); COMAR 13A.05.01.08(2); State Performance Plan Indicator 12]

**Areas Impacted by Student’s Suspected Disability**

Identify the academic, functional, developmental, physical, sensory, social, or behavioral issues that prompted school personnel or the parent to refer the student for an initial assessment.

[34 C.F.R. §300.321(a)COMAR 13A.05.01.04-.06;COMAR 13A.05.01.09A(1)(a)]

**Discussion to Support Decision (optional)**

If it is the intent of a public agency use the student's IEP to satisfy the requirements for prior written notice (PWN), this text field provides space for the IEP team to document its decision(s) relative to the areas affected by the student’s disability that requires special education services. Refer to local public agency policies and procedures.

**Determinant Factors**

In accordance with 20 U.S.C. §1414(b)(5) a student may not be identified as a student with a disability if an IEP team determines the lack of educational performance is the result of:

- A lack of instruction in reading, including the essential components of reading instruction, including explicit and systematic instruction in:
  - Phonemic awareness,
  - Phonics,
  - Vocabulary development,
  - Reading fluency and oral reading skill, and
  - Reading comprehension strategies;
- A lack of instruction in math; or
- Limited English Proficiency (LEP); and
- The student does not otherwise meet the criteria specified in 34 CFR §300.8

[20 U.S.C. §1414(b)(5); 34 C.F.R. §300.306(b); Analysis of

**Specialized  
Instruction  
and  
Related  
Services**

Comments pg. 46646; COMAR 13A.05.01.06C(3)]

Indicate:

**YES** – If the IEP team determines the student is a student with a disability requiring the provision of special education; or  
**NO** – If the IEP team determines the student is NOT a student with a disability requiring the provision of special education services.

[34 C.F.R. §300.306(c)]

### Initial Eligibility (Prior to Age 3)

Page 2 of the Statewide IEP form and format is ONLY for use for children under the age of 3 AND receiving early intervention from a local Infants and Toddlers Program

Under Maryland’s Early Childhood Intervention and Education Service Model, the Part B eligibility determination outcomes are:

1. Children who are determined **not eligible** for Part B preschool special education and related services; and
2. Children who are determined **eligible** for Part B preschool special education and related services and will receive early intervention services under an IFSP; and
3. Children who are determined **eligible** for Part B preschool special education and related services and will receive special education and related services under an IEP.

Prior to receiving services under Part B of IDEA or services through an Extended IFSP, an Individualized Education Program (IEP) team must determine whether a child is a child with a disability or developmental delay who requires special education and related services, in accordance with Code of Maryland Regulations (COMAR) 13A.05.01.06B. This is referred to as the eligibility determination. To make this eligibility determination, the local school system or public agency is required to assess and evaluate the child within 60 calendar days of the parent’s consent to evaluate the child.

To conduct an evaluation, the local school system or public agency must first conduct an assessment. In accordance with COMAR 13A.05.01.03B(3), an assessment is the process of collecting data to be used by the IEP team to determine a student's need for special education and related services. Following an assessment, it is the responsibility of the child's IEP team to conduct the evaluation. In accordance with COMAR 13A.05.01.03B(25), an evaluation is the process of an IEP team and other qualified professionals, as appropriate, meeting to review information from the child’s parent, existing data, results of assessment procedures used to determine whether a child has a disability, and the nature and extent of the special education and related services that the child needs.

<p><b>Eligibility as a Student with a Disability</b></p>	<p>Indicate:</p> <p><b>YES</b> – If IEP team determines the student is a student with a disability requiring the provision of special education services;</p> <p><b>NO</b> – If the IEP team determines the student is NOT a student with a disability requiring the provision of special education services.</p> <p>[34 C.F.R. §300.306(c)]</p>
<p><b>Indicate Primary Disability</b></p>	<p>Although it is possible that a student may have more than one disability, enter the disability most indicative of the student's primary disability. A student evaluated and determined by an IEP team to be a student with a disability or a student with a developmental delay, who, because of the disability requires special education and related services as listed below:</p> <ul style="list-style-type: none"> <li>• Autism,</li> <li>• Deaf-blindness,</li> <li>• Deafness,</li> <li>• Developmental delay, for students three through nine,<sup>1</sup></li> <li>• Emotional disability,</li> <li>• Hearing impairment,</li> <li>• Intellectual disability,</li> <li>• Multiple disabilities,<sup>2</sup></li> <li>• Orthopedic impairment,</li> <li>• Other health impairment,</li> <li>• Specific learning disability,</li> <li>• Speech or language impairment,</li> <li>• Traumatic brain injury, or</li> <li>• Visual impairment, including blindness</li> </ul> <p><b>NOTE:</b></p> <p><sup>1</sup>Please refer to local policies, procedures, and practices relative to students with a developmental delay.</p> <p><sup>2</sup> 1. Specify <b>each</b> disability from any of the three categories of disabling conditions the student's IEP team identifies as concomitant that causes such severe educational problems that the student cannot be accommodated in special education instructional services solely for one of the impairments.</p> <ul style="list-style-type: none"> <li>• <b>Cognitive includes:</b> Autism, Emotional Disability, Intellectual Disability, Specific Learning Disability, Speech or Language Impairment, and Traumatic Brain Injury.</li> </ul>

- Sensory includes:** Deaf-Blindness, Deafness, Hearing Impairment, and Visual Impairment including Blindness.
- Physical includes:** Orthopedic Impairment, and Other Health Impairment.

2. Concomitant means happening or existing along with or at the same time as something else.
3. A student is not required to be identified as a student with an intellectual disability as one of the disabilities.

[34 C.F.R. §300.300.8]

**Document  
Basis for Decision(s)  
(required)**

A required text field for an IEP team to provide additional information to document the basis of the IEP team's decision. If addressed properly, documentation will meet requirements of prior written notice (PWN), in accordance with 34 C.F.R. §300.503 and COMAR 13A.05.01.12, PWN includes:

- A description of the action proposed or refused;
- An explanation of why the public agency proposes or refuses to take the action;
- A description of the options the public agency considered and the reason the options were rejected;
- A description of each assessment procedure, test, record, or report the public agency uses as a basis for the proposal or refusal;
- A description of any other factors relevant to the proposed or refused action;-
- A list of sources a parent may contact to obtain assistance in understanding the provisions of IDEA; and
- If an action proposed by a public agency also requires parental consent, a public agency may provide notice at the same time it requests consent.

[20 U.S.C §1415; 34 C.F.R. §300.503; COMAR 13A.05.01.12]

**Date of Parent  
Consent  
for  
Initial  
Evaluation**

A public agency must obtain written parental consent before conducting assessment procedures, if additional data is needed to determine the student's initial eligibility for special education services under IDEA. An IEP team must complete an initial evaluation to determine the student's eligibility for services as a student with a disability within 60 (calendar) days of receiving parental consent.

**NOTE:**

Identify the date of parental consent and compare that date to the date of the IEP team's determination of the student's eligibility for services. There should be no more than 60 calendar days between the two dates. If the date of the IEP team meeting to determine the student's eligibility for initial services under IDEA exceeds 60 calendar days from the date of parental consent to conduct assessments, the IEP is required to provide an explanation for the delay that resulted in noncompliance. Refer to Reasons for Delay.

- If a student is a ward of the State and not residing with a parent, reasonable efforts shall be made to obtain parental consent (does not include a student with a foster parent). Parent consent

is not required if the parent cannot be found, parental rights have been terminated, or a judge has appointed an individual with educational authority. As a ward of the State, the student may require the appointment of a parent surrogate.

[34 C.F.R. §300.300COMAR 13A.05.01.06]

**Date of Initial Evaluation**

A student with a suspected disability who may need special education shall be referred, in writing, by a parent of a student or a public agency to an IEP team. The written referral begins an overall 90-day timeline for completion of the initial evaluation. Within this timeframe the student's initial evaluation must be completed within 60 calendar days of parental consent to conduct assessments.

[34 C.F.R. §300.300COMAR 13A.05.01.06A]

**Date of Parent Consent – Continue Early Intervention Services through an IFSP at age 3**

Before the age of three, if a child with a current IFSP is determined eligible for special education and related services, the child's family may choose for their child:

- The Maryland Extended IFSP Option – The child and family would continue to receive early intervention services with an educational component that promotes school readiness and incorporates preliteracy, language, and numeracy skills through an IFSP until the child enters kindergarten, or is eligible to enter kindergarten under Maryland law; or
- Special education preschool services through an Individualized Education Program (IEP) as a student with a disability.

**Date of Initial IEP Development**

Complete only if the child is determined **eligible** for Part B preschool special education and related services and the child's family chose for their child to receive special education and related services through an IEP.

The IEP must be developed within 30 days of the date the student is determined eligible and in need of specialized instruction under IDEA.

[34 C.F.R. §300.323(c); COMAR 13A.05.01.08A(1)]

**Date of Parent Consent for Initiation of Services**

Complete only if the child is determined eligible for Part B preschool special education and related services and the child's family chose for their child to receive special education and related services through an IEP.

An IEP team shall obtain written parental consent before the initial

provision of special education and related services to the student. (Statewide IEP, pg 21, "Consent for Initiation of Services")

[ 34 C.F.R. §300.300(b); COMAR 13A.05.01.13B(1)]

**NOTE:**

IDEA prohibits a public agency from providing special education and related services to the student if the parents fail to respond or do not provide consent to initiate services. The IDEA gives parents the ultimate choice as to whether their student should receive special education and related services. IDEA relieves public agencies of any potential liability for failure to convene an IEP team meeting or for failure to provide the special education and related services for which consent was requested but withheld. Beyond consent for initiation of services, parental consent for services is not required.

[34 C.F.R. §300.300(b)(4); COMAR 13A.05.01.13B(2)-(5)]

**Date of  
Initial IEP  
in Effect**

Complete only if the child is determined eligible for Part B preschool special education and related services and the child's family chose for their child to receive special education and related services through an IEP.

A public agency shall ensure that an IEP is in effect before special education and related services are provided to the student with a disability within its jurisdiction.

A public agency shall have an IEP in effect for a student with a disability at the beginning of a school year. A public agency shall implement the student's IEP as soon as possible after the meeting where the IEP is developed or revised. Exceptions include:

- When the meeting occurs during the summer or a vacation period;
- When there are circumstances that require a short delay, such as arranging for the provision of transportation.

**NOTE:**

If the student's IEP is in effect **AFTER** the student's third birthday, the IEP team is required to explain **WHY** the effective date of the student IEP violates federal and State requirements.

Each public agency, as applicable, will participate in transition planning conferences arranged by the designated local Infants and Toddlers Program.

[34 C.F.R. §300.124; COMAR 13A.05.01.08A(2)]

**NOTE:**

Incarcerated in an adult correctional facility includes a student, 6-21 years old, who receives special education in State or local correctional facilities, including:

- Short-term detention facilities (community-based or residential), or
- Correctional facilities.

**Transition from  
Infants and Toddlers  
(Part C)  
to Preschool (Part B)**

Indicate:

**YES** – If the student is a toddler, between 30 – 36 months of age, transitioning from Part C to Part B as a student with a disability or developmental delay.

**NO** – For all other students.

Each local school system shall convene an IEP team meeting to determine if a student in transition from a Local Infants and Toddlers program (LITP) has a disability that requires the provision of special education and related services.

**NOTE:**

- If the child is determined eligible for preschool special education services and the child's family **does not** choose the Extended IFSP Option, the child will be referred to the local school system IEP team for the development of an IEP to address the child's special education and related services needs.
- For children exiting Part C at age three who are determined to be eligible for Part B services, and the child's family **does not** choose the Extended IFSP Option, an IEP must be developed and in effect on or before the student's third birthday.
- If the IEP team meeting occurred after the student's third birthday, the IEP team must document the reason for the delay.
- The date of the initial IEP development and the date of the initial IEP is in effect may be the same or different, but in no case beyond the date of the student's third birthday, unless good cause for the delay is documented. Refer to Reason for Delay.

**Reason(s) for Delay of Initial Evaluation**

Therefore all steps in the process – eligibility determination, and if found eligible, development of the IEP, and parental consent for initiation of services – must be completed prior to the actual date the child turns three years of age.

Select one of the following, if applicable:

- Eligibility not determined due to withdrawal of consent, moved from district, child unavailable as a result of chronic condition or illness;
- Initial Evaluation prior to age 3:
  - Parent repeatedly failed or refused to make the child available
  - Parent refusal to provide consent caused delay in evaluation or initial services
  - Parent requested delay - Parent and IEP team extend the timeframe by mutual written agreement
  - School /Facility Closure
  - Other:
    - Inclement weather
    - Staffing issues
    - Paperwork error
    - Inconclusive testing results
    - Other, please specify:

**NOTE:**

The IEP team must document the reason for delay when:

- The student transitioning from Part C to Part B's IEP is **NOT** developed **AND** in effect on or before the student's third birthday. [State Performance Plan Indicator 12]

School Closure

**NOTE:**

School Closure is applicable only in the event that the school is closed for an entire day or part of a day for unanticipated reasons such as, but not limited to, power outage, water outage, natural disaster, or other exceptional circumstance, as determined necessary by the local school system or public agency. In the event of such a closure, the school is expected to facilitate and maintain communication with the parent to reschedule the meeting at a mutually agreeable time for the parent and school. If this

rescheduled meeting occurs beyond the required timeline, the IEP team is to document that the parent was notified of the:

- Local school system's/Public agency's need to reschedule the meeting beyond a compliance timeline as a result of the unexpected school closure; and
- Any compliance timeline standards.

It is advised that all meetings be initially scheduled well within established timelines to allow for the possibility of an unexpected need to reschedule a meeting.

#### Inclement Weather

##### **NOTE:**

Inclement Weather is applicable only in the event that the school is closed for an entire day, delays the opening of school, or dismisses school early as a result of severe weather, as determined necessary by the local school system or public agency. In the event of school being closed, delayed opening or early dismissal, the school is expected to facilitate and maintain communication with the parent to reschedule the meeting at a mutually agreeable time for the parent and school. If this rescheduled meeting occurs beyond the required timeline, the IEP team is to document that the parent was notified of the:

- Local school system's/Public agency's need to reschedule the meeting beyond a compliance timeline as a result of the unexpected delay in opening school or the early dismissal; and
- Any compliance timeline standards.

It is advised that all meetings be initially scheduled well within established timelines to allow for the possibility of an unexpected need to reschedule a meeting.

## Two Applicable Scenarios Initial Eligibility PRIOR to Age 3

1. Student is transitioning from C to B and getting an IEP at age 3 (Fill out left hand column)
  1. Choose "Yes" to "Is this student transitioning from Infants and Toddlers (Part C) to Preschool (Part B) and receiving services through an IEP?"
  2. Green dates should be filled in.
  3. Red dates **should not** be filled in.
  4. Reason for delay required if "Date of initial evaluation" > "Third Birthday"

**Initial Eligibility (Prior to Age 3)**

Child is eligible for preschool special education and related services through an IEP.  Yes  No

Indicate primary disability

<input type="radio"/> AUTISM	<input type="radio"/> HEARING IMPAIRMENT	<input type="radio"/> SPEECH OR LANGUAGE IMPAIRMENT
<input type="radio"/> DEAF	<input type="radio"/> INTELLECTUAL DISABILITY	<input type="radio"/> TRAUMATIC BRAIN INJURY
<input type="radio"/> DEAF - BLINDNESS	<input type="radio"/> ORTHOPEDIC IMPAIRMENT	<input type="radio"/> VISUAL IMPAIRMENT
<input type="radio"/> DEVELOPMENTAL DELAY	<input type="radio"/> OTHER HEALTH IMPAIRMENT	<input type="radio"/> MULTIPLE DISABILITIES
<input type="radio"/> EMOTIONAL DISTURBANCE	<input type="radio"/> SPECIFIC LEARNING DISABILITY	<input type="radio"/> Cognitive (specify) _____
		<input type="radio"/> Sensory (specify) _____
		<input type="radio"/> Physical (specify) _____

Document basis for decision(s): \_\_\_\_\_

Date of parent consent for initial evaluation: 

--	--	--	--	--	--	--	--	--	--

 (MM•DD•YYYY)

Date of initial evaluation: 

--	--	--	--	--	--	--	--	--	--

 (MM•DD•YYYY)

Date of Parent Consent-Continue Early Intervention Services through an IFSP at age 3. 

--	--	--	--	--	--	--	--	--	--

 (MM•DD•YYYY)

Date of initial IEP development: 

--	--	--	--	--	--	--	--	--	--

 (MM•DD•YYYY)

Date of parent consent for initiation of services: 

--	--	--	--	--	--	--	--	--	--

 (MM•DD•YYYY)

Date initial IEP is in effect: 

--	--	--	--	--	--	--	--	--	--

 (MM•DD•YYYY)

Is this student transitioning from Infants and Toddlers (Part C) to Preschool (Part B) and receiving services through an IEP?  YES  NO

Reason(s) for delay: Transition C to B

Eligibility not determined due to withdrawal of consent, moved from district, child unavailable as a result of chronic condition or illness.

Initial evaluation prior to age 3

If evaluation for child prior to age 3 was delayed, indicate reason(s) for delay:

Parent repeatedly failed or refused to make the child available

Parent refusal to provide consent caused delay in evaluation or initial services

Parent requested delay - Parent and IEP team extend the timeframe by mutual written agreement

School/facility closure

Other:

Inclement weather     Staffing issues

Paperwork error         Other, please specify: \_\_\_\_\_

Inconclusive testing results

Should be Yes

Required

2. Student was in Part C, found eligible for B, and is Continuing Early Intervention Services through an IFSP at age 3

1. Choose "No" to "Is this student transitioning from Infants and Toddlers (Part C) to Preschool (Part B) and receiving services through an IEP?"
2. Green dates should be filled in.
3. Red dates **should not** be filled in.
4. Reason for delay **should not** be filled in because eligibility determination must be made by age 3 and no later for child to take part in Extended Part C Option.
5. This child is Eligibility 6. The rest of the IEP would not need to be filled out.

**Initial Eligibility (Prior to Age 3)**

Child is eligible for preschool special education and related services through an IEP.  Yes  No

Indicate primary disability

<input type="radio"/> AUTISM	<input type="radio"/> HEARING IMPAIRMENT	<input type="radio"/> SPEECH OR LANGUAGE IMPAIRMENT
<input type="radio"/> DEAF	<input type="radio"/> INTELLECTUAL DISABILITY	<input type="radio"/> TRAUMATIC BRAIN INJURY
<input type="radio"/> DEAF - BLINDNESS	<input type="radio"/> ORTHOPEDIC IMPAIRMENT	<input type="radio"/> VISUAL IMPAIRMENT
<input type="radio"/> DEVELOPMENTAL DELAY	<input type="radio"/> OTHER HEALTH IMPAIRMENT	<input type="radio"/> MULTIPLE DISABILITIES
<input type="radio"/> EMOTIONAL DISTURBANCE	<input type="radio"/> SPECIFIC LEARNING DISABILITY	<input type="radio"/> Cognitive (specify) _____
		<input type="radio"/> Sensory (specify) _____
		<input type="radio"/> Physical (specify) _____

Document basis for decision(s): \_\_\_\_\_

Date of parent consent for initial evaluation: 


 (MM•DD•YYYY)

Date of initial evaluation: 


 (MM•DD•YYYY)

Date of Parent Consent-Continue Early Intervention Services through an IFSP at age 3. 


 (MM•DD•YYYY)

Date of initial IEP development: 


 (MM•DD•YYYY)

Date of parent consent for initiation of services: 


 (MM•DD•YYYY)

Date initial IEP is in effect: 


 (MM•DD•YYYY)

Is this student transitioning from Infants and Toddlers (Part C) to Preschool (Part B) and receiving services through an IEP?  YES  NO

Reason(s) for delay: Transition C to B

Eligibility not determined due to withdrawal of consent, moved from district, child unavailable as a result of chronic condition or illness.

Initial evaluation prior to age 3

If evaluation for child prior to age 3 was delayed, indicate reason(s) for delay:

Parent repeatedly failed or refused to make the child available

Parent refusal to provide consent caused delay in evaluation or initial services

Parent requested delay - Parent and IEP team extend the timeframe by mutual written agreement

School/facility closure

Other:

Inclement weather     Staffing issues

Paperwork error         Other, please specify: \_\_\_\_\_

Inconclusive testing results

Should be Yes

Required

**Reason(s) for Delay of IEP in Effect by Age 3**

Select one of the following, if applicable:

- Eligibility not determined due to withdrawal of consent, moved from district, child unavailable as a result of chronic condition or illness;
- Initial IEP in effect by age 3:
- If IEP not in effect by age 3, indicate reason for delay:
  - Parent repeatedly failed or refused to make the child available
  - Parent refusal to provide consent caused delay in evaluation or initial services
  - Parent requested delay - Parent and IEP team extend the timeframe by mutual written agreement
  - School /Facility Closure
  - Other:
    - Inclement weather
    - Staffing issues
    - Paperwork error
    - Inconclusive testing results
    - Other, please specify: \_\_\_\_\_

**NOTE:**

The IEP team must document the reason for delay when:

- The student transitioning from Part C to Part B's IEP is **NOT** developed **AND** in effect on or before the student's third birthday. [State Performance Plan Indicator 12]

School Closure

**NOTE:**

School Closure is applicable only in the event that the school is closed for an entire day or part of a day for unanticipated reasons such as, but not limited to, power outage, water outage, natural disaster, or other exceptional circumstance, as determined necessary by the local school system or public agency. In the event of such a closure, the school is expected to facilitate and maintain communication with the parent to reschedule the meeting at a mutually agreeable time for the parent and school. If this rescheduled meeting occurs beyond the required timeline, the IEP team is to document that the parent was notified of the:

- Local school system's/Public agency's need to reschedule the meeting beyond a compliance timeline

- as a result of the unexpected school closure; and
- Any compliance timeline standards.

It is advised that all meetings be initially scheduled well within established timelines to allow for the possibility of an unexpected need to reschedule a meeting.

#### Inclement Weather

**NOTE:**

Inclement Weather is applicable only in the event that the school is closed for an entire day, delays the opening of school, or dismisses school early as a result of severe weather, as determined necessary by the local school system or public agency. In the event of school being closed, delayed opening or early dismissal, the school is expected to facilitate and maintain communication with the parent to reschedule the meeting at a mutually agreeable time for the parent and school. If this rescheduled meeting occurs beyond the required timeline, the IEP team is to document that the parent was notified of the:

- Local school system's/Public agency's need to reschedule the meeting beyond a compliance timeline as a result of the unexpected delay in opening school or the early dismissal; and
- Any compliance timeline standards.

It is advised that all meetings be initially scheduled well within established timelines to allow for the possibility of an unexpected need to reschedule a meeting.

### **Initial Eligibility (Student Ages 3-21)**

Page 3 of the Statewide IEP form and format is to be used for:

- Child transitioning from a local Infants and Toddlers Program **ON** or **AFTER** the child's third birthday; and
- Students ages three (3) through 21 **NOT** transitioning from a local Infants and Toddlers Program.

