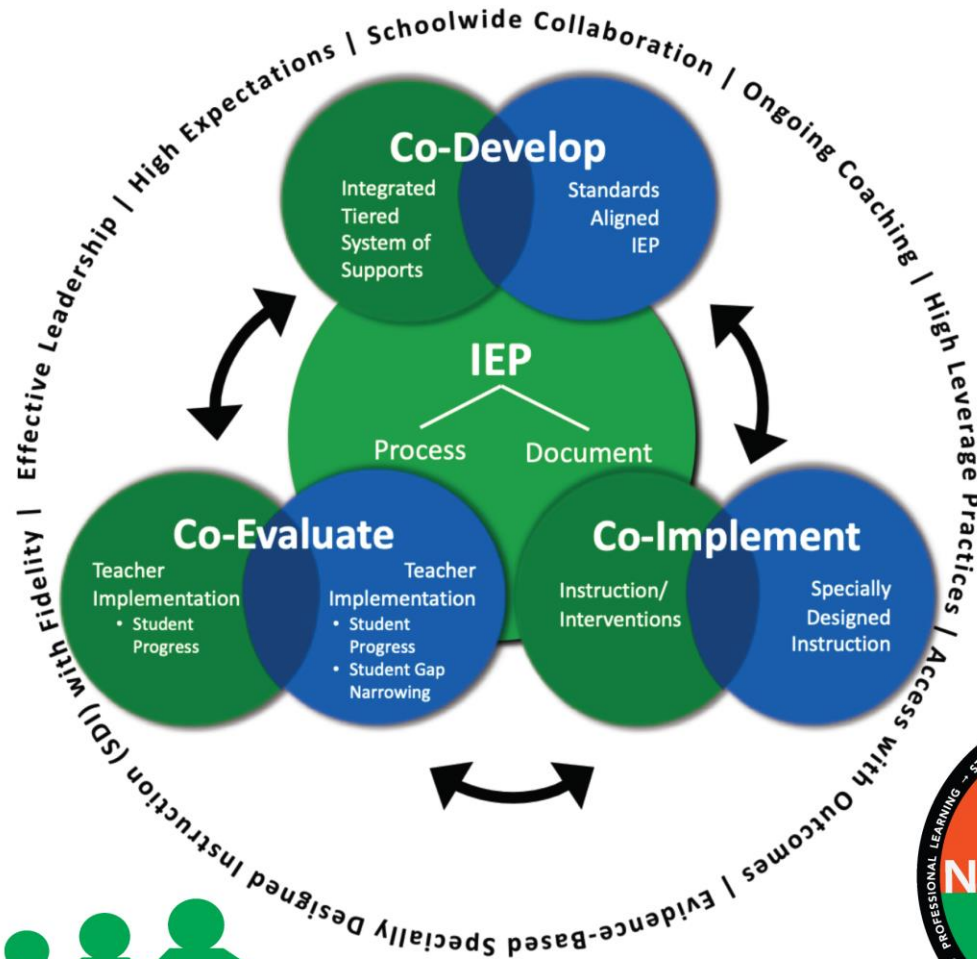


IEP Process Performance Indicators



Division of Early Intervention and Special Education Services (DEI/SES)

Individualized Education Program (IEP) Compliance and Best Practice Standards

IEP Process Performance Indicators

When **developing, implementing, and evaluating IEPs**, the IEP Team considers the student’s present levels of performance (for preschoolers, this includes the functional skills and behaviors in the following areas: positive social-emotional skills and social relationships; the acquisition and use of knowledge and skills to successfully participate in activities and routines; and the use of appropriate behaviors to meet needs that lead to increased independence), the impact of specially designed instruction, the student’s previous rate of academic growth, progress toward grade-level proficiencies, any behaviors impacting the student’s progress, and additional input provided by the student’s family. The IEP Team uses the information found in the IEP to develop, implement and evaluate specially designed instruction to accelerate the student’s progress toward grade level achievement.

The Maryland State Department of Education offers this *IEP Process Performance Indicators* tool to assist local school systems (LSSs), and public agencies (PAs) in examining the extent to which IEPs are both **compliant** and reflect **best practices** for student with disabilities and their families, the two pillars of **performance**. This tool presents an overview of each component of the IEP process followed by **compliance indicators** and **best practice indicators** based on national literature and current practices in Maryland.

The following resources and materials further support the implementation of the IEP process with fidelity:

- *The MSDE Technical Assistance Bulletin # 19-01 Improving Outcomes for Students with Disabilities Curriculum, Instruction and Assessment* – legal and programmatic guidance for the implementation of SDI within an Integrated, Tiered System of Supports (ITSS)
- *A Guide for Implementing Specially Designed Instruction within an Integrated, Tiered System of Supports* – implementation guide to support teams in the collaborative development, implementation and evaluation of SDI for students with disabilities
- *The MSDE Technical Assistance Bulletin # 17-02 Parental Consent Under Maryland Law* – legal guidance and frequently asked questions about parental consent relative to the IEP process
- *The MSDE Technical Assistance Bulletin #19-02 Student Behavior Interventions: Physical Restraint and Seclusion Supplement on Students with Disabilities* – supplemental guidance on the use of restraint and seclusion for students with disabilities and considerations for IEP process and documentation

This tool is intended to serve as a means for LSSs, and PAs to identify areas of strength and areas for improvement in both indicators of performance: compliance and best practice. Results can be used to guide reflective coaching and conversations to build capacity.

Compliance Indicators Scoring:

0 = The IEP component is noncompliant

1 = The IEP component is compliant

Best Practice Indicators Scoring:

0 = No evidence of best practice

1 = Some/emerging evidence of best practice(s)

2 = Full implementation of best practice(s)

Maryland IEP Process Performance Indicators

Child Find				
Component Overview	Compliance Indicator	Compliance Rating (0-1)	Best Practice Indicator(s)	Best Practice Rating (0-1-2)
Written documentation exists of the student’s referral to special education. Upon initial referral, the IEP team documents receipt of the Procedural Safeguards document and obtains written consent to evaluate prior to conducting any assessments. The IEP team provides the parent written notice of any assessment procedure(s) proposed or refused, determination of no additional data needed or the decision that the student is not suspected of having a disability or developmental delay in the form of prior written notice (PWN).	<p>A student with a suspected disability who may need special education shall be referred, in writing, by a child’s parent or a representative of a public agency, to the public agency.</p> <p>34 CFR §300.301(b) COMAR 13A.05.01.04A(1) & (2)</p> <p><i>MSDE Special Education Birth Through 21 Record Review, Part III - Part B Requirements</i></p>		The IEP team reviews the written referral to special education by the parent or representative of the public agency.	
Written documentation exists of the student’s referral to special education. Upon initial referral, the IEP team documents receipt of the Procedural Safeguards document and obtains written consent to evaluate prior to conducting any assessments. The IEP team provides the parent written notice of any assessment procedure(s) proposed or refused, determination of no additional data needed or the decision that the student is not suspected of having a disability or developmental delay in the form of prior written notice (PWN).	<p>A copy of the Procedural Safeguards document must be given to the parent only one time a school year, except that a copy must also be given to parents upon initial referral or request for evaluation.</p> <p>34 CFR § 300.504(a)(1) COMAR 13A.05.01.11^a</p> <p><i>MSDE Special Education Birth Through 21 Record Review, Part III - Part B Requirements</i></p>		Procedural Safeguards are provided to the parent upon initial referral or request for evaluation. Procedural Safeguards are explained to the parent.	