<p><b>Eligibility as a Student with a Disability</b></p>	<p>Indicate:</p> <p><b>YES</b> – If IEP team determines the student is a student with a disability requiring the provision of special education services;</p> <p><b>NO</b> – If the IEP team determines the student is NOT a student with a disability requiring the provision of special education services.</p> <p>[34 C.F.R. §300.306(c)]</p>
<p><b>Indicate Primary Disability</b></p>	<p>Although it is possible that a student may have more than one disability, enter the disability most indicative of the student’s primary disability. A student evaluated and determined by an IEP team to be a student with a disability or a student with a developmental delay, who, because of the disability requires special education and related services as listed below:</p> <ul style="list-style-type: none"> <li>• Autism,</li> <li>• Deaf-blindness,</li> <li>• Deafness,</li> <li>• Developmental delay, for students three through nine,<sup>1</sup></li> <li>• Emotional disability,</li> <li>• Hearing impairment,</li> <li>• Intellectual disability,</li> <li>• Multiple disabilities,<sup>2</sup></li> <li>• Orthopedic impairment,</li> <li>• Other health impairment,</li> <li>• Specific learning disability,</li> <li>• Speech or language impairment,</li> <li>• Traumatic brain injury, or</li> <li>• Visual impairment, including blindness</li> </ul> <p><b>NOTE:</b></p> <p><sup>1</sup>Please refer to local policies, procedures, and practices relative to students with a developmental delay.</p> <p><sup>2</sup> 1. Specify <b>each</b> disability from any of the three categories of disabling conditions the student’s IEP team identifies as concomitant that causes such severe educational problems that the student cannot be accommodated in special education instructional services solely for one of the impairments.</p> <ul style="list-style-type: none"> <li>• <b>Cognitive includes:</b> Autism, Emotional Disability, Intellectual Disability, Specific Learning Disability, Speech or Language Impairment, and Traumatic Brain Injury.</li> </ul>

•**Sensory includes:** Deaf-Blindness, Deafness, Hearing Impairment, and Visual Impairment including Blindness.

•**Physical includes:** Orthopedic Impairment, and Other Health Impairment.

4. Concomitant means happening or existing along with or at the same time as something else.

5. A student is not required to be identified as a student with an intellectual disability as one of the disabilities.

[34 C.F.R. §300.300.8]

**Document  
Basis for Decision(s)  
(required)**

A required text field for an IEP team to provide additional information to document the basis of the IEP team's decision. If addressed properly, documentation will meet requirements of prior written notice (PWN), in accordance with 34 C.F.R. §300.503 and COMAR 13A.05.01.12, PWN includes:

- A description of the action proposed or refused;
- An explanation of why the public agency proposes or refuses to take the action;
- A description of the options the public agency considered and the reason the options were rejected;
- A description of each assessment procedure, test, record, or report the public agency uses as a basis for the proposal or refusal;
- A description of any other factors relevant to the proposed or refused action;-
- A list of sources a parent may contact to obtain assistance in understanding the provisions of IDEA; and
- If an action proposed by a public agency also requires parental consent, a public agency may provide notice at the same time it requests consent.

[20 U.S.C §1415; 34 C.F.R. §300.503; COMAR 13A.05.01.12]

**Date of Parent Consent  
for Initial Evaluation**

A public agency must obtain written parental consent before conducting assessment procedures, if additional data is needed to determine the student's initial eligibility for special education services under IDEA. An IEP team must complete an initial evaluation to determine the student's eligibility for services as a student with a disability within 60 (calendar) days of receiving parental consent.

**NOTE:** Identify the date of parental consent and compare that date to the date of the IEP team's determination of the student's eligibility for services. There should be no more than 60 calendar days between the two dates. If the date of the IEP team meeting to determine the student's eligibility for initial services under IDEA exceeds 60 calendar days from the date of parental consent to conduct assessments, the IEP is required to provide an explanation for the delay that resulted in noncompliance. Refer to Reasons for Delay.

- If a student is a ward of the State and not residing with a parent, reasonable efforts shall be made to obtain parental consent (does not include a student with a foster parent). Parent consent is not required if the parent cannot be found, parental rights have been terminated, or a judge has appointed an individual with educational authority. As a ward of the State, the student may require the appointment of a parent surrogate.

[34 C.F.R. §300.300COMAR 13A.05.01.06]

**Date of Initial Evaluation**

A student with a suspected disability who may need special education shall be referred, in writing, by a parent of a student or a public agency to an IEP team. The written referral begins an overall 90-day timeline for completion of the initial evaluation. Within this timeframe the student's initial evaluation must be completed within 60 calendar days of parental consent to conduct assessments.

[34 C.F.R. §300.300COMAR 13A.05.01.06A]

**Reason(s) for Delay of Initial Evaluation**

The student's initial evaluation is required to occur within 60 days of the date of parental consent for evaluation [State Performance Plan Indicator 11]. If there is a delay in meeting this required compliance timeline, the IEP team must document the reason for the delay.

Select one of the following, if applicable:

- Eligibility not determined due to withdrawal, i.e., transfer, dropout, parent withdrew consent.
- Initial evaluation for student, ages 3-21
  - Parent repeatedly failed or refused to make the child available
  - Student is enrolled after 60-day timeframe began and prior to determination by LSS. Receiving LSS made sufficient progress to complete the evaluation and parent and LSS

agreed to a specific time to complete the evaluation (All conditions must be met)

- Parent requested delay - Parent and IEP team extend the timeframe by mutual written agreement
- School/Facility Closure
- Other:
  - Inclement weather
  - Child not available (not parent failure)/child refusal
  - Paperwork error
  - Staffing issues
  - Inconclusive testing results
  - Other, please specify: \_\_\_\_\_

### School Closure

#### **NOTE:**

School Closure is applicable only in the event that the school is closed for an entire day or part of a day for unanticipated reasons such as, but not limited to, power outage, water outage, natural disaster, or other exceptional circumstance, as determined necessary by the local school system or public agency. In the event of such a closure, the school is expected to facilitate and maintain communication with the parent to reschedule the meeting at a mutually agreeable time for the parent and school. If this rescheduled meeting occurs beyond the required timeline, the IEP team is to document that the parent was notified of the:

- Local school system's/Public agency's need to reschedule the meeting beyond a compliance timeline as a result of the unexpected school closure; and
- Any compliance timeline standards.

It is advised that all meetings be initially scheduled well within established timelines to allow for the possibility of an unexpected need to reschedule a meeting.

### Inclement Weather

#### **NOTE:**

Inclement Weather is applicable only in the event that the school is closed for an entire day, delays the opening of school, or dismisses school early as a result of severe weather, as determined necessary by the local school system or public agency. In the event of school being closed, delayed opening or early dismissal, the school is

expected to facilitate and maintain communication with the parent to reschedule the meeting at a mutually agreeable time for the parent and school. If this rescheduled meeting occurs beyond the required timeline, the IEP team is to document that the parent was notified of the:

- Local school system's/Public agency's need to reschedule the meeting beyond a compliance timeline as a result of the unexpected delay in opening school or the early dismissal; and
- Any compliance timeline standards.

It is advised that all meetings be initially scheduled well within established timelines to allow for the possibility of an unexpected need to reschedule a meeting.

**Date of Parent Consent Continue Early Intervention Services through an IFSP at Age 3**

**ON** a child's third birthday or **AFTER, IF** Initial evaluation was delayed, a child with a current IFSP is determined eligible for special education and related services, **AND** the family chose for their child to continue to receive early intervention services through an IFSP.

**Date Local School System was Notified of Parent Decision to Request Services through an IEP**

Enter date local school system was notified of the family's choice for their child to receive Part B special education and related services through an IEP.

**Extended IFSP Services Ended at Kindergarten Age**

Complete **ONLY** when a child's Extended IFSP Services ended at Kindergarten Age.

**Date of Initial IEP Development**

The IEP must be developed within 30 days of the date the student is determined eligible and in need of specialized instruction under IDEA.

[34 C.F.R. §300.323(c); COMAR 13A.05.01.08A(1)]

**Date of Parent Consent  
for  
Initiation of Services**

An IEP team shall obtain written parental consent before the initial provision of special education and related services to the student. (Statewide IEP, pg 26, "Consent for Initiation of Services")

[ 34 C.F.R. §300.300(b); COMAR 13A.05.01.13B(1)]

**NOTE:**

IDEA prohibits a public agency from providing special education and related services to the student if the parents fail to respond or do not provide consent to initiate services. The IDEA gives parents the ultimate choice as to whether their student should receive special education and related services. IDEA relieves public agencies of any potential liability for failure to convene an IEP team meeting or for failure to provide the special education and related services for which consent was requested but withheld. Beyond consent for initiation of services, parental consent for services is not required.

[34 C.F.R. §300.300(b)(4); COMAR 13A.05.01.13B(2)-(5)]

**Date of  
Initial IEP  
in Effect**

A public agency shall ensure that an IEP is in effect before special education and related services are provided to the student with a disability within its jurisdiction.

A public agency shall have an IEP in effect for a student with a disability at the beginning of a school year. A public agency shall implement the student's IEP as soon as possible after the meeting where the IEP is developed or revised. Exceptions include:

- When the meeting occurs during the summer or a vacation period;
- When there are circumstances that require a short delay, such as arranging for the provision of transportation.

**NOTE:**

If the student's IEP is in effect **AFTER** the student's third birthday, the IEP team is required to explain **WHY** the effective date of the student IEP violates federal and State requirements.

Each public agency, as applicable, will participate in transition planning conferences arranged by the designated local Infants and Toddlers Program.

[34 C.F.R. §300.124; COMAR 13A.05.01.08A(2)]

**Transition from Infants and Toddlers (Part C) to Preschool (Part B)**

**NOTE:**

Incarcerated in an adult correctional facility includes a student, 6-21 years old, who receives special education in State or local correctional facilities, including:

- Short-term detention facilities (community-based or residential), or
- Correctional facilities.

Indicate:

**YES** – If the student is a toddler, between 30 – 36 months of age, transitioning from Part C to Part B as a student with a disability or developmental delay.

**NO** – For all other students.

Each local school system shall convene an IEP team meeting to determine if a student in transition from a Local Infants and Toddlers program (LITP) has a disability that requires the provision of special education and related services.

**NOTE:**

- If the child is determined eligible for preschool special education services and the child's family **does not** choose the Extended IFSP Option, the child will be referred to the local school system IEP team for the development of an IEP to address the child's special education and related services needs.
- For children exiting Part C at age three who are determined to be eligible for Part B services, an IEP must be developed and in effect on or before the student's third birthday.
- If the IEP team meeting occurred after the student's third birthday, the IEP team must document the reason for the delay.
- The date of the initial IEP development and the date of the initial IEP is in effect may be the same or different, but in no case beyond the date of the student's third birthday, unless good cause for the delay is documented. Refer to Reason for Delay.

Therefore, all steps in the process – eligibility determination, and if found eligible, development of the IEP, and parental consent for initiation of services – must be completed prior to the actual date the child turns three years of age.

If the parent fails to respond or refuses consent to the initial provision of special education and related services, the public agency shall not provide special education and related services to the student and will not be considered in violation of the requirement to make FAPE available in accordance with 34CFR§300.

## Two Scenarios for Initial Eligibility, Age 3-21

### 1. Student Received Services through an Extended IFSP and is Transitioning to Part B after Age 3 and Prior to Kindergarten Age

1. Choose "Yes" to "Is this student transitioning from Infants and Toddlers (Part C) to Preschool (Part B) and receiving services through an IEP?"
2. Yellow dates should match the dates that were filled in when the child entered Extended Part C Option and had Initial Eligibility (Prior to Age 3) information entered.
3. Green dates should be filled in.
4. Red dates **should not** be filled in.
5. Reason for delay **should not** be filled in because eligibility determination must be made by age 3 and no later for child to take part in Extended Part C Option.

**Initial Eligibility (Student Ages 3-21)**

Child is eligible as a student with a disability for special education and related services.  Yes  No

Indicate primary disability

<input type="radio"/> AUTISM	<input type="radio"/> HEARING IMPAIRMENT	<input type="radio"/> SPEECH OR LANGUAGE IMPAIRMENT
<input type="radio"/> DEAF	<input type="radio"/> INTELLECTUAL DISABILITY	<input type="radio"/> TRAUMATIC BRAIN INJURY
<input type="radio"/> DEAF - BLINDNESS	<input type="radio"/> ORTHOPEDIC IMPAIRMENT	<input type="radio"/> VISUAL IMPAIRMENT
<input type="radio"/> DEVELOPMENTAL DELAY	<input type="radio"/> OTHER HEALTH IMPAIRMENT	<input type="radio"/> MULTIPLE DISABILITIES
<input type="radio"/> EMOTIONAL DISTURBANCE	<input type="radio"/> SPECIFIC LEARNING DISABILITY	<input type="radio"/> Cognitive (specify) _____
		<input type="radio"/> Sensory (specify) _____
		<input type="radio"/> Physical (specify) _____

Document basis for decision(s): \_\_\_\_\_

Date of parent consent for initial evaluation:             (MM•DD•YYYY)

Date of initial evaluation:             (MM•DD•YYYY)

Date of Parent Consent-Continue Early Intervention Services through an IFSP at age 3:             (MM•DD•YYYY)

Date local school system was notified of parent decision to request services through an IEP:             (MM•DD•YYYY)

Extended IFSP services ended at kindergarten age:             (MM•DD•YYYY)

Date of initial IEP development:             (MM•DD•YYYY)

Date of parent consent for initiation of services:             (MM•DD•YYYY)

Date initial IEP is in effect:             (MM•DD•YYYY)

Is this student transitioning from Infants and Toddlers (Part C) to Preschool (Part B) and receiving services through an IEP?  YES  NO

Reason(s) for delay: School Age (3-21)

Eligibility not determined due to withdrawal, i.e., transfer, dropout, parent withdrew consent.

Initial evaluation for student ages 3-21

If evaluation for student ages 3-21 was delayed, indicate reason(s) for delay:

Parent repeatedly failed or refused to make the child available

Student is enrolled after 60-day timeframe began and prior to determination by LSS. Receiving LSS made sufficient progress to complete the evaluation and parent and LSS agreed to a specific time to complete the evaluation (All conditions must be met)

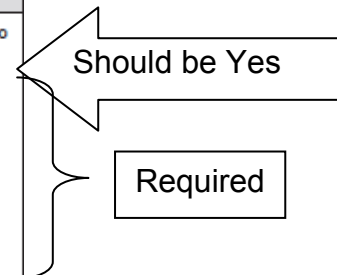
Parent requested delay - Parent and IEP team extend the timeframe by mutual written agreement

School/facility closure

Other:  Inclement weather       Child not available (not parent failure)/child refusal

Paperwork error       Staffing issues

Inconclusive testing results       Other, please specify: \_\_\_\_\_



## 2. Student's Initial Evaluation is After Third Birthday

1. Choose "No" to "Is this student transitioning from Infants and Toddlers (Part C) to Preschool (Part B) and receiving services through an IEP?"
2. Green dates should be filled in.
3. Red dates **should not** be filled in.
4. Reason for delay required if ("Date of initial evaluation" – "Date of parent consent for initial evaluation:" > 60 days)

Initial Eligibility (Student Ages 3-21)	
Child is eligible as a student with a disability for special education and related services. <input checked="" type="radio"/> Yes <input type="radio"/> No	
Indicate primary disability	
<input type="radio"/> AUTISM	<input type="radio"/> HEARING IMPAIRMENT
<input type="radio"/> DEAF	<input type="radio"/> INTELLECTUAL DISABILITY
<input type="radio"/> DEAF - BLINDNESS	<input type="radio"/> ORTHOPEDIC IMPAIRMENT
<input type="radio"/> DEVELOPMENTAL DELAY	<input type="radio"/> OTHER HEALTH IMPAIRMENT
<input type="radio"/> EMOTIONAL DISTURBANCE	<input type="radio"/> SPECIFIC LEARNING DISABILITY
	<input type="radio"/> SPEECH OR LANGUAGE IMPAIRMENT
	<input type="radio"/> TRAUMATIC BRAIN INJURY
	<input type="radio"/> VISUAL IMPAIRMENT
	<input type="radio"/> MULTIPLE DISABILITIES
	<input type="radio"/> Cognitive (specify) _____
	<input type="radio"/> Sensory (specify) _____
	<input type="radio"/> Physical (specify) _____
Document basis for decision(s): _____	
Date of parent consent for initial evaluation:	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> (MM•DD•YYYY)
Date of initial evaluation:	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> (MM•DD•YYYY)
Date of Parent Consent-Continue Early Intervention Services through an IFSP at age 3:	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> (MM•DD•YYYY)
Date local school system was notified of parent decision to request services through an IEP:	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> (MM•DD•YYYY)
Extended IFSP services ended at kindergarten age:	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> (MM•DD•YYYY)
Date of initial IEP development:	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> (MM•DD•YYYY)
Date of parent consent for initiation of services:	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> (MM•DD•YYYY)
Date initial IEP is in effect:	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> (MM•DD•YYYY)
Is this student transitioning from Infants and Toddlers (Part C) to Preschool (Part B) and receiving services through an IEP? <input type="radio"/> YES <input checked="" type="radio"/> NO	
Reason(s) for delay: School Age (3-21)	
<input type="radio"/> Eligibility not determined due to withdrawal, i.e., transfer, dropout, parent withdrew consent.	
<input type="radio"/> Initial evaluation for student ages 3-21	
If evaluation for student ages 3-21 was delayed, indicate reason(s) for delay:	
<input type="radio"/> Parent repeatedly failed or refused to make the child available	
<input type="radio"/> Student is enrolled after 60-day timeframe began and prior to determination by LSS. Receiving LSS made sufficient progress to complete the evaluation and parent and LSS agreed to a specific time to complete the evaluation (All conditions must be met)	
<input type="radio"/> Parent requested delay - Parent and IEP team extend the timeframe by mutual written agreement	
<input type="radio"/> School/facility closure	
<input type="radio"/> Other:	
<input type="radio"/> Inclement weather	<input type="radio"/> Child not available (not parent failure)/child refusal
<input type="radio"/> Paperwork error	<input type="radio"/> Staffing issues
<input type="radio"/> Inconclusive testing results	<input type="radio"/> Other, please specify: _____

Should be Yes

Required

## **Continued Eligibility Data (Reevaluation)**

In accordance with 20 U.S.C. §1414(a)(2)(B) a reevaluation shall occur:

- Not more frequently than once a year, unless the parent and public agency agree otherwise; and
- At least once every three years, unless the parent and public agency agree that a reevaluation is not necessary.

The IEP team shall review existing assessment data. On the basis of the review, and input from the student's parents, the IEP team shall identify what additional data, if any, is needed, to determine:

- Whether the student continues to be a student with a disability;
- The educational needs of the student;
- The present levels of academic achievement and related developmental needs of the student;
- Whether additions or modifications to special education and related services are needed to enable the student to meet the measurable annual goals in the student's IEP and to participate in the general curriculum; and
- Whether the student continues to need special education and related services.

If the IEP team determines the need for additional data, the public agency shall conduct assessment procedures. The results of assessment procedures shall be used by the IEP team in reviewing, and, as appropriate, revising the student's IEP within 90 days of the meeting when the IEP team determined the need for additional data.

The IEP team shall provide the parents with prior written notice if the IEP team determines that no additional data is needed to determine:

- Whether the student with a disability continues to be a student with a disability; and
- The student's educational needs.

A public agency shall conduct assessment procedures before determining the student is no longer a student with a disability. A public agency is not required to conduct assessment procedures:

- Unless requested to do so by the student's parent; or
- Before the termination of the student's eligibility due to:
  - o Graduation from a secondary school with a Maryland High School Diploma (the same diploma nondisabled peers receive); or
  - o Exceeding the age of eligibility (21) for FAPE.

A public agency shall consolidate a reevaluation meeting with other IEP team meetings for a student with a disability to the extent possible. An IEP team shall complete a reevaluation

involving new assessment data within 90 (calendar) days of the date the IEP team determined new data was needed in order to determine the student's continued eligibility for special education services.

[34 C.F.R. §§300.300(c)-(d); 300.303; 300.305COMAR 13A.05.01.06E]

**NOTE:**

Compare the date when the reevaluation process began to the date the IEP team reviewed existing data to determine whether the student continues to be eligible for special education services in accordance with IDEA. After initial consent for the initiation of special education services, parental consent is not required for the continuation of special education services.

<b>Areas Identified for Reevaluation</b>	<p>The IEP team reviews existing data and identifies what additional data, if any, is needed, to determine:</p> <ul style="list-style-type: none"> <li>• Whether the student continues to be a student with a disability;</li> <li>• The present levels of educational performance; and</li> <li>• Whether modifications to special education and related services are needed.</li> </ul>
<b>Discussion to Support Decision (optional)</b>	<p>This text field is available for the student's IEP team to provide additional information relative to the areas affected by the student's disability that require special education services. If an IEP team intends to use the student's IEP to satisfy the requirements for PWN, this text field provides space for that purpose.</p>
<b>Evaluation Date</b>	<p>This is the most recent date on which the IEP team completed a full and comprehensive review of data to determine the student's continued need for special education and related services.</p> <p>[34 C.F.R. §300.305(a); COMAR 13A.05.01.06.)E(2)]</p> <p><b>NOTE:</b> Reevaluation <b>DOES NOT REQUIRE</b> new assessment(s) unless the IEP team believes additional data is necessary.</p>
<b>Continued Eligibility</b>	<p>The student's IEP team must document whether the student continues to be a student with a disability.</p> <p>Indicate:</p> <p><b>YES</b> – if the IEP team determines the student continues to be a student with a disability</p> <p><b>NO</b> – if the IEP team determines the student no longer requires the</p>

provision of special education and related services in order to receive a FAPE.

**NOTE:**

- Identify and compare the date of the previous eligibility determination to the date of the current eligibility determination to ensure a reevaluation occurred at least once every three years, unless the parent and the public agency have agreed and documented that a reevaluation was not necessary.
- Reevaluation does not necessarily require the administration of new assessment procedures. It is the responsibility of the student's IEP team to document the need for additional data.

**Additions or Modifications to Special Education and Related Services**

Respond **YES** or **NO** to the IEP team's consideration of any additions or modifications to special education and related services needed to enable the student to meet the measurable annual goals set out in the student's IEP and to participate, as appropriate, in the general education curriculum

[34 C.F.R. §300.305(a)]

**Eligibility**

Indicate:

**YES** – if the IEP team determines the student continues to be a student with a disability who requires special education and related services.

**NO** – if the IEP team determines the student no longer requires the provision of special education and related services as a student with a disability.

**NOTE:**

If **NO** is marked, complete the portion of "*Student Information*" entitled "*Exit Information*" by identifying the appropriate exit category.