Maryland IEP Process Performance Indicators

Child Find				
Component Overview	Compliance Indicator	Compliance Rating (0-1)	Best Practice Indicator(s)	Best Practice Rating (0-1-2)
<p>Written documentation exists of the student’s referral to special education. Upon initial referral, the IEP team documents receipt of the Procedural Safeguards document and obtains written consent to evaluate prior to conducting any assessments. The IEP team provides the parent written notice of any assessment procedure(s) proposed or refused, determination of no additional data needed or the decision that the student is not suspected of having a disability or developmental delay in the form of prior written notice (PWN).</p>	<p>Written parental consent must be obtained prior to conducting assessment procedures for initial evaluation.</p> <p>34 CFR §§300.300(a) & 300.503 COMAR 13A.05.01.04A(3)</p> <p><i>MSDE Special Education Birth Through 21 Record Review, Part III - Part B Requirements</i></p>		<p>The IEP team explains the purpose of all evaluations to the parent in family-friendly language and obtains written consent prior to conducting any assessments.</p>	
<p>Written documentation exists of the student’s referral to special education. Upon initial referral, the IEP team documents receipt of the Procedural Safeguards document and obtains written consent to evaluate prior to conducting any assessments. The IEP team provides the parent written notice of any assessment procedure(s) proposed or refused, determination of no additional data needed or the decision that the student is not suspected of having a disability or developmental delay in the form of prior written notice (PWN).</p>	<p>The LSS shall provide to the child’s parent written notice of:</p> <ul style="list-style-type: none"> • Any assessment procedure the public agency proposes or refuses to conduct; • The determination that no additional data are needed; or • The decision that the child is not suspected of having a disability or developmental delay. <p>34 CFR §300.503 COMAR 13A.05.01.04B</p> <p><i>MSDE Special Education Birth Through 21 Record Review, Part III - Part B Requirements</i></p>		<p>The IEP team clearly explains and provides, in writing, a description of any assessment procedures proposed or refused with rationale, the determination that no additional data are needed with rationale and of the decision that the student is not suspected of having a disability or developmental delay with rationale. Description is written in family friendly language and the IEP team ensures parent understanding.</p>	

Maryland IEP Process Performance Indicators

Child Find				
Component Overview	Compliance Indicator	Compliance Rating (0-1)	Best Practice Indicator(s)	Best Practice Rating (0-1-2)
<p>The IEP team uses a variety of assessment measures in determining initial eligibility within 90 calendar days of receiving the written referral and 60 calendar days of receiving parental consent for initial evaluation. The eligibility form reflects all evaluation tools used to determine eligibility.</p> <p>The 90 day timeline does not apply when:</p> <ol style="list-style-type: none"> 1. The child is transitioning from Part C to Part B 2. The parent of the student repeatedly fails or refuses to produce the child for assessment; or 3. The child enrolls in a different LSS after the parent permission was given and before the completion of the evaluation; the parent and the subsequent LSS agree to a specific time for the completion of the evaluation. <p><i>Allowable exceptions must be appropriately documented and include:</i></p> <ul style="list-style-type: none"> • <i>Inclement weather</i> • <i>Eligibility not determined due to withdrawal, i.e., transfer, dropout, parent withdrew consent</i> • <i>School/Facility Closure</i> • <i>Parent requested delay – Parent and IEP team extend the timeframe by mutual written agreement</i> 	<p>The LSS Shall:</p> <ul style="list-style-type: none"> • Use a variety of assessment tools and strategies to gather sufficient relevant functional, cognitive, developmental, behavioral, academic and physical information, social or cultural background and information provided by the parent; • Not use any single measure or assessment as the sole criterion for determining if a child is a child with a disability and an appropriate educational program for the child; and • Use technically sound instruments that may assess the relative contributions of cognitive and behavioral factors, in addition to physical or developmental factors. <p>34 CFR §300.503 34 CFR §300.304(b) COMAR 13A.05.01.05B(2) and 05.01.04B</p>		<p>A variety of assessments are used in determining initial eligibility for special education and the IEP team ensures assessment procedures provide sufficient information relevant to the student’s functioning across multiple areas.</p> <p>The parent is made aware of the 90 day timeline, which begins on the referral date and 60 day timeline, which begins on the date consent is received.</p> <p>The IEP team establishes procedures and processes to ensure all assessments are complete within 90 calendar days of the referral and 60 calendar days of parental consent. The IEP team understands that fewer than 60 calendar days may exist to complete the initial assessment, based on the date parental consent was received.</p>	