**Document Basis for Decision(s) (required)**

A required text field for an IEP team to provide additional information to document the basis of the IEP team's decision. If addressed properly, documentation will meet requirements of prior written notice (PWN), in accordance with 34 C.F.R. §300.503 and COMAR 13A.05.01.12, PWN includes:

- A description of the action proposed or refused;
- An explanation of why the public agency proposes or refuses to take the action;
- A description of the options the public agency considered and the

reason the options were rejected;

- A description of each assessment procedure, test, record, or report the public agency uses as a basis for the proposal or refusal;
- A description of any other factors relevant to the proposed or refused action;-
- A list of sources a parent may contact to obtain assistance in understanding the provisions of IDEA; and
- If an action proposed by a public agency also requires parental consent, a public agency may provide notice at the same time it requests consent.

[20 U.S.C §1415; 34 C.F.R. §300.503; COMAR 13A.05.01.12]

### **Primary Disability**

Although it is possible that a student may have more than one disability, enter the disability that is most indicative of the student's primary disability. A student evaluated and determined by an IEP team to be a student with a disability or a student with a developmental delay, who, because of the disability requires special education and related services under IDEA as listed below.

- Autism,
- Deaf-blindness,
- Deafness,
- Developmental Delay, students three through nine.<sup>1</sup>
- Emotional disability,
- Hearing impairment,
- Intellectual disability,
- Multiple disabilities<sup>2</sup>
- Orthopedic impairment,
- Other health impairment,
- Specific learning disability,
- Speech or language impairment,
- Traumatic brain injury, or
- Visual impairment, including blindness

#### **NOTE:**

<sup>1</sup>Please refer to local policies, procedures, and practices relative to students with a developmental delay.

<sup>2</sup> 1. Specify **each** disability from any of the three categories of disabling conditions the student's IEP team identifies as concomitant that causes such severe educational problems that the student cannot be accommodated in special education instructional services solely for one of the impairments.

- **Cognitive includes:** Autism, Emotional Disability, Intellectual

Disability, Specific Learning Disability, Speech or Language Impairment, and Traumatic Brain Injury.

- **Sensory includes:** Deaf-Blindness, Deafness, Hearing Impairment, and Visual Impairment including Blindness.
- **Physical includes:** Orthopedic Impairment, and Other Health Impairment.

2. Concomitant means happening or existing along with or at the same time as something else.

3. A student is **not** required to be identified as a student with an intellectual disability as one of the disabilities.

[34 C.F.R §300.8; COMAR13A.05.01.06C(1)-(2)]

## STUDENT PARTICIPATION ON DISTRICT / STATEWIDE ASSESSMENTS AND GRADUATION INFORMATION

### GRADUATION

Each principal shall inform all students and their parents or guardians annually at a minimum of the following:

- Maryland's graduation requirements;
- The student's progress on fulfilling the credit, Maryland High School Assessment, service, and applicable IEP requirements for graduation;
- The results of each Maryland High School Assessment taken by the student;
- A plan for appropriate assistance, if applicable; and
- The Department's schedule for Maryland School Assessment and Maryland High School Assessment administration. [COMAR 13A.03.02.12C]

### Maryland High School Diploma

Students pursuing a Maryland High School Diploma shall complete the requirements for graduation, including enrollment, credits, services, additional local requirements, if applicable, and assessments. [COMAR 13A.03.02.09B]

### Maryland High School Certificate of Program Completion

This certificate shall be awarded only to students with disabilities who cannot meet the requirements for a diploma but who meet the following standards:

- The student is enrolled in an education program for at least 4 years beyond grade 8 or its age equivalent, and is determined by an IEP team, with the agreement of the parents of

the student with disabilities, to have developed appropriate skills for the individual to enter the world of work, act responsibly as a citizen, and enjoy a fulfilling life, including but not limited to:

- o Gainful employment;
  - o Work activity centers;
  - o Sheltered workshops; and
  - o Supported employment; or
- The student has been enrolled in an education program for 4 years beyond grade 8 or its age equivalent and will have reached age 21 by the end of the student's current school year. [COMAR 13A.03.02.09D]

The decision to award a student with disabilities a Maryland High School Certificate of Program Completion will not be made until after the beginning of the student's last year in high school unless the student is participating in the alternative Maryland School Assessment Program (Alt- MSA). [COMAR 13A.03.02.09D(3)]

Upon completion of a secondary school program, the student with a disability will receive an "Exit Document" to accompany the Maryland High School Diploma or the Maryland High School Certificate of Program Completion that describes the student's skills. [COMAR 13A.03.02.09D(2)]

### **Enrollment**

The student shall satisfactorily complete 4 years of approved study beyond the eighth grade unless the student has satisfied the requirements for:

- Early admission to college; or
- An approved vocational, technical, or postsecondary program as specified in COMAR 13A.03.02.10. [COMAR 13A.03.02.03]

### **Service Learning**

Students shall complete one of the following:

- 75 hours of student service that includes preparation, action, and reflection components and that, at the discretion of the local school system, may begin during the middle grades; or
- A locally designed program in student service that has been approved by the State Superintendent of Schools. [COMAR 13A.03.02.06]

<h3><b>Credit</b></h3>
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To be awarded a diploma, a student shall be enrolled in a Maryland public school system and
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shall have earned a minimum of 21 credits that include the following specified core credits:

- English—four credits of organized instruction in listening and speaking, reading and literature, and written composition and use of language;
- Fine arts—one credit in visual arts, music, theater, or dance, or a combination of these;
- Mathematics—three credits, including one with instruction in algebra/data analysis and one with instruction in geometry;
- Physical education—one-half credit;
- Health education—one-half credit;
- Science—three credits of which one shall be in biology and two from the earth, life, or physical sciences, or all of the above, in which laboratory experiences are an integral component;
- Social studies—three credits including one credit in United States history, one credit in world history, and one credit in local, State, and national government;
- Technology education—one credit that includes the application of knowledge, tools, and skills to solve practical problems and extend human capabilities; and
- Earn 5 credits from one of the following options:
  - Option 1- Credits 2 Foreign Language Credits and 3 Elective Credits
  - Option 2- Credits 2 American Sign Language Credits and 3 Elective Credits
  - Option 3- Credits 2 Advanced Technology Education Credits and 3 Elective Credits
  - Option 4-Credits 4 State Approved Career and Technology Program Credits and 1 Elective Credit

[COMAR 13A.03.02.04A]

In addition to earning credits during the regular school day and year, credits may be earned, at the discretion of the local school system, through the following means:

- Summer School
- Evening School
- Correspondence and Online Courses
- Tutoring
- Work Study Programs, Job Entry Training Programs, or Experience Outside the School
- College Courses
- Independent Study/Internship
- Credit through Examination
- A student who receives credit for algebra/data analysis, biology, English, or government through the options listed above shall take the requisite Maryland High School Assessment during its next regular administration.

[COMAR 13A.03.02.05]

## Assessment

Student shall take the end of course HSAs and satisfy one of the following:

- Achieve a passing score, as established by the State Board of Education, on each of the four Maryland HSA: algebra/data analysis (412), biology (400), English (396), and government (394);
- Achieve a combined passing score of 1602. This combined-score option allows the student to offset lower performance on one test with higher performance on another;
- Achieve a score as established by the Department on Department-approved comparable assessments for algebra/data analysis, biology, English, and government, aligned with the Maryland HSAs such as Advanced Placement examinations, SAT I, SAT II, and International Baccalaureate examinations; or
- Achieve a passing score on the four assessments by a combination of COMAR 13A.03.02.09B(3)(a)–(c).
- If the student is unable to meet the requirements, listed above, then satisfactorily complete the requirements of the Bridge Plan for Academic Validation.

[COMAR 13A.03.02.09B(3)]

## Local Requirements

Each local school system shall be permitted to develop alternative ways for individual or groups of students to fulfill graduation requirements. An alternative plan may include a waiver of the fourth year enrollment requirement if all credit, assessments, and student service requirements are met and if the local superintendent of schools or designee determines that the waiver is in the best interest of the student. [COMAR 13A.03.02.11] Additional State graduation requirements can be found at [www.marylandpublicschools.org](http://www.marylandpublicschools.org)

### PLAN FOR PARTICIPATION IN ASSESSMENT TO BE ADMINISTERED DURING THE TERM OF THE CURRENT IEP

#### **Additional Local School System Graduation Requirements**

Identify any additional local school system graduation requirements, if applicable.

#### **NOTE:**

A list of additional local school system graduation requirements may be attached to the closed IEP document. If you are attaching a document to the paper copy of the IEP, summarize what is being attached and maintain a copy of that attachment with the paper copy of the IEP within the student's record.

**Graduation Requirements Explained to Parents**

**Indicate:**

**YES** – if you explained the graduation requirements to the parent

**NO** – if you did not explain the graduation requirements to the parent.

**Pursuing a High School Diploma or Certificate of Program Completion**

Indicate whether the student is pursuing a:

- Maryland High School Diploma; or
- Maryland High School Certificate of Program Completion

**NOTE:**

The decision to award a student with disabilities a Maryland High School Certificate of Program Completion will not be made until after the beginning of the student's last year in high school unless the student is participating in the Alternate Maryland School Assessment Program (Alt-MSA).

[COMAR 13A.03.02.09D(3)]

**Identification of Graduation Plan**

Beginning with the 2008-2009 school year, each student officially identified as a ninth grade student for the first time is to determine how many years (4, 5, or 6 years) he or she anticipates remaining in high school in order to complete all requirements for graduation, including passage of high school assessment options, in order to obtain a Maryland High School Diploma. Once a student identifies his or her graduation plan, the student will be identified in that graduation plan year (4, 5, or 6 years). The originally identified assignment of the graduation plan year cannot be changed.

For example, if a student officially enters ninth grade for the first time in the 2008-2009 school year, selects a 5 year plan for completion of all requirements for a Maryland High School Diploma (graduation plan year 2012-2013), the student will be assigned as a member of the class of students to graduate in 2013.

However, on an annual basis, the student may reconsider his or her plan for graduation and revise the number of years the student anticipates completing all requirements for a Maryland High School Diploma. Although the student may have originally selected a 5-year graduation plan (graduation 2013) he or she may decide he or she may need a 6-year graduation plan (graduation 2014). The annually selected plan for graduation will be in effect, yet the student will remain in the originally assigned graduation plan year for data purposes for determining the percentage of students graduating with a Maryland of High School Diploma in any given academic year.

The U. S. Department of Education, under NCLB, is proposing a uniform

definition for “graduation rate” consistent with the National Governors Association (NGA). The proposed regulation would be defined as the number of students who graduate in a given year within the standard number of years with a regular high school diploma divided by number of students who entered high school four years earlier. (adjusting for transfers in and out).

### Participation and Performance on District/Statewide Assessments

All students must be included to the fullest extent possible in all statewide assessment programs and their assessment results are a part of Maryland’s accountability system. MSDE requires all students to participate in statewide assessment programs unless documented as described in the “*Maryland Accommodations Manual*.” The Maryland participation requirement is supported by federal legislation requiring the participation of students with disabilities in standards-based instruction and assessment initiatives. Two key federal acts governing student participation in assessments include the No Student Left Behind Act of 2001 (NCLB) and the Individuals with Disabilities Education Improvement Act of 2004 (IDEA). For specific information relative to each assessment, please refer to the “*Maryland Accommodations Manual*,” February, 2008. The Maryland Assessments include the following, as applicable to the student:

- MSA
- Mod-MSA
- HSA
- Mod-HSA
- Bridge Plan for Academic Validation
- Alt-MSA
- MMSR, Kindergarten Assessment
- ELPT

**NOTE:** It is best practice for a student’s IEP team to use the Mod-MSA or Mod-HSA *IEP Team Decision-Making Process Eligibility Tool* as a safeguard to ensure appropriate identification of students with disabilities for participation in the Mod-MSA, Alt-MSA, or Mod-HSA. This completed tool must be maintained in the student’s cumulative school record, to verify student eligibility to participate in the Mod-MSA, Alt-MSA, or Mod-HSA [Maryland Accommodations Manual, February 2008].

**Student Participation in Statewide Assessment**

Indicate **YES** or **NO** to all applicable Statewide assessments, in which the student will participate, including applicable content areas.

**NOTE:** MSDE requires all students to participate in the MSA. The Maryland Accommodations Manual , February 2008 delineates special exemption conditions for:

- English Language Learners (ELL) who are in their first year of enrollment in a U.S. school may substitute their test results on the

**IEP Team  
Guidelines for  
Assessments**

ELPT for the Reading MSA rather than sitting for the MSA Reading test itself. Such students must still participate in the MSA Mathematics and MSA Science tests.

- Special Medical Exemption Conditions for students when they cannot take the assessment during the entire testing window, including the make-up dates, because of a significant medical emergency. A significant medical emergency is a significant health impairment that renders the student incapable of participating in **ANY** academic activities.

In the 2007 federal non-regulatory guidance for modified academic achievement standards, IEP teams must be provided with a clear explanation of the differences between the general grade-level assessments, and assessments based on Modified Academic Achievement Standards (Mod-MSA or Mod-HSA), and Alternate Achievement Standards (Alt-MSA). The charts below outlines the differences between the:

- Maryland School Assessments and High School Assessments (MSA/HSA);
- Modified Assessments (Mod-MSA/Mod-HSA); and
- Alternate Assessments (Alt-MSA).

The information in the charts supports the federal requirement and is a component of the federal guidance entitled, "IEP Team Guidelines for Modified Assessments." In an effort to ensure that IEP teams are using the chart, please disseminate the chart to each school in your school system and stress the necessity of using this valuable resource to support assessment decisions that are made during the IEP team process.

## MARYLAND'S DIFFERENCES AMONG ASSESSMENTS CHART FOR STUDENTS RECEIVING SPECIAL EDUCATION SERVICES

The following table illustrates the differences between the MSA, HSA, Mod-MSA, Mod-HSA, and the Alt-MSA

	MSA/HSA	Mod-MSA/Mod-HSA	Alt-MSA
<b>ASSESSMENT</b>	<ul style="list-style-type: none"> <li>On course level content standards (end-of-course HSAs) and grade level content (MSAs).</li> </ul>	<ul style="list-style-type: none"> <li>Built on course level content standards (end-of-course HSAs) and grade level content standards (MSAs), that incorporates variation in test delivery to meet the specific learning characteristics of the student.</li> </ul>	<ul style="list-style-type: none"> <li>May include reduced coverage and/or simplification of grade-level content, based on "extended" standards. Portfolio format permits variation/customization of test content for individual student.</li> </ul>
<b>ELIGIBLE STUDENT POPULATION</b>	<ul style="list-style-type: none"> <li>Student in the general education curriculum, 504 plan, and receiving special education services.</li> </ul>	<ul style="list-style-type: none"> <li>Student receiving special education services and meets <b>ALL</b> Mod-MSA or Mod-HSA eligibility criteria.</li> </ul>	<ul style="list-style-type: none"> <li>Grade 3-8 and grade 10</li> <li>Student receiving special education services and meets <b>ALL</b> Alt-MSA eligibility criteria.</li> </ul>
<b>STATE GUIDELINES DEFINE WHO IS ELIGIBLE</b>	<ul style="list-style-type: none"> <li>Student with a disability who can take the regular assessment with accommodations.</li> <li>IEP Team makes the decision regarding the appropriate assessment.</li> </ul>	<ul style="list-style-type: none"> <li>Student whose disability has precluded him/her from achieving proficiency, as demonstrated by objective evidence of the student's performance and whose progress is such that, even if significant growth occurs, the student's IEP Team is reasonably certain that the student will not achieve grade-level proficiency within the year covered by the IEP.</li> <li>IEP Team makes the decision regarding the appropriate assessment.</li> </ul>	<ul style="list-style-type: none"> <li>Student with the <b>most</b> significant cognitive disability.</li> <li>IEP Team makes the decision regarding the appropriate assessment.</li> </ul>
<b>ACHIEVEMENT STANDARDS</b>	<ul style="list-style-type: none"> <li>A grade-level academic achievement standard defines a level of "proficient" performance equivalent to grade-level achievement on the State's regular assessment.</li> <li>Achievement standards include 3 levels of performance (basic, proficient and advanced) cut scores that distinguish one level from another, and descriptors of the content-based competencies associated with each level.</li> <li>Assessment is defined grade-by-grade or (as in the case of the HSA), content-by-content, as the standards are based on end-of-course content acquisition.</li> </ul>	<ul style="list-style-type: none"> <li>A <b>modified</b> academic achievement standard is aligned to grade-level content standards for the grade/course in which a student is enrolled and is challenging for an eligible student, but may be less difficult than regular grade-level/course achievement standards.</li> <li>Achievement standards include 3 levels of performance (basic, proficient and advanced); cut scores that distinguish one level from another, and descriptors of the content-based competencies associated with each level.</li> <li>Assessments are defined grade-by-grade or (as in the case of the HSA), content-by-content, as the standards are based on end-of-course content acquisition.</li> </ul>	<ul style="list-style-type: none"> <li>An <b>alternate academic achievement</b> standard is an expectation of performance that differs in complexity from a grade-level achievement standard, usually based on a very limited sample of content that is linked to but does not fully represent grade-level content.</li> <li>Achievement standards include 3 levels of performance (basic, proficient and advanced); cut scores that distinguish one level from another, and descriptors of the content-based competencies associated with each level.</li> <li>Although the alternate academic achievement standards were set grade-by-grade, the standards are currently the same for each grade, 3 - 8 and 10 for reading and mathematics.</li> </ul>

## MARYLAND'S DIFFERENCES AMONG ASSESSMENTS CHART FOR STUDENTS RECEIVING SPECIAL EDUCATION SERVICES

The following table illustrates the differences between the MSA, HSA, Mod-MSA, Mod-HSA, and the Alt-MSA

	MSA/HSA	Mod-MSA/Mod-HSA	ALT-MSA
<b>CONTENT STANDARDS ON WHICH THE TEST IS BASED</b>	<ul style="list-style-type: none"> <li>On-level content (end-of-course HSAs) and grade-level content (MSAs).</li> </ul>	<ul style="list-style-type: none"> <li>On on-level content (end-of-course Mod-HSAs) and grade-level content (Mod-MSAs).</li> </ul>	<ul style="list-style-type: none"> <li>"Extended" standards include substantially simplified content.</li> </ul>
<b>IEP</b>	<ul style="list-style-type: none"> <li>Must include annual measurable IEP goals and benchmarks or short-term objectives.</li> </ul>	<ul style="list-style-type: none"> <li>Must include annual measurable IEP goals and benchmarks or short-term objectives.</li> </ul>	<ul style="list-style-type: none"> <li>Must include annual measurable IEP goals and benchmarks or short-term objectives.</li> </ul>
<b>ACCOMMODATIONS</b>	<ul style="list-style-type: none"> <li>All students with disabilities – regardless of the test they take – are entitled to the same accommodations on assessments as are provided during daily instruction and prescribed in their Individualized Education Programs (IEPs).</li> </ul>	<ul style="list-style-type: none"> <li>All students with disabilities – regardless of the test they take – are entitled to the same accommodations on assessments as are provided during daily instruction and prescribed in their Individualized Education Programs (IEPs).</li> </ul>	<ul style="list-style-type: none"> <li>All students with disabilities – regardless of the test they take – are entitled to the same accommodations on assessments as are provided during daily instruction and prescribed in their Individualized Education Programs (IEPs).</li> </ul>
<b>FORMAT</b>	<ul style="list-style-type: none"> <li>Selected responses (multiple choice)/brief constructed responses/extended constructive responses.</li> <li>Beginning May 2009, the HSA will only have selected responses. No BCRs and no ECRs.</li> </ul>	<ul style="list-style-type: none"> <li>Only selected responses (multiple choices).</li> </ul>	<ul style="list-style-type: none"> <li>Portfolio of evidence that demonstrates the student's attainment of targeted mastery objectives in Reading, Math, and Science.</li> </ul>
<b>GRADUATION REQUIREMENT</b>	<ul style="list-style-type: none"> <li>Student taking the MSAs or HSAs is pursuing the Maryland High School Diploma.</li> </ul>	<ul style="list-style-type: none"> <li>Student taking the Mod-MSA or Mod-HSA is pursuing the Maryland High School Diploma.</li> </ul>	<ul style="list-style-type: none"> <li>Student taking the Alt-MSA is pursuing the Maryland Certificate of Completion.</li> </ul>

**Document  
Basis for  
Assessment  
Decision(s)  
(required)**

Document the basis of the IEP team's decision relative to the student's participation in MSA, Mod-MSA, HSA, Mod-HSA, or Alt-MSA, as applicable.

A required text field for an IEP team to provide additional information to document the basis of the IEP team's decision. If addressed properly, documentation will meet requirements of prior written notice (PWN), in accordance with 34 C.F.R. §300.503 and COMAR 13A.05.01.12, PWN includes:

- A description of the action proposed or refused;
- An explanation of why the public agency proposes or refuses to take the action;
- A description of the options the public agency considered and the reason the options were rejected;
- A description of each assessment procedure, test, record, or report the public agency uses as a basis for the proposal or refusal;
- A description of any other factors relevant to the proposed or refused action;-
- A list of sources a parent may contact to obtain assistance in understanding the provisions of IDEA; and
- If an action proposed by a public agency also requires parental consent, a public agency may provide notice at the same time it requests consent.

[20 U.S.C §1415; 34 C.F.R. §300.503; COMAR 13A.05.01.12]

**Complete for  
High School  
Seniors that may  
be Eligible for  
HSA Waiver**

By April 1, the school principal shall consider whether to recommend to the local superintendent a waiver of the HSA graduation requirements that the student has not fulfilled if the senior may fail to graduate because:

- (1) The student has taken none of the required HSAs; or
- (2) The student has taken some or all of the HSAs and failed some or all of them, and
  - (a) The student has or will meet all other graduation requirements;
  - (b) The student has or will take all required HSAs before the graduation date; and
  - (c) If the student had an opportunity to participate in one or more interventions, or remediation opportunities,

including the Bridge Plan, the student participated in them; and

- (3) The student is prevented from meeting the HSA graduation requirements because:
- (a) Of a decision made by the local school system about scheduling, course sequencing, test taking, or provision of interventions as required.
  - (b) The student experienced a special, extraordinary, or extenuating circumstance or combination of circumstances preceding the administration of the most recent HSA, such as a recent death in the immediate family, a serious or prolonged illness or pregnancy with medical complications, an accident causing serious injury, or a destructive house fire; or
  - (c) The student moved to the United States in the junior or senior year and the student is literate in the student's native language but not literate in English.

[COMAR 13A.03.02.09C and E]

If a student with a disability who is a high school senior may be eligible for an HSA waiver, the IEP team is to discuss the criteria of the waiver decision-making process for the student and indicate whether or not it supports an HSA waiver recommendation to the local superintendent.