Maryland IEP Process Performance Indicators

Child Find				
Component Overview	Compliance Indicator	Compliance Rating (0-1)	Best Practice Indicator(s)	Best Practice Rating (0-1-2)
<ul style="list-style-type: none"> Parent repeatedly failed or refused to make the child available <p>Student is enrolled after 60-day timeframe began and prior to determination by LSS. Receiving ISS 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).</p>	<p><i>MSDE Special Education Birth Through 21 Record Review, Part III</i></p> <p>- Part B Requirements</p>			
<p>The IEP team uses a variety of assessment measures in determining initial eligibility within 90 calendar days of receiving the written referral and 60 calendar days of receiving parental consent for initial evaluation. The eligibility form reflects all evaluation tools used to determine eligibility.</p> <p>The 90 day timeline does not apply when:</p> <ol style="list-style-type: none"> The child is transitioning from Part C to Part B The parent of the student repeatedly fails or refuses to produce the child for assessment; or The child enrolls in a different LSS after the parent permission was given and before the completion of the evaluation; the parent and the subsequent LSS agree to a specific time for the completion of the evaluation. 	<p>An IEP team shall complete an initial evaluation to determine whether a child is a child with a disability and to determine the educational needs of the child within 90 (calendar) days of receiving a written referral.</p> <p>34 CFR §300.301(d) COMAR 13A.05.01.06A& .04A</p> <p><i>MSDE Special Education Birth Through 21 Record Review, Part III</i></p> <p>- Part B Requirements</p>		<p>A variety of assessments are used in determining initial eligibility for special education and the IEP team ensures assessment procedures provide sufficient information relevant to the student’s functioning across multiple areas.</p> <p>The parent is made aware of the 90 day timeline, which begins on the referral date and 60 day timeline, which begins on the date consent is received.</p> <p>The IEP team establishes procedures and processes to ensure all assessments are complete within 90 calendar days of the referral and 60 calendar days of parental consent. The IEP team understands that fewer than 60 calendar days may exist to complete the initial assessment, based on the date parental consent was received.</p>	

Maryland IEP Process Performance Indicators

Child Find				
Component Overview	Compliance Indicator	Compliance Rating (0-1)	Best Practice Indicator(s)	Best Practice Rating (0-1-2)
<p><i>Allowable exceptions must be appropriately documented and include:</i></p> <ul style="list-style-type: none"> • <i>Inclement weather</i> • <i>Eligibility not determined due to withdrawal, i.e., transfer, dropout, parent withdrew consent</i> • <i>School/Facility Closure</i> • <i>Parent requested delay – Parent and IEP team extend the timeframe by mutual written agreement</i> • <i>Parent repeatedly failed or refused to make the child available</i> <p><i>Student is enrolled after 60-day timeframe began and prior to determination by LSS. Receiving ISS 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).</i></p>				
<p>The IEP team uses a variety of assessment measures in determining initial eligibility within 90 calendar days of receiving the written referral and 60 calendar days of receiving parental consent for initial evaluation. The eligibility form reflects all evaluation tools used to determine eligibility.</p> <p>The 90 day timeline does not apply when:</p> <ol style="list-style-type: none"> 1. The child is transitioning from Part C to Part B 2. The parent of the student repeatedly fails or refuses to 	<p>An IEP team must conduct an initial evaluation to determine whether a child is a child with a disability within 60 (calendar) days of receiving parental consent for evaluation.</p> <p>34 CFR §300.301(c)(1)(i) COMAR 13A.05.01.06A(1)(a)</p> <p><i>MSDE Special Education Birth Through 21 Record Review, Part III - Part B Requirements</i></p>		<p>A variety of assessments are used in determining initial eligibility for special education and the IEP team ensures assessment procedures provide sufficient information relevant to the student’s functioning across multiple areas.</p> <p>The parent is made aware of the 90 day timeline, which begins on the referral date and 60 day timeline, which begins on the date consent is received.</p> <p>The IEP team establishes procedures and processes to ensure all</p>	