Indicate:

- **YES (If yes, specify date recommended); or**
- **NO**

## PERFORMANCE SUMMARY

**Student Performance on the Maryland Model for School Readiness (MMSR), Kindergarten Assessment**

If applicable, indicate the date of the student's participation in the MMSR, Kindergarten Assessment and the student's performance as:

- Full
- Approaching, or
- Developing

<p><b>Student Performance on the Language Assessment System (LAS) Links [ELPT]</b></p>	<p>If applicable, indicate the date of the student's participation in the LAS Links [ELPT]. The score is the student's overall score as indicated on the student's score report.</p> <p>The student's performance as:</p> <ul style="list-style-type: none"> <li>• Fully Proficient = the advanced level</li> <li>• Limited Proficiency = the two intermediate levels; or</li> <li>• Not Proficient = the two beginning levels</li> </ul>
<p><b>Limited English Proficiency</b></p>	<p>Indicate <b>YES</b> or <b>NO</b> to the question, "Is the student limited English Proficient?"</p>
<p><b>Student Performance on MSA</b></p>	<p>Enter most current date of the student's participation within the MSA window that corresponds to the most current available individual student performance scores and level of achievement.</p>
<p><b>MSA Results and Performance</b></p>	<p>Enter most current date for participation in MSA that corresponds to the most current test window in which the student participated. If applicable, check MOD MSA Indicate reading math and science proficiency levels as:</p> <ul style="list-style-type: none"> <li>• Basic</li> <li>• Proficient, or</li> <li>• Advanced</li> </ul>
<p><b>Student Performance on HSA</b></p>	<p>Enter most current date for participation in HSA that corresponds to the most current test window in which the student participated. If applicable, check Mod. Indicate by <b>YES</b> or <b>NO</b> for participation of either the Bridge Plan or Mod-HSA+Plus, if applicable.</p>
<p><b>HSA Assessment Scores and Passing Status on HSA</b></p>	<p>If a student has participated in previous HSAs, enter available scores and whether or not the student has met the standard for each assessment in which the student has participated.</p>
<p><b>Student Performance on Alt-MSA</b></p>	<p>If applicable, enter most current date for participation within the Alt-MSA window that correspond to the most current available individual student performance scores and level of achievement.</p>

<b>Alt-MSA Percentage of Mastery and Performance</b>	If applicable, enter the student's most current percentage of mastery objectives for reading, math, and science Alt-MSA. Indicate reading, math, and science proficiency levels as: <ul data-bbox="503 294 730 420" style="list-style-type: none"><li>• Basic</li><li>• Proficient, or</li><li>• Advanced</li></ul>
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SECTION

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# PRESENT LEVEL OF ACADEMIC ACHIEVEMENT AND FUNCTIONAL PERFORMANCE

## Present Level of Academic Achievement and Functional Performance

As part of the evaluation process, in order to address the educational needs of the student, the IEP team needs to have a comprehensive picture of the student's academic achievement and functional performance in order to develop the IEP. The IEP team's determination of how the student's disability affects his or her involvement and progress in the general education curriculum is a primary consideration in the development of the student's annual IEP goals. Federal regulation, 34 C.F.R. §300.320(a)(1)(i), consistent with 20 U.S.C. §1414(d)(1)(A)(I)(I)(aa) and COMAR13A.05.01.08, requires the statement of the student's present levels of academic achievement and functional performance in the IEP to include how the student's disability affects the student's involvement and progress in the general education curriculum. This directly corresponds with the provision in 34 §300.320(a)(2)(i)(A) and 20 U.S.C. §1414(d)(1)(A)(I)(II)(aa), which requires the IEP to include measurable annual goals designed to meet the student's needs that result from the student's disability to enable the student to be involved in and make progress in the general education curriculum.

In developing each student's IEP, the IEP team, shall consider the:

- Strengths of the student;
- Concerns of the parents for enhancing the education of their student;
- Results of the initial evaluation or most recent evaluation of the student; and
- Academic, developmental, and functional needs of the student.

*"Present Levels of Academic Achievement and Functional Performance"* provides a holistic view of the student through a variety of means. This includes current classroom-based assessments, district and/or state assessments, and classroom-based observations, as well as parent, student and general education teacher input in all relevant areas. The determination of the student's present level of academic achievement and functional performance is based on data and information from a variety of sources, technically sound assessment tools, and strategies to gather academic, developmental, and functional information.

Data and information must directly assist the IEP team in determining the educational needs of a student in relationship to the student's involvement and progress in the general curriculum or appropriate preschool activities. The data used

may vary over time. Standardized assessments alone may not necessarily provide adequate information to determine the educational needs of the student relative to his or her performance and participation in the general curriculum. Therefore, curriculum-based assessments, portfolios, running records, student work, etc. may be appropriate information sources for identifying present levels of academic achievement and functional performance in relation to general education curriculum. If this is a review or revision of the student's current IEP, the current level of performance should include a description of the student's progress toward meeting the annual goals of the current/previous IEP.

It is particularly important to include student strengths, as well as areas of concern/needs that were identified during the assessment, including parent, student and general education teacher input related to strengths and concerns/needs. The IEP team should focus on how the student's strengths and concerns/needs affect the student's involvement and progress in the general curriculum. As part of the process of defining the student's current level of performance, the IEP team should identify what the student currently knows and can do.

*"Present Level of Academic Achievement and Functional Performance"* defines the student's need for specialized instruction and determines how that specialized instruction should look in terms of goals, supports, and services. The remaining pages of the IEP should align to the information in this section. The IEP team should provide a narrative summary of performance rather than a detailed report of assessment procedures and results. Detailed assessment information should be found in separate assessment reports. For any data that is recorded in this section, the IEP team must document the source of the data (classroom-based assessments, district and/or state assessments, and classroom-based observations, parent, student and general education teacher input, etc.).

Issues that are identified as a concern/need should result in corresponding goals and objectives. According to 20 U.S.C. §1414(d) (1) (A) (i) (II), goals and short-term objectives or benchmarks are designed to meet the student's needs that result from the student's disability. Therefore, the concerns/needs detailed in this section should include those that have a marked impact on the student's educational performance and requires specialized instruction should result in a corresponding annual goal. If there are concerns raised that do not rise to the level of needing specialized instruction, then the IEP team may note these under options discussed and considered by the IEP team but rejected in favor of the proposed actions and should be recorded as "Document Basis For Decision(s) that corresponds to the requirements of Prior Written Notice (PWN).

## ACADEMIC

<b>Sources</b>	If applicable, identify the sources of the data used to assess the student's academic achievement and functional performance. Sources may include, but are not limited to current classroom-based assessments, district and/or state assessments, and classroom-based observations, parent information, student and general education teacher input in all relevant areas.
<b>Instructional Grade Level Performance</b>	If applicable, identify the student's instructional grade level. <b>NOTE:</b> The student's instructional performance may not be on grade level. If not, this may be an indicator that the student's IEP team needs to consider supplementary aids, services, program modifications, and supports needed. Although a student's performance may not be at grade level, the student is to receive instruction in grade level content.
<b>Summary of Assessment Findings</b>	If applicable, summarize the assessment findings, including the date(s) of administration. Assessment findings include data and information from, but not limited to: current classroom-based assessments, district and/or state assessments, classroom-based observations, parent information, and student and general education teacher input in all relevant areas.
<b>Impact on Academic Achievement and Functional Performance</b>	If applicable, indicate <b>YES</b> or <b>NO</b> if the student's disability impacts the student's academic achievement or functional performance in the identified area that requires the provision of special education and related services.

## HEALTH

Identify, as applicable, any strength, concern/needs, parental concerns regarding the student's health, including vision, hearing, allergies, medical conditions that

adversely affects the student's ability to access or participate in the general curriculum that may require the provision of special education and related services. Include sources of information, summary of assessment findings, including the dates of administration. Assessment findings include, but not limited to: current classroom-based assessments, district and/or state assessments, classroom-based observations, parent information, and student and general education teacher input in all relevant areas.

<b>Sources</b>	If applicable, identify the sources of the data used to assess the student's academic achievement and functional performance. Sources may include, but not limited to: current classroom-based assessments, district and/or state assessments, and classroom-based observations, parent information, student and general education teacher input in all relevant areas.
<b>Level of Performance</b>	If applicable, identify the student's level of performance.
<b>Summary of Assessment Findings</b>	If applicable, summarize the assessment findings, including the date(s) of administration. Assessment findings include data and information from, but not limited to: current classroom-based assessments, district and/or state assessments, classroom-based observations, parent information, and student and general education teacher input in all relevant areas.
<b>Impact on Academic Achievement and Functional Performance</b>	If applicable, indicate <b>YES</b> or <b>NO</b> if the student's disability impacts the student's academic achievement or functional performance in the identified area that requires the provision of special education and related services.

## PHYSICAL

Identify, as applicable, any strength, concerns/needs, and/or parental concerns regarding the student's fine or gross motor abilities that may adversely affects the student's ability to access or participate in the general curriculum that may require the provision of special education and related services. Include sources of information, summary of assessment findings, including the dates of administration. Assessment findings include, but not limited to: current classroom-based

assessments, district and/or state assessments, classroom-based observations, parent information, and student and general education teacher input in all relevant areas.

<b>Sources</b>	If applicable, identify the sources of the data used to assess the student's academic achievement and functional performance. Sources may include, but not limited to current classroom-based assessments, district and/or state assessments, classroom-based observations, parent information, and student and general education teacher input in all relevant areas.
<b>Level of Performance</b>	If applicable, identify the student's level of performance.
<b>Summary of Assessment Findings</b>	If applicable, summarize the assessment findings, including the date(s) of administration. Assessment findings includes data and information from, but not limited to: current classroom-based assessments, district and/or state assessments, classroom-based observations, parent information, and student and general education teacher input in all relevant areas.
<b>Impact on Academic Achievement and Functional Performance</b>	If applicable, indicate <b>YES</b> or <b>NO</b> if the student's disability impacts the student's academic achievement or functional performance in the identified area that requires the provision of special education and related services.

## BEHAVIORAL

Identify, as applicable, any strength, concerns/needs, parental concerns regarding the student's social, emotional, and behavioral performance that may adversely affects the student's ability to access or participate in the general curriculum and/or impedes the student's learning or the learning of others that may require the provision of special education and related services, including a functional behavioral assessment and behavioral intervention plan to address misconduct to reduce inappropriate behavior through the use of positive intervention strategies. Include sources of information, summary of assessment findings, including the dates of administration.

<b>Sources</b>	If applicable, identify the sources of the data used to assess the student's academic achievement and functional performance. Sources may include, but not limited to current classroom-based assessments, district and/or state assessments, classroom-based observations, parent information, and student and general education teacher input in all relevant areas.
<b>Level of Performance</b>	If applicable, identify the student's level of performance.
<b>Summary of Assessment Findings</b>	If applicable, summarize the assessment findings, including the date(s) of administration. Assessment findings includes data and information from, but not limited to: current classroom-based assessments, district and/or state assessments, classroom-based observations, parent information, and student and general education teacher input in all relevant areas.
<b>Impact on Academic Achievement and Functional Performance</b>	If applicable, indicate <b>YES</b> or <b>NO</b> if the student's disability impacts the student's academic achievement or functional performance in the identified area that requires the provision of special education and related services.

**PRESENT LEVEL OF  
ACADEMIC ACHIEVEMENT AND FUNCTIONAL  
PERFORMANCE**

<b>Parent Input</b>	The input and concerns from parents and students must be considered in the development of the IEP. The IEP team should specifically record input from parents and student.
<b>Student strengths, interest areas, significant personal attributes, and personal accomplishments</b>	Strengths may include a relatively strong area for the student; a strength when compared to peers, or particular motivational or interest area. Statements about the student's strengths can support instructional decisions related to motivation, learning styles, and learning preferences. If the student's strength is supported by the use of supplemental aids and services including assistive technology, the IEP team should document that information.

**How the student's disability affects his/her involvement in the general education curriculum?**

Describe how the student's disability specifically impacts his or her involvement and progress in the general curriculum. Think in terms of "if-then" statements. (i.e., if there is a concern, then what is the impact on the student's participation and progress in that area?)

**For preschool age children, how does the disability affect participation in appropriate activities?**

Describe how the student's disability specifically impacts his or her participation in appropriate preschool activities. Think in terms of "if-then" statements. (i.e., if there is a concern, then what is the impact on the student's participation in that area?)

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# SPECIAL CONSIDERATIONS AND ACCOMMODATIONS

## Special Considerations and Accommodations

IDEA 2004 emphasizes the involvement of students with disabilities in the general curriculum, including appropriate preschool activities, with nondisabled peers to the maximum extent appropriate. Federal statute 20 U.S.C. §1414(d)(IV) requires the IEP to include a statement of the program modifications or supports for school personnel that will be provided to enable the student to:

- Advance appropriately toward attaining his or her annual goals;
- Be involved in and make progress in the general education curriculum;
- Participate in extracurricular and other non-academic activities; and
- Be educated and participate with other students with and without disabilities.

## Special Considerations

In accordance with 34 C.F.R. §300.324(a)(2) and COMAR 13A.05.01.08A(3) through(7) the student's IEP team shall consider the following special circumstances, as applicable, when the student's IEP is developed, reviewed, or revised:

- In the case of a student whose behavior impedes the student's learning or that of others, consider the use of positive behavioral interventions and supports, and other strategies, to address that behavior;
- In the case of a student with limited English proficiency, consider the language needs of the student as those needs relate to the student's IEP;
- In the case of a student who is blind or visually impaired, provide for instruction in Braille and the use of Braille unless the IEP team determines, after an evaluation of the student's reading and writing skills, needs, and appropriate reading and writing media (including an evaluation of the student's future needs for instruction in Braille or the use of Braille), that instruction in Braille or the use of Braille is not appropriate for the student;
- Consider the communication needs of the student;
- In the case of a student who is deaf or hard of hearing, consider the student's

language and communication needs, opportunities for direct communications with peers and professional personnel in the student's language and communication mode, academic level, and full range of needs, including opportunities for direct instruction in the student's language and communication mode; and

- Consider whether the student needs assistive technology devices and services.

Each public agency must ensure that assistive technology devices or assistive technology services, or both are made available to a student with a disability if needed as a part of the student's:

- Special education;
- Related services; or
- Supplementary aids, services, program modifications, and supports.

On a case-by-case basis, the use of school-purchased assistive technology devices in a student's home or in other settings is required if the student's IEP Team determines that the student needs access to those devices in order to receive FAPE. Each public agency must ensure that hearing aids worn in school by students with hearing impairments, including deafness, are functioning properly.

### **Accommodations**

Accommodations must be specific and appropriate to meet the needs of the student as defined in the IEP. Accommodations are practices or procedures that provide a student with a disability equitable access during instruction and to assessments in the areas of: presentation response; setting; and scheduling. Accommodations do not reduce learning expectations. Accommodations include changes to instruction (such as materials, content enhancements, and tasks) that change *how* a student learns. Accommodations may include assistive technology devices and services.

[COMAR13A.05.01.03B(1)]

Modifications are practices or procedures that change, lower, or reduce learning expectations. Modifications can increase the gap between the achievement of students with disabilities and expectations for proficiency at a particular grade level. Using modifications may result in implications that could adversely affect students throughout their educational career. Modifications include changes to the content, which affect *what* the student learns. Modifications include curricular changes in the content standards or the performance expectations. A continuum of accommodations should be used and evaluated for their effectiveness before moving to modifications.

[COMAR13A.05.01.03B(43)]

When the IEP team determines the services the student will receive, it must also:

- Consider the supplementary aids, services the student requires; and
- The program modifications and supports required for school personnel to implement the IEP.

Many accommodations are effective instructional practices and are used for all students by effective teachers. However, it should be noted that the distinction between effective instructional strategies and accommodations is that accommodations are the specific practices or procedures the individual student needs, and must have, as a result of his or her disability, in order to be involved and progress in general education curriculum.

Conversely, not all effective instructional strategies, although they enhance the instruction of the student with a disability, are necessary to address the student's needs. IEP teams should be judicious in the decisions regarding accommodations, assistive technology, and modifications in order to ensure that the selection specifically addresses the learning needs of an individual student as they relate to the student's disability and the student's participation and progress in general education curriculum, appropriate preschool activities, extra-curricular and non-academic activities, and participation with students without disabilities and nondisabled peers, as appropriate.

## **COMMUNICATION** (required for ALL students)

<b>Special Communication Needs</b> (required for <u>ALL</u> students)	Each student's IEP team is to address the communication needs of each student with a disability.
<b>If YES, Describe Specific Needs</b>	Indicate <b>YES</b> or <b>NO</b>  Provide a narrative description of the student's special communication need(s) in the text field.  <b>NOTE:</b> In this field the IEP Team may indicate where within the IEP more detailed descriptive information related to communication needs may be located.

## ASSISTIVE TECHNOLOGY (AT) (required for ALL students)

Consider AT device(s) and/or services(s) that are needed to increase, maintain, or improve functional capabilities of the student.

<b>AT Considered</b>	Indicate <b>YES</b> or <b>NO</b>
<b>AT Device(s)</b>	<p>Indicate <b>YES</b> if the IEP team determines the student needs an AT device(s).</p> <p>If <b>YES</b>, identify how the use of AT device(s) will be addressed:</p> <ul style="list-style-type: none"> <li>• Supplementary Aids, Services, Program Modifications, and Supports; and/or</li> <li>• Instructional and Testing Accommodations</li> </ul> <p>Indicate <b>NO</b> if the IEP team determines the student does not need an AT device(s).</p>
<b>AT Service(s)</b>	<p>Indicate <b>YES</b> if the IEP team determines the student needs an AT service(s).</p> <p>If <b>YES</b>, identify how the AT service(s) will be addressed:</p> <ul style="list-style-type: none"> <li>• Supplementary Aids, Services, Program Modifications, and Supports;</li> <li>• Related Service*</li> <li>• Instructional and Testing Accommodations</li> </ul> <p>Indicate <b>NO</b> if the IEP team determines the student does not need an AT service(s).</p> <p><b>*NOTE:</b> The Services Page identifies the location, service nature, service description, begin and end date, and the provider of each AT service(s) to be provided as a related service.</p>
<b>Document Basis for Decision(s) (required)</b>	<p>A required text field for an IEP team to provide additional information to document the basis of the IEP team's decision. If addressed properly, documentation will meet requirements of prior written notice (PWN), in accordance with 34 C.F.R. §300.503 and COMAR 13A.05.01.12, PWN includes:</p> <ul style="list-style-type: none"> <li>• A description of the action proposed or refused;</li> </ul>

- An explanation of why the public agency proposes or refuses to take the action;
- A description of the options the public agency considered and the reason the options were rejected;
- A description of each assessment procedure, test, record, or report the public agency uses as a basis for the proposal or refusal;
- A description of any other factors relevant to the proposed or refused action;-
- A list of sources a parent may contact to obtain assistance in understanding the provisions of IDEA; and
- If an action proposed by a public agency also requires parental consent, a public agency may provide notice at the same time it requests consent.

[20 U.S.C §1415; 34 C.F.R. §300.503; COMAR 13A.05.01.12]

## SERVICES FOR STUDENTS WHO ARE BLIND OR VISUALLY IMPAIRED

In the case of the student who is blind or visually impaired, including students with deaf-blindness, and multiple disabilities, if one of the disabilities includes a visual impairment, the IEP team shall address the provision of instruction in Braille and the use of Braille unless the IEP Team determines, after an evaluation of the student's reading and writing skills, needs, and appropriate reading and writing media (including an evaluation of the student's future needs for instruction in Braille or the use of Braille), that instruction in Braille or the use of Braille is not appropriate for the student, and provide the parents with information relative to the Maryland School for the Blind.

<b>Instruction in Braille Considered</b>	Indicate <b>YES</b> or <b>NO</b>
<b>Evaluation Date</b>	Indicate date of evaluation of the student's reading and writing media.
<b>Appropriateness of Instruction in Braille</b>	Indicate <b>YES</b> or <b>NO</b>

**Parents Provided Information Regarding the Maryland School for the Blind (MSB)**

Indicate **YES** or **NO**

**Document Basis for Decision(s) (required)**

A required text field for an IEP team to provide additional information to document the basis of the IEP team's decision. If addressed properly, documentation will meet requirements of prior written notice (PWN), in accordance with 34 C.F.R. §300.503 and COMAR 13A.05.01.12, PWN includes:

- A description of the action proposed or refused;
- An explanation of why the public agency proposes or refuses to take the action;
- A description of the options the public agency considered and the reason the options were rejected;
- A description of each assessment procedure, test, record, or report the public agency uses as a basis for the proposal or refusal;
- A description of any other factors relevant to the proposed or refused action;-
- A list of sources a parent may contact to obtain assistance in understanding the provisions of IDEA; and
- If an action proposed by a public agency also requires parental consent, a public agency may provide notice at the same time it requests consent.

[20 U.S.C §1415; 34 C.F.R. §300.503; COMAR 13A.05.01.12]

## **SERVICES FOR STUDENTS WHO ARE DEAF OR HEARING IMPAIRED**

In the case of the student who is deaf or hearing impaired, including students with deaf-blindness, and multiple disabilities, if one of the disabilities includes deafness, the IEP team shall consider:

- 2 The student's language and communication needs;
- 3 Opportunities for direct communications with peers and professional personnel in the student's language and communication mode;
- 4 Academic level; and

- 5 Full range of needs, including opportunities for direct instruction in the student's language and communication mode.

The local school system is **required** to provide the parents of students who are deaf or hearing impaired information relative to the Maryland School for the Deaf.

**Parents Provided Information Regarding the Maryland School for the Deaf (MSD)**

Indicate **YES** or **NO**

**Document Basis for Decision(s) (required)**

A required text field for an IEP team to provide additional information to document the basis of the IEP team's decision. If addressed properly, documentation will meet requirements of prior written notice (PWN), in accordance with 34 C.F.R. §300.503 and COMAR 13A.05.01.12, PWN includes:

- A description of the action proposed or refused;
- An explanation of why the public agency proposes or refuses to take the action;
- A description of the options the public agency considered and the reason the options were rejected;
- A description of each assessment procedure, test, record, or report the public agency uses as a basis for the proposal or refusal;
- A description of any other factors relevant to the proposed or refused action;-
- A list of sources a parent may contact to obtain assistance in understanding the provisions of IDEA; and
- If an action proposed by a public agency also requires parental consent, a public agency may provide notice at the same time it requests consent.

[20 U.S.C §1415; 34 C.F.R. §300.503; COMAR 13A.05.01.12]

## BEHAVIORAL INTERVENTIONS

In the case of a student whose behavior impedes the student's learning or that of others, the IEP team shall consider the use of positive behavioral interventions and

supports, and other strategies, to address that behavior. A functional behavioral assessment (FBA) must be conducted. If an FBA has been conducted that addressed the inappropriate behavior or misconduct that is impeding the student's learning, or the learning of others, a behavioral intervention plan (BIP) may be needed to specify interventions to address the behavior(s).

If an FBA has not been conducted, the IEP team needs to plan for conducting the FBA, prior to developing a BIP. If the student's IEP team has identified the student's behavior(s) that impedes the student's learning or that of others, the IEP team must document the consideration and need for a BIP and/or annual measurable goals designed to eliminate the behavior(s) of concern.

<p><b>Functional Behavioral Assessment (FBA) Assessment Date</b></p>	<p>Indicate date of most recent FBA</p>
<p><b>Behavioral Intervention Plan (BIP)</b></p>	<p>Indicate <b>YES</b> or <b>NO</b></p>
<p><b>Behavioral Intervention Plan (BIP) Implementation Date</b></p>	<p>Indicate date of BIP Implementation.</p>
<p><b>Document Basis for Decision(s) (required)</b></p>	<p>A required text field for an IEP team to provide additional information to document the basis of the IEP team's decision. If addressed properly, documentation will meet requirements of prior written notice (PWN), in accordance with 34 C.F.R. §300.503 and COMAR 13A.05.01.12, PWN includes:</p> <ul style="list-style-type: none"> <li>• A description of the action proposed or refused;</li> <li>• An explanation of why the public agency proposes or refuses to take the action;</li> <li>• A description of the options the public agency considered and the reason the options were rejected;</li> <li>• A description of each assessment procedure, test, record, or report the public agency uses as a basis for the proposal or refusal;</li> <li>• A description of any other factors relevant to the proposed or refused action;-</li> <li>• A list of sources a parent may contact to obtain assistance</li> </ul>

- in understanding the provisions of IDEA; and
- If an action proposed by a public agency also requires parental consent, a public agency may provide notice at the same time it requests consent.

[20 U.S.C §1415; 34 C.F.R. §300.503; COMAR 13A.05.01.12]

## SERVICES FOR STUDENTS WITH LIMITED ENGLISH PROFICIENCY

In the case of a student with limited English proficiency, consider the language needs of the student as such needs relate to the student's IEP.

**Document Basis  
for Decision(s)  
(required)**

A required text field for an IEP team to provide additional information to document the basis of the IEP team's decision. If addressed properly, documentation will meet requirements of prior written notice (PWN), in accordance with 34 C.F.R. §300.503 and COMAR 13A.05.01.12, PWN includes:

- A description of the action proposed or refused;
- An explanation of why the public agency proposes or refuses to take the action;
- A description of the options the public agency considered and the reason the options were rejected;
- A description of each assessment procedure, test, record, or report the public agency uses as a basis for the proposal or refusal;
- A description of any other factors relevant to the proposed or refused action;-
- A list of sources a parent may contact to obtain assistance in understanding the provisions of IDEA; and
- If an action proposed by a public agency also requires parental consent, a public agency may provide notice at the same time it requests consent.

[20 U.S.C §1415; 34 C.F.R. §300.503; COMAR 13A.05.01.12]

## INSTRUCTIONAL AND TESTING ACCOMMODATIONS

IDEA requires that the student's IEP include a statement of any individual appropriate accommodations that are necessary to measure the academic achievement and functional performance of the student on State and district assessments. Accommodations are intended to reduce or mediate ~~even eliminate~~ the effects of the student's disability; they are not to reduce learning expectations. The accommodations provided to a student must be the same for classroom instruction, classroom assessments, and district and State assessments.

Three sections within the Statewide IEP should contain relevant academic, functional, and developmental data to provide the IEP team a comprehension picture of accommodations the student may need to address the impact of the student's disability upon instruction and assessment. These areas include:

- *Section I, Meeting and Identifying Information, Student Participation in District/Statewide Assessments and Graduation Information*  
[20 U.S.C. §1412(a)(16); COMAR13A.03.02.08]
  - o Documents the student's previous participation and results in State and district assessments.
  
- *Section II, Present Levels of Academic Achievement and Functional Performance*  
[20 U.S.C. §1414(d)(1)(A); COMAR13A.05.01.09A]
  - o Describes how the student's disability affects the student's involvement and progress in the general education curriculum—the same curriculum as non-disabled students.
  
- *Section III, Special Consideration and Accommodations*  
[20 U.S.C. §§ 1414(d)(3)(B); 1414(d)(1)(A)(i); COMAR 13A.05.01.03B; COMAR13A.05.01.10A; Maryland Accommodations Manual, February 2008]
  - o Documents consideration of communication and assistive technology device(s) and/or service(s).
  - o Documents considerations if the student is visually impaired, deaf or hearing impaired, or limited English proficient.
  - o Documents instructional and testing accommodations.
  - o Describes supplementary aids, services, program modifications, and supports that are provided in general education classes or other instructional settings to enable students with disabilities to be educated with nondisabled students to the maximum extent appropriate.

## Accommodations

Accommodations for instruction and assessment are integrally intertwined. Accommodations do not reduce learning expectations. They provide access. The use of accommodations does not begin and end in school. Students who need accommodations for instruction and assessments will generally need them at home, in the community, and as they get older, in postsecondary education and work.

Accommodations:

- a) Enable students to participate more fully in instruction and assessments and to better demonstrate their knowledge and skills.
- b) Must be based upon individual student needs and not upon a category of disability, level of instruction, time spent in general classroom, or program setting.
- c) Must be justified and documented in the student's IEP.
- d) Must be justified and documented in Section II *Special Considerations for Services for Students with Limited English Proficiency* of the IEP for students with disabilities that are also limited English proficient, or English language learners. For students with disabilities who are also ELL, the IEP is the controlling document for accommodations.
- e) Must be implemented as soon as possible after completion of the IEP and must be aligned with and be a part of daily instruction. Accommodations **MUST NOT** be introduced for the first time during the testing of the student.
- f) Must be approved as specified in the *"Maryland Accommodations Manual."*
- g) Not explicitly mentioned in the *"Maryland Accommodations Manual"* and/or multiple accommodations do not constitute reasons to exempt students from assessments. The School Test Coordinator (STC) must coordinate with the Local Accountability Coordinator (LAC) prior to testing to address issues caused by the need to provide multiple accommodations.

The student's IEP team should decide on the appropriate accommodation(s) at the IEP development or review meeting for the year in which the student is scheduled to participate in district or Statewide assessments and indicate the decision on the student's IEP. The student's IEP team shall forward recommended accommodations to the School Test Coordinator. Accommodations must be justified, utilized within the instructional setting, and documented in the student's

## **Modifications**

Modifications or alterations refer to practices that change, lower, or reduce learning expectations. Modifications can increase the gap between the achievement of students with disabilities and expectations for proficiency at a particular grade level. Using modifications may result in implications that could adversely affect students throughout their educational career.

Examples of modifications include:

- requiring a student to learn less material (e.g., fewer objectives, shorter units or lessons, fewer pages or problems);
- reducing assignments and assessments so a student only needs to complete the easiest problems or items;
- revising assignments or assessments to make them easier (e.g., crossing out half of the response choices on a multiple-choice test so that a student only has to pick from two options instead of four); or
- giving a student hints or clues to correct responses on assignments and tests.

Providing modifications to students during classroom instruction and/or classroom assessments may have the unintended consequence of reducing their opportunity to learn critical content. If students have not had access to critical, assessed content, they may be at risk for not meeting graduation requirements. Providing a student with a modification during a state accountability assessment may constitute a test irregularity and may result in an investigation into the school's or public agency's testing practices.

It is critical for students with disabilities to understand their disabilities and learn self-advocacy strategies for success in school and throughout life. Some students have had limited experience expressing personal preferences and advocating for themselves. Teachers and other IEP team members can play a key role in providing guidance and feedback to students with disabilities on skills needed to effectively advocate for themselves in the selection, use, and evaluation of accommodations. The ability to advocate for him or herself is a skill each student with a disability will need in their post-school adult life in order to identify and request reasonable accommodations under the Americans with Disabilities Act (ADA).

The more students are involved in the selection process, the more likely the accommodations will be used, especially as students reach adolescence and the desire to be more independent increases. Self-advocacy skills become critical here. Students need opportunities to learn which accommodations are most helpful for them, and then they need to learn how to make certain those accommodations are

provided in all of their classes and wherever they need them outside of school.

Use the questions provided below to guide the selection of appropriate accommodations for students receiving special education services for the first time and for students who are currently using accommodations:

- What are the student's learning strengths and areas of further improvement?
- How do the student's learning needs affect the achievement of grade-level content standards?
- What specialized instruction (e.g., learning strategies, organizational skills, reading skills) does the student need to achieve grade-level content standards?
- What accommodations will increase the student's access to instruction and assessment by addressing the student's learning needs and reducing the effect of the student's disability? These may be new accommodations or accommodations the student is currently using.
- What accommodations does the student regularly use during instruction and assessments?
- What are the results for assignments and assessments when accommodations were used and not used?
- What is the student's perception of how well an accommodation "worked?"
- Are there effective combinations of accommodations?
- What difficulties did the student experience when using accommodations?
- What are the perceptions of parents, teachers, and specialists about how the accommodation worked?
- Should the student continue to use an accommodation, are changes needed, or should the use of the accommodation be discontinued?

Of the accommodations that match the student's needs, consider:

- The student's willingness to learn to use the accommodation;
- Opportunities to learn how to use the accommodation in classroom settings; and
- Conditions for use on state assessments.

Plan how and when the student will learn to use each new accommodation. Be

certain there is ample time to learn to use instructional and assessment accommodations before an assessment takes place. Finally, plan for the ongoing evaluation and improvement of the student's use of accommodations. *Refer to Maryland Accommodations Manual, February 2008*

<b>Presentation Accommodations</b>	Allow students to access information in ways that do not require them to visually read standard print. These alternate modes of access are auditory, multi-sensory, tactile, and visual.
<b>Discussion to Support Decision (optional)</b>	This text field is available for an IEP team to provide additional information relative to the student's need for presentation accommodations.
<b>Response Accommodations</b>	Allow students to complete activities, assignments, and assessments in different ways or to solve or organize problems using some type of assistive device or organizer.
<b>Discussion to Support Decision (optional)</b>	This text field is available for an IEP team to provide additional information relative to the student's need for response accommodations.
<b>Timing and Scheduling Accommodations</b>	Increase the allowable length of time to complete an assessment or assignment and activities and perhaps change the way the time is organized.
<b>Discussion to Support Decision (optional)</b>	This text field is available for an IEP team to provide additional information relative to the student's need for timing and scheduling accommodations.
<b>Setting Accommodations</b>	Change the location in which a test or assignment is given or the conditions of the assessment setting.
<b>Discussion to Support Decision (optional)</b>	This text field is available for an IEP team to provide additional information relative to the student's need for setting accommodations.
<b>Instructional or Testing Accommodations Considered</b>	Indicate, as applicable, if the IEP team considered the student's need for instructional and testing accommodations, and determined that accommodations were not required.
<b>Discussion to Support Decision (optional)</b>	This text field is available for an IEP team to provide additional information relative to the IEP team's decision that the student's disability did not require the provision of instructional or testing accommodations.

## **SUPPLEMENTARY AIDS, SERVICES, PROGRAM MODIFICATIONS, AND SUPPORTS**

Before recommending services for the student outside of the general education classroom or other general education setting, the IEP team must first consider supplementary aids, services, program modifications, and supports that can be provided to the student in general education classes or settings, or to school personnel on behalf of the student. Supplementary aids, services, program modifications, and supports may include the services of various providers, materials, devices, and instructional considerations.

Modifications are practices or procedures that change, lower, or reduce learning expectations. Modifications can increase the gap between the achievement of students with disabilities and expectations for proficiency at a particular grade level. Using modifications may result in implications that could adversely affect students throughout their educational career. Modifications include changes to the content, which affect *what* the student learns. Modifications include curricular changes in the content standards or the performance expectations. A continuum of accommodations should be used and evaluated for their effectiveness before moving to modifications.

Some students may require other support services, such as the service of a paraprofessional either in the general education classroom, in a special class, or other setting to address specific management issues related to behavior, health, communication, etc. In another situation a paraprofessional may be needed to address specific instructional areas. The same level of support is not necessary in all situations. A student may need support in a math class, but no additional supports during the remainder of the school day.

Other supplementary aids and services may include, but or not limited to materials, devices, and instructional adaptations, such as:

- Instructional considerations, i.e., cross-age tutoring, peer partnerships, 1:1 assistance and support
- Behavior intervention and support
- Instructional adaptations, i.e., adaptations in the manner in which information is presented, paced, or sequenced
- Curricular accommodations that change how a student accesses information and demonstrates learning
- Methods to measure performance, i.e., a calculator or word processor
- Curricular modifications, i.e., redesigning the size, breadth, or focus of the assignment

- Individualized supports, i.e., rephrasing questions and instruction, allowance for additional time to respond
- Additional time for movement between classes
- Special seating arrangements
- Curricular aids
- Provide time frame for assignments with interim dates for deliverables
- Allow re-test
- Computer assisted writing technology/software
- Electronic books
- Pre-written class notes, summaries, study guides, main idea summaries
- Organizational aids
- Delivery of consultative services (indirect) to staff on behalf of the student
- Professional development for staff and or parents

The services for each student should be tailored to address the unique needs that affect the student's ability to make progress in the general curriculum. With respect to preschool students, the term "appropriate activities" refers to typical activities that students of that age engage in as part of a preschool program, i.e., coloring, story-time, pre-reading activities, play time, sharing, etc.

Through statewide monitoring activities, the Maryland State Department of Education (MSDE), Division of Special Education/Early Intervention Services (DSE/EIS) has identified that the Individualized Family Service Plan (IFSP) and the Individualized Education Program (IEP) for infants, toddlers, children, and youth with disabilities do not accurately reflect the service(s) to be provided. Specifically, it appears the frequency of service(s) of health related services are being quantified as a number of sessions per year. This practice does not reflect a clear or accurate accounting of expected service to enable the child's parents, team members, and service providers to know exactly how often (frequency) or for how long (duration) a service is to be provided, as required by federal and State regulations [34 CFR §300.320(a)(7); and COMAR 13A.05.01.09A(1)(h)].

It is the responsibility of each local school system, local infants and toddlers program, and nonpublic special education facility to accurately reflect the frequency and duration of each session of service and to maintain accurate service logs of the service provided. The regulations for the Department of Health and Mental Hygiene (DHMH) in the Code of Maryland Regulations (COMAR) require the IEP or IFSP to accurately reflect the service(s) provided. Similarly, billing reimbursement requests (codes) must match the child's IEP or IFSP (COMAR 10.09.50.05; and 10.09.36.03).

The frequency and duration indicated as appropriate within the IEP must be tailored to address the unique needs that affect the student's ability to make progress in the general curriculum. Factors such as "administrative convenience " or specific staffing issues are not acceptable reasons for utilizing frequencies such as 20 times

yearly or 20 times only. A more accurate description of the frequency of a service should be utilized to provide families and service providers a clear understanding of the frequency of service.

See Appendix H Technical Assistance Bulletin 21 Documentation of Delivery of Related Services for guidance relative to frequency

<p><b>Supplementary Aids, Services, Program Modifications, and Supports</b></p>	<p>The student’s IEP should clearly identify the specific supplementary aids, services, program modifications and supports provided to the student or on behalf of the student. This includes services that are provided to parents or teachers to assist them in effectively working with the student.</p>
<p><b>Nature of Service: Instructional Support</b></p>	<p>Each supplementary aid, service, program modifications, or support must be identified.</p> <ul style="list-style-type: none"> <li>• <i>Allow use of highlighters during instruction and assignments</i></li> <li>• <i>Allow use of manipulatives</i></li> <li>• <i>Allow use of organizational aids</i></li> <li>• <i>Check for understanding</i></li> <li>• <i>Frequent and/or immediate feedback</i></li> <li>• <i>Have student repeat and/or paraphrase information</i></li> <li>• <i>Limit amount to be copied from board</i></li> <li>• <i>Monitor independent work</i></li> <li>• <i>Paraphrase questions &amp; instruction</i></li> <li>• <i>Peer tutoring/paired work arrangement</i></li> <li>• <i>Picture schedule</i></li> <li>• <i>Provide alternative ways for students to demonstrate learning</i></li> <li>• <i>Provide assistance w/ organization</i></li> <li>• <i>Provide home sets of textbooks/materials</i></li> <li>• <i>Provide proofreading checklist</i></li> <li>• <i>Provide student w/ copy of student/teacher notes</i></li> <li>• <i>Repetition of directions</i></li> <li>• <i>Use of word bank to reinforce vocabulary and/or when extended writing is required</i></li> <li>• <i>Other: _____</i></li> </ul>
<p><b>Frequency</b></p>	<p>Describes how often each service is to occur in terms of:</p> <ul style="list-style-type: none"> <li>• Daily</li> <li>• Weekly</li> </ul>

- Monthly
- Yearly
- Only Once
- Periodically
- Quarterly
- Semi-Annually
- Other, \_\_\_\_\_ (text field)

The frequency and duration indicated as appropriate within the IEP must be tailored to address the unique needs that affect the student's ability to make progress in the general curriculum. Factors such as "administrative convenience " or specific staffing issues are not acceptable reasons for utilizing frequencies such as 20 times yearly or 20 times only. A more accurate description of the frequency of a service should be utilized to provide families and service providers a clear understanding of the frequency of service.

See Appendix H Technical Assistance Bulletin 21 Documentation of Delivery of Related Services for guidance relative to frequency and duration.

**Begin Date** The month, day and year this service will begin. This date must be equal to or after the IEP team meeting date.

**End Date** The month, day, and year the service ends.

**Duration** Indicate the total number of weeks of service.

The frequency and duration indicated as appropriate within the IEP must be tailored to address the unique needs that affect the student's ability to make progress in the general curriculum. Factors such as "administrative convenience " or specific staffing issues are not acceptable reasons for utilizing frequencies such as 20 times yearly or 20 times only. A more accurate description of the frequency of a service should be utilized to provide families and service providers a clear understanding of the frequency of service.

See Appendix H Technical Assistance Bulletin 21 Documentation of Delivery of Related Services for guidance relative to frequency and duration.

## Providers

<b>Primary</b>	Indicate the provider/agency with the primary responsibility for the delivery, documentation and accountability for the provision of the service to the student with a disability.
<b>Other</b>	If more than one provider/agency is responsible for the provision of the service, identify the other provider/agency responsible for delivery, documentation, and accountability for the provision of the service to the student with a disability.
<b>Location and Manner of Delivery</b>	Document the <b>LOCATION</b> and <b>MANNER (how)</b> in which supplementary aids, services, program modifications, and supports will be provided in the text field.
<b>Nature of Service: Program Modifications(s)</b>	Each program modification(s) must be identified: <ul style="list-style-type: none"><li>• <i>Altered/modified assignments</i></li><li>• <i>Break down assignments into smaller units</i></li><li>• <i>Chunking of text(s)</i></li><li>• <i>Delete extraneous information on assignments and assessment, when possible</i></li><li>• <i>Limit amount of required reading</i></li><li>• <i>Modified content</i></li><li>• <i>Modified grading system</i></li><li>• <i>Open book exams</i></li><li>• <i>Oral exams</i></li><li>• <i>Reduce number of answer choices</i></li><li>• <i>Reduced length of exams</i></li><li>• <i>Remove “except” and “not” questions, when possible</i></li><li>• <i>Revise format of test (i.e. fewer questions, fill-in-the-blank)</i></li><li>• <i>Separate long paragraph questions into bullets, whenever possible</i></li><li>• <i>Simplified sentence structure, vocabulary, and graphics on assignments and assessments</i></li><li>• <i>Use pictures to support reading passages, whenever possible</i></li><li>• <i>Other: _____</i></li></ul>

<b>Frequency</b>	<p>Describes how often each service is to occur in terms of:</p> <ul style="list-style-type: none"> <li>• Daily</li> <li>• Weekly</li> <li>• Monthly</li> <li>• Yearly</li> <li>• Only Once</li> <li>• Periodically</li> <li>• Quarterly</li> <li>• Semi-Annually</li> <li>• Other, _____ (text field)</li> </ul> <p>The frequency and duration indicated as appropriate within the IEP must be tailored to address the unique needs that affect the student’s ability to make progress in the general curriculum. Factors such as “administrative convenience “ or specific staffing issues are not acceptable reasons for utilizing frequencies such as 20 times yearly or 20 times only. A more accurate description of the frequency of a service should be utilized to provide families and service providers a clear understanding of the frequency of service.</p> <p>See Appendix H Technical Assistance Bulletin 21 Documentation of Delivery of Related Services for guidance relative to frequency and duration.</p>
<b>Begin Date</b>	<p>The month, day and year this service will begin. This date must be equal to or after the IEP team meeting date.</p>
<b>End Date</b>	<p>The month, day, and year the service ends.</p>
<b>Duration</b>	<p>Indicate the total number of weeks of service.</p> <p>The frequency and duration indicated as appropriate within the IEP must be tailored to address the unique needs that affect the student’s ability to make progress in the general curriculum. Factors such as “administrative convenience “ or specific staffing issues are not acceptable reasons for utilizing frequencies such as 20 times yearly or 20 times only. A more accurate description of the frequency of a service should be utilized to provide families and service providers a clear understanding of the frequency of service.</p> <p>See Appendix H Technical Assistance Bulletin 21</p>

Documentation of Delivery of Related Services for guidance relative to frequency and duration.

### Providers

<b>Primary</b>	Indicate the provider/agency with the primary responsibility for the delivery, documentation and accountability for the provision of the service to the student with a disability.
<b>Other</b>	If more than one provider/agency is responsible for the provision of the service, identify the other provider/agency responsible for delivery, documentation, and accountability for the provision of the service to the student with a disability.
<b>Location and Manner of Delivery</b>	Document the <b>LOCATION</b> and <b>MANNER (how)</b> in which Program Modifications(s), will be provided in the text field.
<b>Nature of Service: Social/Behavioral Support(s)</b>	Each Social/Behavioral Support(s) must be identified: <ul style="list-style-type: none"><li>• <i>Adult support</i></li><li>• <i>Advance preparation for schedule changes</i></li><li>• <i>Anger management training</i></li><li>• <i>Check for understanding</i></li><li>• <i>Crisis intervention</i></li><li>• <i>Encourage student to ask for assistance when needed</i></li><li>• <i>Encourage/reinforce appropriate behavior in academic and non academic settings</i></li><li>• <i>Frequent eye contact/ proximity control</i></li><li>• <i>Frequent reminder of rules</i></li><li>• <i>Home-school communication system</i></li><li>• <i>Implementation of behavior contract</i></li><li>• <i>Monitor use of agenda book and/or progress report</i></li><li>• <i>Provide frequent changes in activities or opportunities for movement</i></li><li>• <i>Provide manipulatives and/or sensory activities to promote listening and focusing skills</i></li><li>• <i>Provide structured time for organization of materials</i></li><li>• <i>Reinforce positive behavior through non-verbal/verbal communication</i></li><li>• <i>Social skills training</i></li><li>• <i>Strategies to initiate and sustain attention</i></li><li>• <i>Use of positive/concrete reinforcers</i></li></ul>

<b>Frequency</b>	<ul style="list-style-type: none"> <li>• <i>Other:</i> _____</li> </ul> <p>Describes how often each service is to occur in terms of:</p>
	<ul style="list-style-type: none"> <li>• Daily</li> <li>• Weekly</li> <li>• Monthly</li> <li>• Yearly</li> <li>• Only Once</li> <li>• Periodically</li> <li>• Quarterly</li> <li>• Semi-Annually</li> <li>• Other, _____ (text field)</li> </ul> <p>The frequency and duration indicated as appropriate within the IEP must be tailored to address the unique needs that affect the student’s ability to make progress in the general curriculum. Factors such as “administrative convenience “ or specific staffing issues are not acceptable reasons for utilizing frequencies such as 20 times yearly or 20 times only. A more accurate description of the frequency of a service should be utilized to provide families and service providers a clear understanding of the frequency of service.</p> <p>See Appendix H Technical Assistance Bulletin 21 Documentation of Delivery of Related Services for guidance relative to frequency and duration.</p>
<b>Begin Date</b>	The month, day and year this service will begin. This date must be equal to or after the IEP team meeting date.
<b>End Date</b>	The month, day, and year the service ends.
<b>Duration</b>	<p>Indicate the total number of weeks of service.</p> <p>The frequency and duration indicated as appropriate within the IEP must be tailored to address the unique needs that affect the student’s ability to make progress in the general curriculum. Factors such as “administrative convenience “ or specific staffing issues are not acceptable reasons for utilizing frequencies such as 20 times yearly or 20 times only. A more accurate description of the frequency of a service should be utilized to provide families and service providers a clear understanding of the frequency of service.</p>

See Appendix H Technical Assistance Bulletin 21  
Documentation of Delivery of Related Services for guidance  
relative to frequency and duration.