Maryland IEP Process Performance Indicators

Child Find				
Component Overview	Compliance Indicator	Compliance Rating (0-1)	Best Practice Indicator(s)	Best Practice Rating (0-1-2)
<p>produce the child for assessment; or</p> <p>3. The child enrolls in a different LSS after the parent permission was given and before the completion of the evaluation; the parent and the subsequent LSS agree to a specific time for the completion of the evaluation.</p> <p><i>Allowable exceptions must be appropriately documented and include:</i></p> <ul style="list-style-type: none"> • Inclement weather • Eligibility not determined due to withdrawal, i.e., transfer, dropout, parent withdrew consent • School/Facility Closure • Parent requested delay – Parent and IEP team extend the timeframe by mutual written agreement • Parent repeatedly failed or refused to make the child available <p><i>Student is enrolled after 60-day timeframe began and prior to determination by LSS. Receiving ISS 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).</i></p>			<p>assessments are complete within 90 calendar days of the referral and 60 calendar days of parental consent. The IEP team understands that fewer than 60 calendar days may exist to complete the initial assessment, based on the date parental consent was received.</p>	
<p>If the IEP team suspects the student of having a specific learning disability, documentation exists in the form of data which demonstrates the student</p>	<p>To ensure that the underachievement in a child suspected of having specific learning disability is not due to lack</p>		<p>The IEP team considers the student’s instructional history prior to/during the referral process and documents data demonstrating appropriate instruction</p>	

Maryland IEP Process Performance Indicators

Child Find				
Component Overview	Compliance Indicator	Compliance Rating (0-1)	Best Practice Indicator(s)	Best Practice Rating (0-1-2)
<p>was provided appropriate instruction in general education settings delivered by qualified personnel and data-based documentation of repeated assessments of achievement, provided to the child’s parents.</p>	<p>of appropriate instruction in reading or math, the IEP team shall consider, as part of the evaluation, both:</p> <ul style="list-style-type: none"> • Data that demonstrates that prior to, or as part of, the referral process, the child was provided appropriate instruction in general education settings delivered by qualified personnel, and • Data-based documentation of repeated assessments of achievement at reasonable intervals, reflecting formal assessment of child progress during instruction, provided to the child’s parents. <p>34 CFR §300.309(b) COMAR 13A.05.01.06D(3) & (4)</p> <p><i>MSDE Special Education Birth Through 21 Record Review, Part III - Part B Requirements</i></p>		<p>in general education, delivered by qualified personnel. The team also reviews repeated measures of student achievement, completed in reasonable intervals which reflect the formal assessment of the student’s progress during this instruction. The interpretation of this data is documented and described in family friendly language.</p>	

Maryland IEP Process Performance Indicators

<p>If the IEP team suspects the student of having a specific learning disability, documentation exists in the form of data which demonstrates the student was provided appropriate instruction in general education settings delivered by qualified personnel and data-based documentation of repeated assessments of achievement, provided to the child's parents.</p>	<p>The IEP team shall determine that a student has a specific learning disability if the student does not achieve adequately for the student's age or meet State-approved grade level standards when provided with learning experiences appropriate for the student's age and ability levels in one or more to the following areas:</p> <ol style="list-style-type: none"> 1. Oral expression; 2. Listening comprehension; 3. Basic reading skills 4. Reading fluence skills; 5. Reading comprehension; 6. Written expression; 7. Mathematics calculation; or 8. Mathematics problem solving. <p>AND</p> <p>The student's lack of achievement is NOT primarily the result of:</p> <ul style="list-style-type: none"> • A visual, hearing, or motor impairment; • Intellectual disability; • Emotional disability; • Cultural factors; • Environmental, cultural, or economic disadvantage; or • Limited English proficiency. <p>COMAR 13A.05.01.06D(2)</p> <p><i>MSDE Special Education Birth Through 21 Record Review, Part III - Part B Requirements</i></p>		<p>The IEP team prepares a written report includes:</p> <ul style="list-style-type: none"> • A statement of whether the student has a specific learning disability; • The basis for making the determination; • The relevant behaviors, if any, noted during the observation of the student; • The relationship of the behaviors to the student's academic functioning; • The educationally relevant medical findings, if any; • The determination of the IEP team concerning the effects of visual, hearing or motor disability, intellectual disability, emotional disability, cultural factors, environmental or economic disadvantage, or limited English proficiency on the student's achievement level. <p>If the student participated in a process to assess the student's response to scientific, research-based intervention, include:</p> <ul style="list-style-type: none"> • Instructional strategies used and the student-centered data collected; • Documentation that the student's parents were notified of the policies regarding the amount and nature of student performance data that would be collected; and • The general education services that would be provided. 	
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Maryland IEP Process Performance Indicators

Child Find				
Component Overview	Compliance Indicator	Compliance Rating (0-1)	Best Practice Indicator(s)	Best Practice Rating (0-1-2)
<p>Upon completion of the initial evaluation, the IEP team prepares an evaluation report which includes information provided by the parent, results of the assessment used to determine eligibility, a statement as to whether the assessment procedures were valid for the purposes intended and valid for the child and finally, whether the student is a student with a disability.</p>	<p>The IEP team prepares an evaluation report to document its decision in writing; the report includes: Information provided by the parent; Results of assessment procedures used as the basis for determination; A statement as to whether the assessment procedures were valid for the purposes intended and valid for the child; and Whether the child is a child with a disability.</p> <p>34 CFR §§300.306(a)(2) & 300.503 COMAR 13A.05.01.06C(2)</p> <p><i>MSDE Special Education Birth Through 21 Record Review, Part III - Part B Requirements</i></p>		<p>The IEP team prepares a comprehensive evaluation report inclusive of all assessments, data and input from the family used in determining initial eligibility.</p> <p>The evaluation report is written jargon-free in family friendly language.</p>	
<p>If a student is determined eligible as a student with disability in need of special education and related services, the IEP team develops the IEP within 30 calendar days of the eligibility determination date. The IEP team must obtain written parent consent prior to initiating special education services.</p>	<p>The IEP team meets to develop an IEP within 30 (calendar) days of the date the student is determined eligible and in need of special education and related services. As soon as possible, following the development of the IEP, special education and related services are made available to the student in accordance with the student’s IEP.</p> <p>34 CFR §300.323(c) COMAR 13A.05.01.08A(1)</p>		<p>The IEP team has processes and procedures in place to ensure the IEP is developed within 30 calendar days of the initial eligibility determination and engages the family in the initial IEP development process.</p> <p>The IEP team implements the IEP as soon as possible after the parent provides written consent to initiate services.</p>	

Maryland IEP Process Performance Indicators

Child Find				
Component Overview	Compliance Indicator	Compliance Rating (0-1)	Best Practice Indicator(s)	Best Practice Rating (0-1-2)
<p>If a student is determined eligible as a student with disability in need of special education and related services, the IEP team develops the IEP within 30 calendar days of the eligibility determination date. The IEP team must obtain written parent consent prior to initiating special education services.</p>	<p>An IEP team shall obtain written parental consent before the initial provision of special education and related services to the student.</p> <p>34 CFR §300.300(b)(1) COMAR 13A.05.01.13B(1)</p> <p><i>MSDE Special Education Birth Through 21 Record Review, Part III - Part B Requirements</i></p>		<p>The IEP team has processes and procedures in place to ensure the IEP is developed within 30 calendar days of the initial eligibility determination and engages the family in the initial IEP development process.</p> <p>The IEP team implements the IEP as soon as possible after the parent provides written consent to initiate services.</p>	

Reevaluation				
Component Overview	Compliance Indicator	Compliance Rating (0-1)	Best Practice Indicator(s)	Best Practice Rating (0-1-2)
<p>The IEP team conducts a reevaluation to determine continued eligibility within three years of the previous eligibility determination.</p>	<p>A public agency shall ensure that a reevaluation is conducted at least once every three years.</p> <p>34 CFR §300.303(b)(2) COMAR 13A.05.01.06E(2)(b)</p> <p><i>MSDE Special Education Birth Through 21 Record Review, Part III - Part B Requirements</i></p>		<p>The IEP team considers the student's progress over the last three years in all areas that require updated assessments.</p>	