### Providers

<b>Primary</b>	Indicate the provider/agency with the primary responsibility for the delivery, documentation and accountability for the provision of the service to the student with a disability.
<b>Other</b>	If more than one provider/agency is responsible for the provision of the service, identify the other provider/agency responsible for delivery, documentation, and accountability for the provision of the service to the student with a disability.
<b>Location and Manner of Delivery</b>	Document the <b>LOCATION</b> and <b>MANNER (how)</b> in which Social/Behavioral Support(s), will be provided in the text field.
<b>Nature of Service: Physical/Environmental Support(s)</b>	Each Physical/Environmental Support(s) must be identified: <ul style="list-style-type: none"><li>• <i>Access to elevator</i></li><li>• <i>Adaptive equipment</i></li><li>• <i>Adaptive feeding devices</i></li><li>• <i>Adjustments to sensory input (i.e. light, sound)</i></li><li>• <i>Allow extra time for movement between classes</i></li><li>• <i>Environmental aids (i.e. classroom acoustics, heating, ventilation)</i></li><li>• <i>Preferential locker location</i></li><li>• <i>Preferential seating</i></li><li>• <i>Reduce paper/pencil tasks</i></li><li>• <i>Sensory diet</i></li><li>• <i>Picture schedule</i></li><li>• <i>Other: _____</i></li></ul>
<b>Frequency</b>	Describes how often each service is to occur in terms of: <ul style="list-style-type: none"><li>• Daily</li><li>• Weekly</li><li>• Monthly</li><li>• Yearly</li><li>• Only Once</li></ul>

- Periodically
- Quarterly
- Semi-Annually
- Other, \_\_\_\_\_ (text field)

The frequency and duration indicated as appropriate within the IEP must be tailored to address the unique needs that affect the student’s ability to make progress in the general curriculum. Factors such as “administrative convenience “ or specific staffing issues are not acceptable reasons for utilizing frequencies such as 20 times yearly or 20 times only. A more accurate description of the frequency of a service should be utilized to provide families and service providers a clear understanding of the frequency of service.

See Appendix H Technical Assistance Bulletin 21 Documentation of Delivery of Related Services for guidance relative to frequency and duration.

**Begin Date** The month, day and year this service will begin. This date must be equal to or after the IEP team meeting date.

**End Date** The month, day, and year the service ends.

**Duration** Indicate the total number of weeks of service.

The frequency and duration indicated as appropriate within the IEP must be tailored to address the unique needs that affect the student’s ability to make progress in the general curriculum. Factors such as “administrative convenience “ or specific staffing issues are not acceptable reasons for utilizing frequencies such as 20 times yearly or 20 times only. A more accurate description of the frequency of a service should be utilized to provide families and service providers a clear understanding of the frequency of service.

See Appendix H Technical Assistance Bulletin 21 Documentation of Delivery of Related Services for guidance relative to frequency and duration.

## Providers

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<b>Other</b>	If more than one provider/agency is responsible for the provision of the service, identify the other provider/agency responsible for delivery, documentation, and accountability for the provision of the service to the student with a disability.
<b>Location and Manner of Delivery</b>	Document the <b>LOCATION</b> and <b>MANNER (how)</b> in which Physical/Environmental Support(s), will be provided in the text field.
<b>Nature of Service: School Personnel/ Parental Support(s)</b>	<p>Each School Personnel/Parental Support(s) must be identified:</p> <ul style="list-style-type: none"> <li>• <i>AT consult</i></li> <li>• <i>Audiologist consult</i></li> <li>• <i>Classroom instruction consult</i></li> <li>• <i>Coordination of support services for crisis prevention and interventions</i></li> <li>• <i>Extracurricular/non academic providers support</i></li> <li>• <i>Occupational therapist consult</i></li> <li>• <i>Orientation and mobility consult</i></li> <li>• <i>Parent counseling and/or training</i></li> <li>• <i>Physical education consult</i></li> <li>• <i>Physical therapist consult</i></li> <li>• <i>Psychologist consult</i></li> <li>• <i>School health consult</i></li> <li>• <i>Social worker consult</i></li> <li>• <i>Speech/language pathologist consult</i></li> <li>• <i>Travel training</i></li> <li>• <i>Other: _____</i></li> </ul>
<b>Frequency</b>	<p>Describes how often each service is to occur in terms of:</p> <ul style="list-style-type: none"> <li>• Daily</li> <li>• Weekly</li> <li>• Monthly</li> <li>• Yearly</li> </ul>

- Only Once
- Periodically
- Quarterly
- Semi-Annually
- Other, \_\_\_\_\_ (text field)

The frequency and duration indicated as appropriate within the IEP must be tailored to address the unique needs that affect the student’s ability to make progress in the general curriculum. Factors such as “administrative convenience “ or specific staffing issues are not acceptable reasons for utilizing frequencies such as 20 times yearly or 20 times only. A more accurate description of the frequency of a service should be utilized to provide families and service providers a clear understanding of the frequency of service.

See Appendix H Technical Assistance Bulletin 21 Documentation of Delivery of Related Services for guidance relative to frequency and duration.

**Begin Date** The month, day and year this service will begin. This date must be equal to or after the IEP team meeting date.

**End Date** The month, day, and year the service ends.

**Duration** Indicate the total number of weeks of service.

The frequency and duration indicated as appropriate within the IEP must be tailored to address the unique needs that affect the student’s ability to make progress in the general curriculum. Factors such as “administrative convenience “ or specific staffing issues are not acceptable reasons for utilizing frequencies such as 20 times yearly or 20 times only. A more accurate description of the frequency of a service should be utilized to provide families and service providers a clear understanding of the frequency of service.

See Appendix H Technical Assistance Bulletin 21 Documentation of Delivery of Related Services for guidance relative to frequency and duration.

## Providers

<b>Primary</b>	Indicate the provider/agency with the primary responsibility for the delivery, documentation and accountability for the provision of the service to the student with a disability.
<b>Other</b>	If more than one provider/agency is responsible for the provision of the service, identify the other provider/agency responsible for delivery, documentation, and accountability for the provision of the service to the student with a disability.
<b>Location and Manner of Delivery</b>	Document the <b>LOCATION</b> and <b>MANNER (how)</b> in which School Personnel/Parental Support(s), will be provided in the text field.
<b>Documentation to Support Decision</b>	<p>Documentation of the basis of the IEP team's decision(s) relative to the student's use of supplementary aids, services, program modifications, and supports for school personnel or parents, including a description of the manner in which the frequency of service will occur.</p> <p><b>NOTE:</b> Please be advised that if the student's specialized instruction and related service(s) occur in a setting or settings other than general education, and the IEP team has not considered the need for supplementary aids, services, program modifications and supports the IEP team must sufficiently document <b>WHY</b> the student <b>CANNOT</b> be educated in the general education setting with the provision of supplementary aids, services, program modifications, and supports.</p>
<b>Supplementary Aids, Services, Program Modifications, and Supports Considered</b>	<p>Specify the IEP team's decision relative to the consideration of supplementary aids, services, program modifications, and supports, and the IEP team's decision that <u>NONE</u> were needed at the time of the IEP Team Meeting.</p> <p><b>YES</b> – The IEP team determined the student does not require the provision of supplementary aids, services, program modifications or supports.</p> <p><b>NO</b> – The IEP team CONSIDERED the student's need for supplementary aids, services, program modifications or supports and recommended appropriate services.</p>

**Discussion to Support Decision(s) (optional)**

Documentation of the basis of the IEP team’s decision(s) relative to the consideration of supplementary aids, services, program modifications, and supports, and the IEP teams decision that NONE were needed at this time.

**NOTE:**

Please be advised that if the student’s specialized instruction and related service(s) occur in a setting or settings other than general education, and the IEP team has not considered the need for supplementary aids, services, program modifications and supports the IEP team must sufficiently document **WHY** the student **CANNOT** be educated in the general education setting with the provision of supplementary aids, services, program modifications, and supports and services.

## EXTENDED SCHOOL YEAR

Each public agency must ensure that extended school year services are available as necessary to provide FAPE. A public agency may not—

- Limit extended school year services to particular categories of disability; or
- Unilaterally limit the type, amount, or duration of those services.

The need for *Extended School Year (ESY)* services must be considered for each student. This does not mean that these services must be provided for every student, only that the need for ESY services must be considered for each special education student. If required, the specific services, the starting and ending dates of these services, the site where services will be provided, and, if needed, the description of instructional service delivery should be recorded on the service page of the IEP.

The IEP team must determine on a case-by case basis if any of the factors below in isolation or in some combination will significantly jeopardize the student’s ability to receive some benefit from the student’s educational program during the regular school year, if the student does not receive extended school year services.

[34 C.F.R. 300.106; COMAR13A.05.01.03B(26); COMAR 13A.05.01.08B(2)]

**ESY Decision Deferred**

If an IEP team believes it is too early in a school year to adequately address a student’s possible need for ESY, the IEP team may defer this decision to a later date.

If the decision is deferred, the IEP team must reconvene to consider the student's need for ESY services at a later date, yet early enough in order to provide the parent sufficient time to appeal the IEP team decision, if necessary.

**ESY Question 1** After IEP team consideration answer **YES** or **NO**

**Discussion to Support Decision (optional)** A text field is available to an IEP team to provide additional information relative to ESY Question 1 regarding critical life skills on the student's IEP. If an IEP team intends to use the student's IEP to satisfy the requirements for prior written notice (PWN), this text field provides space for that purpose. Please refer to the definition of prior written notice (PWN).

**ESY Question 1a** After IEP team consideration, answer **YES** or **NO**

**Discussion to Support Decision (optional)** A text field is available to an IEP team to provide additional information relative to ESY Question 1a regarding whether or not there is a likely chance of substantial regression and failure to recover those lost skills in a reasonable time. If an IEP team intends to use the student's IEP to satisfy the requirements for prior written notice (PWN), this text field provides space for that purpose. Please refer to the definition of prior written notice (PWN).

**ESY Question 1b** After IEP team consideration, answer **YES** or **NO**

**Discussion to Support Decision (optional)** A text field is available to an IEP team to provide additional information relative to ESY Question 1b regarding the student's degree of progress toward mastery of IEP goals related to critical life skills. If an IEP team intends to use the student's IEP to satisfy the requirements for prior written notice (PWN), this text field provides space for that purpose. Please refer to the definition of prior written notice (PWN).

**ESY Question 2** After IEP team consideration, answer **YES** or **NO**

**Discussion to Support Decision (optional)** A text field is available to an IEP team to provide additional information relative to ESY Question 2 regarding the presence of emerging skills or breakthrough opportunities. If an IEP team intends to use the student's IEP to satisfy the requirements for prior written notice (PWN), this text field provides space for that purpose. Please refer to the definition of prior written notice (PWN).

<b>ESY Question 3</b>	After IEP team consideration, answer <b>YES</b> or <b>NO</b>
<b>Discussion to Support Decision (optional)</b>	A text field is available to an IEP team to provide additional information relative to ESY Question 3 regarding whether or not there are significant interfering behaviors. If an IEP team intends to use the student's IEP to satisfy the requirements for prior written notice (PWN), this text field provides space for that purpose. Please refer to the definition of prior written notice (PWN).
<b>ESY Question 4</b>	After IEP team consideration, answer <b>YES</b> or <b>NO</b>
<b>Discussion to Support Decision (optional)</b>	A text field is available to an IEP team to provide additional information relative to ESY Question 4 regarding consideration of whether or not the nature and severity of the student's disability warrants ESY. If an IEP team intends to use the student's IEP to satisfy the requirements for prior written notice (PWN), this text field provides space for that purpose. Please refer to the definition of prior written notice (PWN).
<b>ESY Question 5</b>	After IEP team consideration, answer <b>YES</b> or <b>NO</b>
<b>Discussion to Support Decision (optional)</b>	A text field is available to an IEP team to provide additional information relative to ESY Question 5 regarding other special circumstances, if any. If an IEP team intends to use the student's IEP to satisfy the requirements for prior written notice (PWN), this text field provides space for that purpose. Please refer to the definition of prior written notice (PWN).
<b>IEP Team Decision</b>	<p>After considering the questions and documenting the IEP team's decisions relative to ESY, indicate:</p> <p><b>YES</b> – The IEP team believes the benefits that the student receives from his or her educational program during the regular school year will be significantly jeopardized if the student is not provided ESY. Indicate <b>YES</b>, if student is eligible for ESY services.</p> <p><b>NO</b> – The IEP team does not believe the benefits that the student receives from his or her educational program during the regular school year will be significantly jeopardized if the student is not provided ESY. Indicate <b>NO</b>, if student is not eligible for ESY services.</p>

**Document Basis  
for Decision(s)  
(required)**

A required text field for an IEP team to provide additional information to document the basis of the IEP team's decision. If addressed properly, documentation will meet requirements of prior written notice (PWN), in accordance with 34 C.F.R. §300.503 and COMAR 13A.05.01.12, PWN includes:

- A description of the action proposed or refused;
- An explanation of why the public agency proposes or refuses to take the action;
- A description of the options the public agency considered and the reason the options were rejected;
- A description of each assessment procedure, test, record, or report the public agency uses as a basis for the proposal or refusal;
- A description of any other factors relevant to the proposed or refused action;-
- A list of sources a parent may contact to obtain assistance in understanding the provisions of IDEA; and
- If an action proposed by a public agency also requires parental consent, a public agency may provide notice at the same time it requests consent.

[20 U.S.C §1415; 34 C.F.R. §300.503; COMAR 13A.05.01.12]

**TRANSITION:  
To be Completed Annually Beginning at Age 14, or  
Younger if Determined Appropriate.**

**Student  
Preferences  
and Interests**

Students are to be actively involved in planning for their secondary program as it relates to postsecondary training and employment, independent living, and community participation. Personal interviews, informal/formal assessment can be used as transition assessments. Summary of the assessments are to be provided in the discussion box. For students who have chosen a postsecondary education goal reference is to be made to the Graduation Information page of the IEP. Document the date of the annual student interview and the student identified preferences and interests for postsecondary school adult life.

**Postsecondary Goal(s)** Document the student’s desired postsecondary goals in the applicable areas:

- Employment (required)
- Training and/or Education (at least one required)
- Independent Living, as appropriate

**Course of Study** The IEP Team must consider the following question when developing the student’s Course of Study – *Does the Course of Study align with the student’s post school goals?*

The student is to be enrolled in courses that will prepare him/her for a career or postsecondary education in the selected career cluster. For each career within the identified cluster there is a program of study approved by the Maryland Board of Education.

For students working toward a Maryland High School Certificate of Program Completion the appropriate Functional and Skill Development Activities are to be selected as the Course of Study. The “Functional Skill” Course of Study determination must be based on the student’s needs and must be consistent with the goals. Services and activities in the IEP. The following are other options that may be considered and identified by the IEP Team based on the students needs and program:

- A student working toward a Certificate of Program Completion has both a Career Cluster and a Functional and Skill Development Activity chosen
- A student working toward a Maryland High School Diploma has both a Career Cluster and a Functional and Skill Development Activity chosen
- A student working toward a Certificate of Program has only a career cluster chosen.

**Projected Category of Exit** Category from which you *project* a student 14 years or older will exit school. This data is only reported in the annual October Child Count.

Categories:

- Exit with a Maryland High School Diploma
- Exit with a Maryland High School Certificate of Program Completion at the end of the school year the student turns 21
- Exit with a Maryland High School Certificate of

Program Completion prior to the end of the school year the student turns 21 (Parent and student choice)

**Projected Date of Exit**

The date you project that a student 14 years or older will exit school.

Format: Month/Year

**NOTE:**

Although the IEP team may be projecting a date of exit anywhere from four to seven years into the future of the student's educational career, this shall be reviewed annually with the review of the student's progress toward meeting the Maryland high school graduation requirements. Based upon the annual review of the student's performance the IEP team may change this date, as appropriate. Please refer to graduation plan information.

**Transfer of Rights at the Age of Majority, if applicable**

IDEA requires that at least one (1) year prior to reaching age 18, the student with a disability be informed of his or her rights under IDEA which will transfer to him/her at age 18, if any, in accordance with State law.

In Maryland, IDEA rights **DO NOT** do not transfer for students with disabilities, except under limited circumstances. In certain limited circumstances, all rights accorded to the parents under IDEA shall transfer to a student with a disability. This transfer occurs when the student reaches the age of 18 years, if the student has not been adjudged incompetent under State law and there is documentation that:

- The parents are unavailable or unknown, and the student requests that the parental rights be transferred to the student rather than have a parent surrogate appointed;
- The parents have not participated in the special education decision making process for the student after repeated attempts by the public agency to involve the parents over the previous year;
- The parents have affirmatively rejected participation in the special education decision making process;
- The parents cannot participate in the special education decision making process due to prolonged hospitalization, institutionalization, or serious illness or infirmity of one or both of the parents and the parents have consented to the transfer of rights to the student;

- The parents cannot participate in the special education decision making process due to extraordinary circumstances beyond their control, and the parents have consented to the transfer of rights to the student; or
- The student is living outside of the parents' home and is not in the care or custody of another public agency.

If the parents of a student with a disability, with whom the student resides, do not consent to the transfer of rights to the student at the age of 18, and the student has not been adjudged incompetent under State law, either party may file for due process to determine whether the rights should be transferred.

If a parent surrogate in accordance with federal and State laws and regulations has represented a student with a disability, the public agency shall provide any written notice required under federal and State laws and regulations to both the student and parent surrogate. All other rights afforded the parent surrogate under IDEA shall transfer to the student if the student has not been adjudged incompetent under State law and the student requests that the rights transfer to the student.

[Education Article §8-412.1, Annotated Code of Maryland]

**Document Basis  
of Decision(s)  
(required)**

A required text field for an IEP team to provide additional information to document the basis of the IEP team's decision. If addressed properly, documentation will meet requirements of prior written notice (PWN), in accordance with 34 C.F.R. §300.503 and COMAR 13A.05.01.12, PWN includes:

- A description of the action proposed or refused;
- An explanation of why the public agency proposes or refuses to take the action;
- A description of the options the public agency considered and the reason the options were rejected;
- A description of each assessment procedure, test, record, or report the public agency uses as a basis for the proposal or refusal;
- A description of any other factors relevant to the proposed or refused action;-
- A list of sources a parent may contact to obtain assistance in understanding the provisions of IDEA; and
- If an action proposed by a public agency also requires

parental consent, a public agency may provide notice at the same time it requests consent.

[20 U.S.C §1415; 34 C.F.R. §300.503; COMAR 13A.05.01.12]

## TRANSITION ACTIVITIES

Transition services are coordinated set of activities for a student with a disability that is designed within a results oriented process that is to facilitate the student's movement from secondary school to postsecondary activities to support the student's postsecondary goal. This may include ongoing activities. Transition services should be comprehensive and well coordinated. When appropriate, a student's program should include both instruction (school-based activities) and community experiences (community-based activities).

The IEP in effect when the student with a disability turns 14 years of age and all subsequent IEPs, must consider the need and identify transition services/activities to support the student's postsecondary goal. These services/activities include:

- Academic
- Employment Training
- Activities of Daily Living
- Independent Living
- Transportation

### Transition Services/Activities

This text field provides the IEP team space to describe any services or linkages that participating agencies have agreed to provide.

All students receiving special education and related services, the IEP in effect when the student turns 14 years of age and all subsequent IEPs must consider the need for transition services.

- Academic
- Employment Training
- Activities of Daily Living
- Independent Living
- Transportation

#### NOTE:

It is recommended that, at a minimum, at least

one measurable annual goal is included in the students IEP to address *Academic or Employment* skills based upon the student's desired postsecondary goal. Some students, as appropriate, may require specific skills training in the areas of *Activities of Daily Living, Independent Living or Transportation*.

Annual date student and parent were provided a copy of the Transition Planning Guide

**Agency Linkage**

If appropriate, was the student referred to the appropriate agency/agencies for transition and/or postsecondary services? Also was a representative from that agency/agencies invited to the IEP Team meeting, at which post school outcomes were discussed?

Documentation of that referral shall be maintained in the student's cumulative record.

Agency Linkage section has been redesigned to include radio buttons to indicated whether the student has been:

- (1) referred to a particular agency,
- (2) an agency representative has been invited to the IEP team meeting, and
- (3) whether services from any agency are anticipated for transition.

In the first two areas, an answer of "No", or "N/A" will prompt the user for further explanation. The further explanation is to be recorded in the "If No or N/A, document basis for decision" narrative box.

The following are examples of further explanations for not referring a student to any participating agency.

- The student is not the eligible age for a referral
- The IEP Team has determined that that the student is not eligible for services based on the referral protocol for that agency.
- The student and parent do not want services
- The student and parent will do a self referral so the IEP team does not have to make the referral
- The student is already a client of the agency

- The student does meet financial eligibility for services

The following are examples of further explanations for not inviting an agency representative to the IEP Team meeting.

- The student and parent do not want services
- The IEP Team has determined that that the student is not eligible for services based on the referral protocol for that agency.

The following are examples of further explanation for selecting “N/A” for Agency Representative invite.

- The student is not the correct age based upon the referral protocol for the agency
- The student is already a client of the agency and there is no need to invite a representative

The third area for consideration is anticipated services for transition. This radio button is where the IEP team is to select the agency that they anticipate providing services during the first year that the student has exited school. The IEP team is to use the eligibility criteria listed in the “Transition Planning Guide” to determine the appropriate agency.

Added discussion field at the bottom of this page to give users a place to include other relevant decisions, discussions, explanations or information that may have contributed to the Transition decisions that have been made.