Maryland IEP Process Performance Indicators

Reevaluation				
Component Overview	Compliance Indicator	Compliance Rating (0-1)	Best Practice Indicator(s)	Best Practice Rating (0-1-2)
<p>The IEP team reviews all existing data, including input from the student’s family and identifies additional data (if any) needed to determine if the student continues to be a student with a disability, the educational needs of the child, the present levels of academic and functional performance, whether additions or modifications to special education and related services are needed and whether the student continues to require special education and related services.</p>	<p>The IEP team reviews existing assessment data and input from the child’s parents, and identifies what additional data, if any, is needed to determine:</p> <ul style="list-style-type: none"> • Whether the child continues to be a child with a disability, • The educational needs of the child, • The present levels of academic achievement and related developmental needs of the child, • Whether additions or modifications to special education and related services are needed to enable the child to meet the measurable annual goals in the child’s IEP and to participate in the general curriculum, and • Whether the child continues to need special education and related services. <p>34 CFR §300.305 COMAR 13A.05.01.06E(3) & (4)</p> <p><i>MSDE Special Education Birth Through 21 Record Review, Part III - Part B Requirements</i></p>		<p>In determining continued eligibility, the IEP team reviews formal assessments in addition to progress on IEP goals and objectives, progress in general education, the impact of SDI and input from all stakeholders including the family and student, if appropriate.</p>	

Maryland IEP Process Performance Indicators

Reevaluation				
Component Overview	Compliance Indicator	Compliance Rating (0-1)	Best Practice Indicator(s)	Best Practice Rating (0-1-2)
<p>Prior to conducting reevaluation assessments, the IEP team obtains written parental consent. Reevaluation is completed within 90 calendar days of the IEP team meeting during which the team determined additional data is needed.</p> <p>NA if documentation exists that the parent and LSS agreed that no additional data are needed.</p>	<p>An IEP team shall obtain written parental consent prior to conducting assessment procedures as part of a reevaluation of the child.</p> <p>34 CFR §300.300(c) COMAR 13A.05.01.13A(1)</p> <p><i>MSDE Special Education Birth Through 21 Record Review, Part III - Part B Requirements</i></p>		<p>The IEP team obtains and documents parent consent prior to conducting a reevaluation. If the team determines additional data is needed, assessment procedures are completed within 90 calendar days of the IEP team meeting. The team ensures family understanding of the 90 day timeline and uses assessment information to review/revise the IEP, as appropriate.</p>	
<p>Prior to conducting reevaluation assessments, the IEP team obtains written parental consent. Reevaluation is completed within 90 calendar days of the IEP team meeting during which the team determined additional data is needed.</p> <p>NA if documentation exists that the parent and LSS agreed that no additional data are needed.</p>	<p>If the IEP team determines the need for additional data, the LSS shall conduct assessment procedures within 90 (calendar) days of the IEP team meeting. The results of the assessment procedures shall be used by the IEP team in reviewing and/or revising the child's IEP.</p> <p>COMAR 13A.05.01.06E(5) & (6)</p> <p><i>MSDE Special Education Birth Through 21 Record Review, Part III - Part B Requirements</i></p>		<p>The IEP team obtains and documents parent consent prior to conducting a reevaluation. If the team determines additional data is needed, assessment procedures are completed within 90 calendar days of the IEP team meeting. The team ensures family understanding of the 90 day timeline and uses assessment information to review/revise the IEP, as appropriate.</p>	

Maryland IEP Process Performance Indicators

Reevaluation				
Component Overview	Compliance Indicator	Compliance Rating (0-1)	Best Practice Indicator(s)	Best Practice Rating (0-1-2)
<p>Parent notification includes all required prior written notice (PWN) elements.</p>	<p>The IEP team shall notify the parents if the IEP team determines that no additional data are needed to determine: Whether and why the student with a disability continues to be a student with disability; and The student’s educational needs. (a) The notification shall include: (b) The decision of the IEP team; (c) The basis of the determination; and (d) The rights of the parents to request a public agency to conduct assessment procedures to determine: - Whether the student continues to be a student with a disability; and - The student’s educational needs.</p> <p>34 CFR §300.305(d) COMAR 13A.05.01.06E(7) & (8)</p> <p><i>MSDE Special Education Birth Through 21 Record Review, Part III</i> - Part B Requirements</p>		<p>The PWN summarizes the IEP team discussion and decisions and is written in jargon-free family friendly language.</p>	
Student Participation on District/Statewide Assessments				
Component Overview	Compliance Indicator	Compliance Rating (0-1)	Best Practice Indicator(s)	Best Practice Rating (0-1-2)