**This page is left blank intentionally for future revisions, as appropriate.**

SECTION

IV

GOALS

**General Information**

Measurable annual goals with accompanying short-term objectives or benchmarks should align with the present levels of academic achievement and functional performance. Annual goals and short-term objectives or benchmarks should relate directly to the information recorded under concerns/needs requiring specialized instruction. Specified annual goals and objectives should align with the grade level general education curriculum standards, functional performance requirements and the Maryland State Curriculum (SC).

The IEP includes measurable annual goals and short-term objectives or benchmarks that describe each student's expected learning outcomes. Annual goals are used to estimate what outcomes you can expect a student to achieve in an academic year based on the student's present level of academic achievement and functional performance considered and documented in Section II of the IEP. Short-term objectives and benchmarks describe meaningful intermediate outcomes between the student's current performance level and the annual goal.

**Goal** | Goals are specific, measurable, relate to the student's disability as it affects the student's performance and participation in the general curriculum with non-disabled peers to the maximum extent practicable, or appropriate preschool activities.

Goals should contain the qualities of being "SMART."

- S** Specific and descriptive
- M** Measurable
- A** Attainable and relevant
- R** Realistic and relevant
- T** Time limited (one year)

IEP Goal Writing Standards:

- Directly linked to an area identified within the student's present level of academic achievement and

functional performance that describes how the student's disability affects student performance requiring specialized instruction.

- Are achievable in relationship to the student's expected rate of progress, strengths, and needs
- Instructionally relevant
- Connected to student's grade level SC
- Written in observable, measurable terms
- Identify an ending level of performance
- Identify objective procedures for evaluating progress
- Written in terms that parents and professionals can understand
- Reasonably calculated to be accomplished in one year

**By MM·DD·YYYY  
(optional)**

Each goal must quantify the length of time (by what date) the IEP team anticipates the student will be able to achieve the goal.

**How the team will  
notify parent of  
progress**

Describe the manner in which the parent of the student will be notified of progress of the student

**How Often**

Designate how often the parent shall receive the Progress Report:

- Weekly
- Bi-Weekly
- Monthly
- Interim
- Quarterly
- End of Marking Period
- Other (text filed)

COMAR 13A.05.01.09.B

**ESY Goal**

Identify whether or not this is a goal for which a student is to receive ESY services, or whether the IEP team has deferred making that decision until a later time. If the decision is deferred, document the reason for the deferral and the time frame in which the IEP team believes it will be appropriate to reconsider whether or not the student may or may not require the provision of ESY.

<p><b>Evaluation Methods and Performance Criteria</b></p>	<p>This area is designed so that one can select an evaluation procedure for the goal statement. Evaluation procedures and performance criteria should be individually determined based on the student's present level of academic achievement and functional performance and the task demands of general education or appropriate preschool activities.</p> <p>It is necessary to specify the manner in which the goal shall be measured, i.e., a percent change, number of trials, standard score increase, months of growth, etc. in this area. When taken as a whole, the evaluation procedures and performance criteria should be measurable, objective, and clear.</p>
<p><b>Objective (Benchmark)</b></p>	<p>Describe meaningful intermediate outcomes between the student's current performance level and the measurable annual goal.</p>
<p><b>Progress Toward Goal</b></p>	<p>The area at the bottom of the page entitled <i>Progress Toward Goal</i> provides the service provider a place to record student progress.</p> <p>There are four progress codes:</p> <ul style="list-style-type: none"> <li>• Achieved</li> <li>• Making sufficient progress to meet goal</li> <li>• Not making sufficient progress to meet the goal</li> <li>• Not yet introduced</li> </ul> <p>A text field is provided under the progress codes to record evaluative data and a narrative description of the student's progress.</p> <p>In the shaded column on the left side of the page, space is provided to report on progress toward achieving the goal. Enter the date for evaluating the student's progress.</p>

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SECTION

V

SERVICES

SPECIAL EDUCATION SERVICES

Service Nature

Nature refers to the type of service, regardless of the frequency. This field is completed to address each special education services to be provided to the student, as determined by the student's IEP team.

<b>Classroom Instruction</b>	Specially designed instruction conducted in the classroom, home, hospital, institution. May include transition, vision, or career technology services if services are provided as specially designed instruction.
<b>Physical Education</b>	Instruction in physical and motor fitness, fundamental motor skills and patterns, special physical education (adapted physical education, movement education, and motor development). These are services other than such services that are provided by an occupational therapist or physical therapist.
<b>Speech/Language Therapy</b>	Instruction in speech and language skills provided by or in consultation with a speech/language pathologist.
<b>Travel Training</b>	Instruction, as appropriate, to students with disabilities who require this instruction, to enable them to develop an awareness of the environment in which they live; and learn the skills necessary to move effectively and safely from place to place within that environment (e.g., in school, in the home, at work, and in the community).
<b>Location</b>	Indicate the location of service as either: <ul style="list-style-type: none"><li>• General Education</li><li>• Outside General Education*</li></ul>

**\*NOTE:**

Each time the IEP team identifies a service as requiring the provision of services outside of a general education setting, the IEP team is required to explain **WHY** that service **CANNOT** be provided in general education with the use of supplementary aids, services, program modifications, and supports.

**Service Description**

**Number of Sessions** | Indicate the number of times the student will receive the service. **This is optional for classroom instruction only.** For all other services, this is a required field. If the student requires a specific number of sessions not listed, select other. The option of "Other" includes a text field to specify the number of sessions.

**Length of Time** | Select the length of time that describes the amount of time the service is provided during each session. If the length of time for each session requires a specific amount of time not listed, select other. The option of "Other" includes a text field to specify the length of time.

**Frequency** | Describe how often the service is to occur in terms of:

- Daily
- Weekly
- Monthly
- Yearly
- Only once
- Quarterly
- Semi-Annually

The frequency and duration indicated as appropriate within the IEP must be tailored to address the unique needs that affect the student's ability to make progress in the general curriculum. Factors such as "administrative convenience " or specific staffing issues are not acceptable reasons for utilizing frequencies such as 20 times yearly or 20 times only. A more accurate description of the frequency of a service should be utilized to provide families and service providers a clear understanding of the frequency of service.

	See Appendix H Technical Assistance Bulletin 21 Documentation of Delivery of Related Services for guidance relative to frequency and duration.
<b>Begin Date</b>	The month, day and year this service will begin. This date must be equal to or after the IEP team meeting date.
<b>End Date</b>	The month, day and year this service will end.
<b>Duration</b>	Indicate the total number of weeks of service.  The frequency and duration indicated as appropriate within the IEP must be tailored to address the unique needs that affect the student's ability to make progress in the general curriculum. Factors such as "administrative convenience " or specific staffing issues are not acceptable reasons for utilizing frequencies such as 20 times yearly or 20 times only. A more accurate description of the frequency of a service should be utilized to provide families and service providers a clear understanding of the frequency of service.  See Appendix H Technical Assistance Bulletin 21 Documentation of Delivery of Related Services for guidance relative to frequency and duration.

### Providers

<b>Primary</b>	Indicate the provider/agency with the primary responsibility for the delivery, documentation and accountability for the provision of the service to the student with a disability.
<b>Other</b>	If more than one provider/agency is responsible for the provision of the service, identify the other provider/agency responsible for delivery, documentation, and accountability for the provision of the service to the student with a disability.
<b>Summary of Service</b>	The total time of each service calculated in terms of total number of hours and minutes described in terms of: <ul style="list-style-type: none"> <li>•1 Weekly</li> <li>•2 Monthly; or</li> <li>•3 Yearly; and</li> <li>•4 Hours and Minutes</li> </ul>

<b>ESY Service Nature</b>	Describe the special education service(s) the student is to receive, as appropriate. Complete all available fields as stated previously for service description.
<b>Discussion of Service(s) Delivery</b>	Available text field to describe the IEP team's discussion relative to the nature of service delivery for each or any of the services to ensure service providers and parent understand the unique nature of the service(s).

## RELATED SERVICES

### Service Nature

Developmental, corrective and other supportive services that the student's IEP team identifies that the student requires to assist him or her to benefit from special education.

**NOTE:**

Federal and State regulations [34 C.F.R. §300.34(c)(16); COMAR 13A.05.01.03B(81)] define transportation as a service which includes:

- a) Travel to and from school and between schools;
- b) Travel in and around school buildings; and
- c) Specialized equipment, such as special or adapted buses, lifts, and ramps, if required to provide special transportation for a student with a disability.

Each student's IEP team, which includes the child's parent along with local school personnel, determines the services that are needed for an individual student to receive FAPE. Each student's IEP team determines the student's need for specialized transportation and is required to reflect that need on the student's IEP. Specialized transportation must be provided in accordance with the IEP at public expense and at no cost to the parents. Nothing in IDEA requires the provision of a service to a student unless the student's IEP team has determined that the service is required in order for the student to benefit from special education and has included that service in the student's IEP.

<b>Audiological Services</b>	Identification of students with hearing loss; determination of the range, nature, and degree of hearing loss, including referral for medical or other professional attention for the habilitation of hearing; provision of habilitative activities, such as language habilitation, auditory training, speech reading (lipreading), hearing evaluation, and speech conservation;
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	creation and administration of programs for prevention of hearing loss; counseling and guidance of students, parents, and teachers regarding hearing loss; and determination of the student's need for group and individual amplification, selecting and fitting an appropriate aid, and evaluating the effectiveness of amplification.
<b>Psychological Services</b>	Administering/interpreting psychological and educational tests, and other assessment procedures; obtaining/interpreting information about student behavior and conditions relating to learning; consulting with other staff members in planning school programs to meet the special needs of students as indicated by psychological assessments, interviews, and behavioral evaluations, and psychological counseling for students and parents.
<b>Occupational Therapy</b>	Services provided by a qualified occupational therapist. The service may include: improving, developing or restoring functions impaired or lost through illness, injury, or deprivation; improving ability to perform tasks for independent functioning if functions are impaired or lost; and preventing, through early intervention, initial or further impairment or loss of function.
<b>Physical Therapy</b>	Services provided by a qualified physical therapist.
<b>Recreation</b>	Assessment of leisure function, therapeutic recreation services, recreation programs in schools and community agencies, and leisure education.
<b>Early Identification &amp; Assessment</b>	The implementation of a formal plan for identifying the educational needs and the disability of a student under the age of five.
<b>Counseling Services</b>	Services provided by qualified social workers, psychologists, guidance counselors, or other qualified personnel.
<b>School Health Services</b>	Services provided by a qualified school nurse or other qualified person.
<b>Social Work Services</b>	Preparing a social or developmental history on a disabled student; group and individual counseling with the student and family; working with these problems in a student's living situation that affect the student's adjustment in school; and mobilizing school and community resources to enable the student to receive maximum benefit from his or her educational program.

<b>Parent Counseling and Training</b>	Assisting parents in understanding the special needs of their student, providing parents with information about student development, and helping parents to acquire the necessary skills that will allow them to support the implementation of their student's IEP.
<b>Rehabilitative Counseling</b>	Evaluation for and provision of counseling for adjustment/evaluation for potential jobs.
<b>Orientation &amp; Mobility Training Services</b>	Services provided to blind or visually impaired students by qualified personnel to enable those students to attain systematic orientation to and safe movement within their environments in school, home, and community; and includes teaching the students the following, as appropriate: spatial and environmental concepts and use of information received by the senses (such as sound, temperature and vibrations) to establish, maintain, or regain orientation and line of travel (e.g., using sound at a traffic light to cross the street); to use the long cane to supplement visual travel skills or as a tool for safely negotiating the environment for students with no available travel vision; to understand and use remaining vision and distance low vision aids; and other concepts, techniques, and tools.
<b>Assistive Technology Services</b>	<p>Any service that directly assists a student with a disability in the selection, acquisition, or use of an assistive technology device. This includes:</p> <ul style="list-style-type: none"> <li>• The evaluation of the needs of a student with disabilities, including a functional evaluation of the student in the student's customary environment;</li> <li>• Purchasing, leasing, or otherwise providing for the acquisition of assistive technology devices by students with disabilities;</li> <li>• Selecting, designing, fitting, customizing, adapting, applying,</li> <li>• Maintaining, repairing, or replacing assistive technology devices;</li> <li>• Coordinating and using other therapies, interventions, or services with assistive technology devices, such as those associated with existing education and rehabilitation plans and programs;</li> <li>• Training or technical assistance for a student with disabilities, or, where appropriate, the student's family; and</li> </ul>

	<ul style="list-style-type: none"> <li>• Training or technical assistance for professionals (including individuals providing education and rehabilitation services),</li> <li>• Employers, or other individuals who provide services to, employ, or are otherwise substantially involved in the major life functions of a student with disabilities.</li> </ul>
<b>Medical Services (Diagnostic and Evaluation)</b>	Services provided by a licensed physician to determine a student's medically related disability, which results in the student's need for special education and related services.
<b>Other Therapies</b>	Art/Drama/Dance Therapy or a service provided as a related service not listed, indicate the name of the service in this field
<b>Interpreting Services</b>	When used with respect to students who are deaf or hard of hearing. Interpreting services include: Oral transliteration services, cued language transliteration services, sign language transliteration and interpreting services, and transcription services, such as communication access real-time translation (CART), C-Print, and TypeWell; and special interpreting services for students who are deaf-blind.
<b>Speech/Language Therapy</b>	Instruction in speech and language skills provided by a speech/language therapist as a related service in order for the student to benefit from special education.
<b>Nursing Services</b>	Services provided by a qualified nurse or other qualified person.
<b>Location</b>	<p>Indicate the location of service as either:</p> <ul style="list-style-type: none"> <li>• General Education</li> <li>• Outside General Education*</li> </ul> <p><b>*NOTE:</b> Each time the IEP team identifies a service as requiring the provision of services outside of a general education setting, the IEP team is required to explain <b>WHY</b> that service <b>CANNOT</b> be provided in general education with the use of supplementary aids, services, program modifications, and supports.</p>

## Service Description

<b>Number of Sessions</b>	Indicate the number of times within a week the student will receive the service. <b>This field is required for all related services.</b> If the student requires a specific number of sessions not listed, select other. The option of “Other” includes a text filed to specify the number of sessions.
<b>Length of Time</b>	Select the length of time that describes the amount of time the service is provided during each session. If the length of time for each session requires a specific amount of time not listed, select other. The option of “Other” includes a text filed to specify the length of time.
<b>Frequency</b>	<p>Describes how often the service is to occur in terms of:</p> <ul style="list-style-type: none"><li>• Weekly</li><li>• Daily</li><li>• Monthly</li><li>• Yearly</li><li>• Only Once</li><li>• Quarterly</li><li>• Semi-Annually</li></ul> <p>The frequency and duration indicated as appropriate within the IEP must be tailored to address the unique needs that affect the student’s ability to make progress in the general curriculum. Factors such as “administrative convenience “ or specific staffing issues are not acceptable reasons for utilizing frequencies such as 20 times yearly or 20 times only. A more accurate description of the frequency of a service should be utilized to provide families and service providers a clear understanding of the frequency of service.</p> <p>See Appendix H Technical Assistance Bulletin 21 Documentation of Delivery of Related Services for guidance relative to frequency and duration.</p>
<b>Begin Date</b>	The month, day and year this service will begin. This date must be equal to or after the IEP team meeting date.
<b>End Date</b>	The month, day, and year the service ends.

<b>Duration</b>	<p>Indicate the total number of weeks of service.</p> <p>The frequency and duration indicated as appropriate within the IEP must be tailored to address the unique needs that affect the student's ability to make progress in the general curriculum. Factors such as "administrative convenience " or specific staffing issues are not acceptable reasons for utilizing frequencies such as 20 times yearly or 20 times only. A more accurate description of the frequency of a service should be utilized to provide families and service providers a clear understanding of the frequency of service.</p> <p>See Appendix H Technical Assistance Bulletin 21 Documentation of Delivery of Related Services for guidance relative to frequency and duration.</p>
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### Providers

<b>Primary</b>	Indicate the provider/agency with the primary responsibility for the delivery, documentation and accountability for the provision of the service to the student with a disability.
<b>Other</b>	If more than one provider/agency is responsible for the provision of the service, identify the other provider/agency responsible for delivery, documentation, and accountability for the provision of the service to the student with a disability.
<b>Summary of Service</b>	<p>The total time of each service calculated in terms of total number of hours and minutes described in terms of:</p> <ul style="list-style-type: none"> <li>• Weekly</li> <li>• Monthly; or</li> <li>• Yearly, and</li> <li>• Hours and Minutes</li> </ul>
<b>ESY Service Nature</b>	Describe the special education service(s) the student is to receive, as appropriate. Complete all available fields as stated previously for service description.
<b>Discussion of Service(s) Delivery</b>	Available text field to describe the IEP team's discussion relative to the nature of service delivery for each or any of the services to ensure service providers and parent understand the unique nature of the service(s).

## CAREER AND TECHNOLOGY EDUCATION SERVICES

<b>Career and Technology Education Program w/Support Services</b>	A program which may include, but not be limited to, such vocational support services as vocational assessment and evaluation, guidance, counseling and career development activities, adaptation of curriculum, individualized instruction and special services which enable disadvantaged and students with disabilities to succeed in their general vocational programs. A vocational support team usually provides these services.
<b>Vocational Evaluation</b>	An individualized and comprehensive systematic process which evaluates a student's interests, aptitudes, achievements and work attitudes to identify possible areas for vocational placement. This evaluation process, which occurs in a specially designed unit or lab, simulates a work environment in identifying a student's vocational strengths, needs and potentials. This may be an interagency service (i.e., DORS evaluation).
<b>Special Education Program w/ Pre-Vocational Objectives</b>	A series of direct instructions or activities that are driven by goals and objectives on an individual student's IEP related to pre-vocational skills (e.g., career identification, learning styles, work conditions and job awareness activities). The instructions and activities can take place within school, community or vocational settings. All of the instruction and activities are delivered, monitored and supervised by special education personnel. Any activity done outside the school must adhere to the Department of Labor regulations regarding a training site.
<b>Location</b>	Indicate the location of service as either: <ul style="list-style-type: none"><li>• General Education</li><li>• Outside General Education*</li></ul> <p><b>*NOTE:</b> Each time the IEP team identifies a service as requiring the provision of services outside of a general education setting, the IEP team is required to explain <b>WHY</b> that service <b>CANNOT</b> be provided in general education with the use of supplementary aids, service, program modifications, and supports.</p>

## Service Description

<b>Number of Sessions</b>	Indicate the number of times within a week the student will receive the service. <b>This is optional for classroom instruction.</b> For all other services, this is a required field. If the student requires a specific number of sessions not listed, select other. The option of "Other" includes a text field to specify the number of sessions.
<b>Length of Time</b>	Select the length of time that describes the amount of time the service is provided during each session. If the length of time for each session requires a specific amount of time not listed, select other. The option of "Other" includes a text field to specify the length of time.
<b>Frequency</b>	<p>Describes how often the service is to occur in terms of:</p> <ul style="list-style-type: none"><li>• Daily</li><li>• Weekly</li><li>• Monthly</li><li>• Yearly</li><li>• Only once</li><li>• Quarterly</li><li>• Semi-annually</li></ul> <p>The frequency and duration indicated as appropriate within the IEP must be tailored to address the unique needs that affect the student's ability to make progress in the general curriculum. Factors such as "administrative convenience " or specific staffing issues are not acceptable reasons for utilizing frequencies such as 20 times yearly or 20 times only. A more accurate description of the frequency of a service should be utilized to provide families and service providers a clear understanding of the frequency of service.</p> <p>See Appendix H Technical Assistance Bulletin 21 Documentation of Delivery of Related Services for guidance relative to frequency and duration.</p>
<b>Begin Date</b>	The month, day and year this service will begin. This date must be equal to or after the IEP team meeting date.
<b>End Date</b>	The month, day, and year the service ends.

<b>Duration</b>	<p>Indicate the total number of weeks of service.</p> <p>The frequency and duration indicated as appropriate within the IEP must be tailored to address the unique needs that affect the student's ability to make progress in the general curriculum. Factors such as "administrative convenience " or specific staffing issues are not acceptable reasons for utilizing frequencies such as 20 times yearly or 20 times only. A more accurate description of the frequency of a service should be utilized to provide families and service providers a clear understanding of the frequency of service.</p> <p>See Appendix H Technical Assistance Bulletin 21 Documentation of Delivery of Related Services for guidance relative to frequency and duration.</p>
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### Providers

<b>Primary</b>	Indicate the provider/agency with the primary responsibility for the delivery, documentation and accountability for the provision of the service to the student with a disability.
<b>Other</b>	If more than one provider/agency is responsible for the provision of the service, identify the other provider/agency responsible for delivery, documentation, and accountability for the provision of the service to the student with a disability.
<b>Summary of Service</b>	<p>The total time of each service calculated in terms of total number of hours and minutes described in terms of:</p> <ul style="list-style-type: none"> <li>• Weekly</li> <li>• Monthly; or</li> <li>• Yearly, and</li> <li>• Hours and Minutes</li> </ul>
<b>ESY Service Nature</b>	Describe the special education service(s) the student is to receive, as appropriate. Complete all available fields as stated previously for service description.
<b>Discussion of Service(s) Delivery</b>	Available text field to describe the IEP team's discussion relative to the nature of service delivery for each or any of the services to ensure service providers and parent understand the unique nature of the service(s).

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**LEAST RESTRICTIVE ENVIRONMENT (LRE)  
DECISION MAKING & PLACEMENT SUMMARY**

When making a placement decision, the IEP team must consider the least restrictive environment (LRE). The placement decision determines where the student's special education instruction will occur. This decision is made by the IEP team and is based on the student's IEP. The student must be educated in the school that he or she would attend if not disabled unless the IEP indicates that another school is appropriate. The IEP team must consider placement closest to the student's home, if the student is not in the school the student would attend if not disabled.

LRE means that students with disabilities are educated with students without disabilities to the maximum extent appropriate. Students with disabilities must not be placed in special classes or separate schools unless education in regular education classes with supplementary aids, services, program modifications, and supports cannot be achieved satisfactorily. In selecting the LRE, consideration is given to any potential harmful effect on the student or on the quality of the services that he or she needs. The student may not be removed from education in age-appropriate general education classes solely because of needed modifications in the general curriculum.

The LRE mandate of the IDEA requires students with disabilities to receive their education in general education settings to the maximum extent appropriate. If such a setting is not appropriate, the student is to receive his or her education in a setting with the least amount of segregation from the student's nondisabled peers, as possible. In short, the LRE relates to the settings **WHERE** a student with a disability receives special education services, and how much **TIME** is spent in those settings, **NOT WHAT SERVICES** a student is to receive.

Placement decisions **CANNOT** be solely based on:

- Category of the student's disability;
- Severity of the student's disability;
- Language and communication needs;

- Needed modifications in the general curriculum;
- Configuration of the public agency’s delivery system;
- Availability of space or educational or related services; or
- Administrative convenience.

<p><b>Placement Options Considered</b></p>	<p>If the student is removed from natural environments with nondisabled peers (3-5) or from general education instructional settings (6-21) the IEP team needs to document other less restrictive options considered, including <b>WHY</b> services <b>CANNOT</b> be delivered in less restrictive settings with the use of supplementary aids, services, program modifications, and supports provided in the natural environment or general education setting with nondisabled peers.</p>
<p><b>If Removed from General Education, Explain Why Services CANNOT be Provided in the General Education Environment</b></p>	<p>IDEA requires a justification for the removal of the student from general education settings. This includes a specific explanation of <b>WHY</b> services <b>CANNOT</b> be provided in general education classroom settings with supplementary aids, services, program modifications, and supports.</p> <p>The response must describe why the IEP team recommends that the student be removed from general education classes, what supplementary aids, services, program modifications, and supports were considered and rejected, why these services cannot be provided in general education settings.</p> <p>IDEA <b>REQUIRES</b> placement of special education students in regular classrooms “to the maximum extent appropriate” with the use of supplementary aids, services, program modifications, and supports provided in the general education classroom. Thus, the decision as to whether any particular student should be educated in a general education classroom setting, all of the time, part of the time, or none of the time, is dependent on the needs and abilities of the particular student, and <b>SHOULD NOT</b> be based solely upon:</p> <ul style="list-style-type: none"> <li>• Category of the student’s disability;</li> <li>• Severity of the student’s disability;</li> <li>• Language and communication needs;</li> <li>• Needed modifications in the general curriculum;</li> <li>• Configuration of the public agency’s delivery system;</li> <li>• Availability of space or educational or related services; or</li> <li>• Administrative convenience.</li> </ul>

<b>Document Basis of Decision(s) (required)</b>	<p>A required text field for an IEP team to provide additional information to document the basis of the IEP team’s decision. If addressed properly, documentation will meet requirements of prior written notice (PWN), in accordance with 34 C.F.R. §300.503 and COMAR 13A.05.01.12, PWN includes:</p> <ul style="list-style-type: none"> <li>• A description of the action proposed or refused;</li> <li>• An explanation of why the public agency proposes or refuses to take the action;</li> <li>• A description of the options the public agency considered and the reason the options were rejected;</li> <li>• A description of each assessment procedure, test, record, or report the public agency uses as a basis for the proposal or refusal;</li> <li>• A description of any other factors relevant to the proposed or refused action;-</li> <li>• A list of sources a parent may contact to obtain assistance in understanding the provisions of IDEA; and</li> <li>• If an action proposed by a public agency also requires parental consent, a public agency may provide notice at the same time it requests consent.</li> </ul>
	[20 U.S.C §1415; 34 C.F.R. §300.503; COMAR 13A.05.01.12]
<b>Total Time in School Week</b>	Indicate the total hours and minutes in a school week
<b>Total Time Outside General Education</b>	Indicate the total hours and minutes in a school week the student is removed from general education settings.
<b>Total Time In General Education</b>	Indicate the total hours and minutes in a school week the student is in general education settings.
	<p><b>NOTE:</b> The total amount of time in a school week is based on the actual hours and minutes of the school day. The time of the school day may vary.</p>
	<p>The calculation of hours is based on the time outside the general education classroom versus inside the general education classroom. Subtract the total time outside of general education based on the services listed on pages 17, 18, and 19 of the IEP. This should indicate the total time in general education. You are subtracting from the total time in the</p>

**Special  
Education  
Placements  
(3-5)**

school week.

**Attending a Regular Early Childhood Program for at Least 10 Hours per Week and Receiving the Majority of Special Education and Related Services in That Setting.** Early childhood programs include, but are not limited to:

- Head Start;
- kindergarten;
- reverse mainstream classrooms;
- private preschools;
- preschool classes offered to an eligible pre-kindergarten population by the public school system; and
- group student care.

Attendance at an early childhood program need not be funded by IDEA, Part B funds.

**Attending a Regular Early Childhood Program for at Least 10 Hours per Week and Receiving the Majority of Special Education and Related Services in Some Other Location.**

**Attending a Regular Early Childhood Program Less Than 10 Hours per Week and Receiving the Majority of Special Education and Related Services in That Setting.**

**Attending a Regular Early Childhood Program Less Than 10 Hours per Week and Receiving the Majority of Special Education and Related Services in Some Other Location-**

If the student does not attend a regular early childhood program or kindergarten, the next factor to consider is whether the student attends a special education program, as defined below. Report the student according to the location of the special education program. Report the student in one of these environments even if the student also receives special education at home or in a service provider location.

**Separate class.** Students who attend a special education program in a class with less than 50% nondisabled peers. (Do not include students who also attended a regular early childhood program as listed above.

**Public Separate Day School.** Students who receive education in public day school designed specifically for students with disabilities. Do not include students who also

attended a regular early childhood program.

**Private Separate Day School.** Students who receive education in a private day school designed specifically for students with disabilities. Do not include students who also attended a regular early childhood program.

**Public Residential Facility.** Students who receive education programs in publicly operated residential schools or residential medical facilities on an inpatient basis. Do not include students who also attended a regular early childhood program.

**Private Residential Facility.** Students who receive education in privately operated residential schools or residential medical facilities on an inpatient basis. Do not include students who also attended a regular early childhood program.

**Home.** Students who receive special education and related services in the principal residence of the student's family or caregivers, and who did not attend an early childhood program or a special education program provided in a separate class, separate school, or residential facility. Include students who receive special education both at home and in a service provider location. The term caregiver includes babysitters.

**Service provider location.** Students who receive all of their special education and related services from a service provider, and who did not attend an early childhood program or a special education program provided in a separate class, separate school, or residential facility. For example, speech instruction provided in:

- private clinicians' offices,
- clinicians' offices located in school buildings,
- hospital facilities on an outpatient basis, and
- libraries and other public locations.

Do not include students who also received special education at home. Students who received special education both in a service provider location and at home should be reported in the home category.

**Special  
Education  
Placements  
(6-21)**

**In Regular Education Settings 80% or more of the time.**

6-21 year old student enrolled in a comprehensive school that receives special education and related services inside general education settings 80% or more of the school day,

This may include students with disabilities placed in:

- regular class with special education/related services provided within regular classes;
- regular class with special education/related services provided outside regular classes; or
- regular class with special education services provided in resource rooms.

**In Regular Education Settings Between 40% and 79% of the time.**

6-21 year old student enrolled in a comprehensive school that receives special education and related services in regular education settings between 40% to 79% of the school day.

These are students who receive special education and related services outside the regular classroom for at least 21 percent but no more than 60 percent of the school day. Do not include students who are reported as receiving education programs in public or private separate school or residential facilities. This may include students placed in:

- resource rooms with special education/related services provided within the resource room; or
- resource rooms with part-time instruction in a regular class.

**In Regular Education Settings Less Than 40% of the time.**

6-21 year old student enrolled in a comprehensive school that receives special education and related services in regular education setting less than 40% of the school day. Do not include students who are reported as receiving education programs in public or private separate school or residential facilities.

This category may include students placed in:

- self-contained special classrooms with part-time instruction in a regular class; or
- self-contained special classrooms with full-time special education instruction on a regular school campus.

**Public Separate Day School.** 6-21 year old student who receives special education and related services for greater than 50% of the school day in a public separate day facility that ***does not house programs for students without disabilities.***

**Private Separate Day School.** 6-21 year old student who receives special education and related services for greater than 50% of the school day in a private separate day facility that ***does not house programs for students without disabilities.***

**Public Residential Facility.** 6-21 year old student who receives special education and related services greater than 50% of the school day in a public residential facility.

**Private Residential Facility.** 6-21 year old student who receives special education and related services for greater than 50% of the school day in a private residential facility.

**Homebound Placement.** 6-21 year old student who receives special education instruction at home. Do not include students with disabilities whose parents have opted to "home-school" them and who receive special education at the public expense.

**Hospital Placement.** 6-21 year old who receives special education in a medical treatment facility on an in-patient basis.

**Correctional Facility.** 6-21 year old who receives special education in correctional facilities. These data are intended to be a count of all students with disabilities receiving special education in:

- short-term detention facilities (community-based or residential), or
- local and state correctional facilities.

**Parentally Placed In Private School.** 6-21 year old student who is enrolled by their parents in a religiously affiliated or other private schools and whose basic education is paid through private resources and who receive special education and related services at public expense from a local school system under a service plan. **Do not** include students who are placed in private schools by the local school system or public

	agency in order to receive free appropriate public education (FAPE).
<b>Potential Harmful Effects</b>	Consideration is given to any potential harmful effect on the student or on the quality of the services that he or she needs.
	Indicate <b>YES</b> or <b>NO</b> <b>NOTE:</b>
	The student <b>MAY NOT</b> be removed from education in age-appropriate general education classes solely because of needed accommodations or modifications in the general curriculum.
<b>If YES, Document Basis for Decision(s) (required)</b>	A required text field for an IEP team to provide additional information to document the basis of the IEP team's decision. If addressed properly, documentation will meet requirements of prior written notice (PWN), in accordance with 34 C.F.R. §300.503 and COMAR 13A.05.01.12, PWN includes:
	<ul style="list-style-type: none"> <li>• A description of the action proposed or refused;</li> <li>• An explanation of why the public agency proposes or refuses to take the action;</li> <li>• A description of the options the public agency considered and the reason the options were rejected;</li> <li>• A description of each assessment procedure, test, record, or report the public agency uses as a basis for the proposal or refusal;</li> <li>• A description of any other factors relevant to the proposed or refused action;-</li> <li>• A list of sources a parent may contact to obtain assistance in understanding the provisions of IDEA; and</li> <li>• If an action proposed by a public agency also requires parental consent, a public agency may provide notice at the same time it requests consent.</li> </ul>
	[20 U.S.C §1415; 34 C.F.R. §300.503; COMAR 13A.05.01.12]
<b>Services in Home School</b>	Indicate <b>YES</b> or <b>NO</b>
<b>If NO, Document Basis for Decision(s) (required)</b>	A required text field for an IEP team to provide additional information to document the basis of the IEP team's decision. If addressed properly, documentation will meet requirements of prior written notice (PWN), in accordance with 34 C.F.R. §300.503 and COMAR 13A.05.01.12, PWN includes:

- A description of the action proposed or refused;
- An explanation of why the public agency proposes or refuses to take the action;
- A description of the options the public agency considered and the reason the options were rejected;
- A description of each assessment procedure, test, record, or report the public agency uses as a basis for the proposal or refusal;
- A description of any other factors relevant to the proposed or refused action;-
- A list of sources a parent may contact to obtain assistance in understanding the provisions of IDEA; and
- If an action proposed by a public agency also requires parental consent, a public agency may provide notice at the same time it requests consent.

[20 U.S.C §1415; 34 C.F.R. §300.503; COMAR 13A.05.01.12]

**Is the placement as close as possible to the student's home?**

Indicate **YES** or **NO**

**If NO, Document Basis for Decision(s) (required)**

A required text field for an IEP team to provide additional information to document the basis of the IEP team's decision. If addressed properly, documentation will meet requirements of prior written notice (PWN), in accordance with 34 C.F.R. §300.503 and COMAR 13A.05.01.12, PWN includes:

- A description of the action proposed or refused;
- An explanation of why the public agency proposes or refuses to take the action;
- A description of the options the public agency considered and the reason the options were rejected;
- A description of each assessment procedure, test, record, or report the public agency uses as a basis for the proposal or refusal;
- A description of any other factors relevant to the proposed or refused action;-
- A list of sources a parent may contact to obtain assistance in understanding the provisions of IDEA; and
- If an action proposed by a public agency also requires parental consent, a public agency may provide notice at the same time it requests consent.

[20 U.S.C §1415; 34 C.F.R. §300.503; COMAR 13A.05.01.12]

**Specialized  
Transportation**

Indicate **YES** or **NO**

**NOTE:** COMAR 13A.05.01.10C(1)(e) requires the following:

If the student's IEP team determines the student cannot be educated in the school or typical early childhood setting the student would attend if not disabled, the IEP shall document the specialized transportation needs of the student, including consideration of the effect transportation may have on the student in relation to the:

- i) Student's age and disability;
- ii) Specialized equipment needs of the student;
- iii) Personnel needed to assist the student during transportation;
- iv) Amount of time involved in transporting the student; and
- v) Distance the student will be transported.

If a student is not attending his or her school he or she would attend if not disabled, or in need of specialized equipment in order to attend his or her school, the IEP team is required to consider the student's need for special transportation in order to enable the student to benefit from special education. Transportation is not on the related services page of the Statewide IEP. The required information for transportation is located on page 20 of the Statewide IEP.

**If YES,  
Document  
All Specialized  
Equipment  
Needed**

Document all specialized equipment the student needs for transportation.

**Personnel  
Needed  
To Assist  
Student During  
Transportation**

Indicate **YES** or **NO**

**If YES,  
Explain**

Explain the role of personnel needed to assist the student during transportation.

**Document Basis for Decision(s) (required)** A required text field for an IEP team to provide additional information to document the basis of the IEP team's decision. If addressed properly, documentation will meet requirements of prior written notice (PWN), in accordance with 34 C.F.R. §300.503 and COMAR 13A.05.01.12, PWN includes:

- A description of the action proposed or refused;
- An explanation of why the public agency proposes or refuses to take the action;
- A description of the options the public agency considered and the reason the options were rejected;
- A description of each assessment procedure, test, record, or report the public agency uses as a basis for the proposal or refusal;
- A description of any other factors relevant to the proposed or refused action;-
- A list of sources a parent may contact to obtain assistance in understanding the provisions of IDEA; and
- If an action proposed by a public agency also requires parental consent, a public agency may provide notice at the same time it requests consent.

[20 U.S.C §1415; 34 C.F.R. §300.503; COMAR 13A.05.01.12]

**Explanation, if the Student WILL NOT Participate with Nondisabled Peers in Academic, Nonacademic, and Extracurricular Activities** The IEP team must specify the extent to which a student **WILL NOT** participate in general education classes and in extracurricular and other nonacademic activities.

**Residence County** The public jurisdiction where the parent of the student resides and the jurisdiction in which the student would attend school if he or she did not have a disability.

**Residence School** The neighborhood school the student would attend if he or she did not have a disability. This includes students who are home-schooled, parentally placed in a private school, and homeless, unknown school.

<b>Service County</b>	The public agency responsible to provide the special education services. This includes local school systems, Department of Juvenile Services (DJS); MSDE operated juvenile facilities, Adult Correctional Facilities, Maryland School for Blind, and Maryland School for Deaf.
<b>Service School</b>	The public agency school, nonpublic school, or private school where the student receives his or her special education services and related services. This includes students who are home-schooled, parentally placed in a private school, and homeless, unknown school.

## STUDENT COUNT ELIGIBILITY CODES

<b>Eligibility 1</b>	A student with a disability enrolled in a public school or placed in a nonpublic school by the public agency to receive free appropriate public education (FAPE).
<b>Eligibility 2</b>	A student with a disability parentally placed in a private school within the jurisdiction of the local school system that is receiving a service(s) from the local school system through a service plan.
<b>Eligibility 3</b>	A student with a disability parentally placed in a private school within the jurisdiction of the local school system and who is not receiving services through a service plan.
<b>Eligibility 4</b>	An eligible public school student with a disability not receiving services due to parent refusal to initiate special education and related services.
<b>Eligibility 6</b>	A child, under the age of 3 determined eligible for Part B preschool special education and related services, and the child's parents provide consent for their child to continue early intervention services through an IFSP (Extended IFSP Option).

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## AUTHORIZATION(S)

### CONSENT FOR THE INITIATION OF SERVICES (Initial IEP Only)

#### Consent for Initiation of Services

A public agency shall obtain written parental consent before the initial provision of special education and related services to a student with a disability.

A public agency **SHALL NOT** provide special education and related services consistent with 20 U.S.C.

§1414(a)(1)(D)(ii)(II) and 34 C.F.R. §300.300(b)(3) if a student's parent:

- 1 Refuses to provide the public agency written consent for the initiation of special education and related services;  
or
- 2 Fails to respond to a request by the public agency to provide written consent for the initiation of special education and related services.

If a parent of a student with a disability refuses to provide the initial written consent, the public agency shall not be considered to be in violation of the requirement to make a free appropriate public education (FAPE) available to the student for failing to provide the student with the special education and related services for which the public agency sought parental consent consistent with 20 U.S.C.

§1414(a)(1)(D)(ii)(III)(aa) and 34 C.F.R. §300.300(b)(4)(i).

The public agency shall not be required to convene an IEP team meeting or develop an IEP for the special education and related services for which the public agency requests initial consent consistent with 20 U.S.C. §1414(a)(1)(D)(ii)(III)(bb) and 34 C.F.R. §300.300(b)(4)(ii).

Once services have started, parental consent is not required

in order to implement any future changes to the student's special education services. After the initiation of special education and related services, a public agency and parent may propose changes to the student's services or placement at an IEP team meeting. When a public agency or parent proposes to change the student's services or placement, the public agency is required to provide the parent with PWN of the proposed changes or refusals.

**NOTE:**

Public agency personnel shall request the local school superintendent or administrative head of the public agency to appoint a parent surrogate to represent the student at any point in the educational decision making process if it is suspected that the student may be disabled and if:

- The student is a ward of the State;
- The student is an unaccompanied homeless youth;
- The parents of the student are unknown or unavailable;  
or
- The student's rights have not been transferred, in accordance with Education Article §8-412.1, Annotated Code of Maryland.

**MEDICAL ASSISTANCE**

**Student Eligibility  
for  
Medical  
Assistance  
(MA)**

Indicate **YES** or **NO**

**MA Number**

If the student is a recipient of Medical Assistance enter the student's MA number.

**Parental Consent  
for  
Service  
Coordination  
and  
Health Related  
Services**

An IEP team determines that the recipient of Medical Assistance (MA) is a student with disabilities who:

- Is eligible for special education and related services;  
and
- Requires the provision of special education and health related services.

The student's parent elects, on the student's behalf, to receive

service coordination and health related services as specified in the student's IEP. In accordance with COMAR 10.09.52, the student's parent is required to identify the MA Service Coordinator(s).

Each time the student's IEP is reviewed or revised, a public agency or provider agency must obtain written parental consent to access MA for service coordination and health related services in accordance with 34 C.F.R. §300.154(d)(2)(iv)(A).

**NOTE:**

If the student's parent refuses consent for MA service coordination or access to public benefits, the provider agency is not relieved of its responsibility to provide all required health related services at no cost to the parents.

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APPENDIX

A

# Statewide Individualized Education Program (IEP) Form

The following document is a PDF copy of version 6 of the Maryland Statewide Individualized Education Program (IEP) form. The enclosed document becomes effective July 1, 2010.

APPENDIX

# B

## **Individuals with Disabilities Education Act (IDEA) 2004 Federal Regulations 34 C.F.R. §§300 & 303**

The following document is a PDF copy of final federal regulations for the Individual with Disabilities Education Act (IDEA) of 2004 published in the Federal Register on August 14, 2006. The regulations were effective October 13, 2006. Supplemental regulations were released December 1, 2008, effective December 31, 2008.

## APPENDIX

## C

**Code of Maryland Regulations  
(COMAR)**

The following document is a PDF copy of four chapters of COMAR that are specifically relevant to student with disabilities. These regulations may also be accessed online at: <http://www.dsd.state.md.us>

COMAR 13A.05.01	Provision of a Free Appropriate Public Education
COMAR 13A.05.02	Administration of Services for Students with Disabilities
COMAR 13A.08.03	Discipline of Students with Disabilities
COMAR 13A.08.04	Student Behavior Interventions

## APPENDIX

## D

## Parentally Placed Private School Students with Disabilities

The following documents are provided to assist local school systems and IEP teams to address the issues relative to parentally placed private school students with disabilities.

Statutory Comparison of IDEA 1997 to IDEA 2004	
OSEP Topical Brief – Children with Disabilities Enrolled by Their Parents in Private School	
OSEP Question & Answer Document – Children with Disabilities Enrolled by Their Parents in Private School	
IDEA Regulations, Appendix B Calculation of Proportionate Share	

## U. S. Department of Education, Office of Special Education Programs (OSEP) Topical Briefs

The following documents produced by the U. S. Department of Education, Office of Special Education Programs (OSEP) are included to provide local school systems and IEP teams access to current information is specific issues that changed with the reauthorization of IDEA in 2004.s

Alignment with NCLB	
Changes in Evaluation and Reevaluation	
Discipline	
Disproportionality	
Early Intervening Services (EI)	
Highly Qualified Teachers (HQT)	
Identification of a Specific Learning Disability (SLD)	
Individualized Education Program (IEP)	
Individualized Education Program (IEP) Team Meetings and Changes to the IEP	
Monitoring and Enforcement	
National Instructional Materials Accessibility Standards (NIMAS)	
Procedural Safeguards – Mediation	
Procedural Safeguards – Resolution Meetings and Due Process Hearings	
Procedural Safeguards – Surrogate Parents, Notice, and Parental Consent	
Secondary Transition	
State Complaint Procedures	

APPENDIX

F

**U. S. Department Of Education,  
Office Of  
Special Education Programs  
(OSEP)  
Q & A Documents**

The following Q&A documents produced by the U. S. Department of Education, Office of Special Education Programs (OSEP) are included to provide local school systems and IEP teams access to current information is specific issues that changed with the reauthorization of IDEA in 2004.

Discipline	
Highly Qualified Teachers (HQT)	
IEP, Evaluation, and Reevaluation	
Monitoring and Enforcement	
National Instructional Materials Accessibility Standards (NIMAS)	
Procedural Safeguards and Due Process Procedures	
Response to Intervention (RtI) and Early Intervening Services (EI)	

## Division of Special Education/ Early Intervention Services Publications

The following publications, produced by the Division of Special Education/Early Intervention Services, are included to provide local school systems and IEP teams access to current information on specific issues.

Procedural Safeguards – Parental Rights	
Building IEPs with Maryland Families: What A Great IDEA!	
Stepping Ahead to Success: Transition at Age Three	
Understanding the Evaluation, Eligibility, and Individualized Education Program (IEP) Process in Maryland	
Fact Sheet 1 – Addressing Disproportionality	
Fact Sheet 3 – Multiple Day Accommodations	
Facilitated IEP Team Meetings in Maryland: An Introduction and Frequently Asked Questions for Parents and Public Agency/School Personnel	
IDEA Dispute Resolution Processes Comparison Chart	
Special Education State Complaint Resolution Procedures	
A Parents Guide to Frequently Asked Questions about the State Complaint Procedures	
State Complaint Form	
A Parents Guide to Frequently Asked Questions about Mediation Procedures	
A Parents Guide to Frequently Asked Questions about Due Process Complaint Procedures	
Request for Mediation and Due Process Complaint Form	

APPENDIX

H

**Division of Special Education/  
Early Intervention Services  
Technical Assistance Bulletins**

The following publications, produced by the Division of Special Education/Early Intervention Services, are included to provide local school systems and IEP teams access to current information on specific issues.

Technical Assistance Bulletin 20 Provision of Accessible Copies of Documents to Parents	
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Technical Assistance Bulletin 21 Documentation of Delivery of Related Services	
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