Maryland IEP Process Performance Indicators

Reevaluation				
Component Overview	Compliance Indicator	Compliance Rating (0-1)	Best Practice Indicator(s)	Best Practice Rating (0-1-2)
<p>A small percentage of students with the most significant cognitive disabilities may be, after determination by the IEP team, found eligible to participate in learning using the alternate standards and/or the alternate learning assessment.</p> <p>IEP Teams are required to complete Appendix A (<i>Guidance for IEP Teams Participation Decisions for the Alternate Assessments and Instructing Using Alternate Standards</i>) to determine eligibility for the alternate assessment for students with significant cognitive disabilities.</p> <p>Parental consent is required for students to participate in the alternate assessments and/or learning using the alternate standards.</p>	<p>If the IEP Team determines that a student may not participate in a particular Statewide or district-wide assessment, documentation by the IEP Team of:</p> <ul style="list-style-type: none"> • Why the assessment, or part of an assessment, is not appropriate for the student; • How the student will be assessed; and • Why a particular alternate assessment is appropriate. <p>34 CFR §300.320(a)(6)(ii) COMAR 13A.05.01.09A(1)(g)</p> <p>An individualized education program team shall obtain written consent from a parent if the team proposes to:</p> <ol style="list-style-type: none"> Instruct the child (who has been determined eligible for participation) using alternate standards that do not provide credits toward a Maryland high school diploma; Assess the child (who has been determined eligible for participation) with the alternate education assessments aligned with the State's alternate standards; <p>Md. Code Ann., Educ. §8-405(f) MSDE Special Education Birth Through 21 Record Review, Part III - Part B Requirements</p>		<p>To determine eligibility for the alternate assessment, IEP teams should consider classroom work samples and data; examples of performance on assessment tasks to compare with classwork; description of the student's instruction; results of district-wide assessments; results of educational, cognitive, and adaptive skills assessments; present levels of academic and functional performance; data from evidence-based practices; progress monitoring data.</p> <p>The team ensures the family understands the alternate framework and alternate assessments and the impact of the decision on the student's program, including his or her ability to earn a high school diploma.</p> <p>(Teams should exercise extreme caution when considering these decisions for preschool and kindergarten students. Placement decisions should not be the trigger for these discussions.)</p>	

Maryland IEP Process Performance Indicators

Reevaluation				
Component Overview	Compliance Indicator	Compliance Rating (0-1)	Best Practice Indicator(s)	Best Practice Rating (0-1-2)
The IEP team discusses and documents the student’s performance on State and District assessments, including the alternate assessment.	<p>The IEP for a student with a disability shall include the results of the student’s performance on Statewide, district-wide or alternative assessment programs, as appropriate.</p> <p>COMAR 13A.05.01.08A(3)(f)</p> <p><i>MSDE Special Education Birth Through 21 Record Review, Part III - Part B Requirements</i></p>		The IEP team documents assessment results throughout the IEP where it appropriately informs the student’s program. Assessment results are explained and interpreted in relation to the student’s skills and documented in family-friendly language.	

Present Levels of Academic & Functional Performance				
Component Overview	Compliance Indicator	Compliance Rating (0-1)	Best Practice Indicator(s)	Best Practice Rating (0-1-2)
A description of current academic and functional performance is based on data from multiple sources such as: standardized assessments, state and district testing, curriculum-based measures, classroom observations, teacher and family interviews, progress monitoring on academic standards, behavioral data, and progress on IEP goals.	<p>The IEP for a student with a disability shall include a statement of the student’s present levels of academic achievement and functional performance including current:</p> <ul style="list-style-type: none"> • individualized assessments results (must include the title and date of the assessment and grade level results if 		<p>Standardized scores are one of many sources of data and alone are insufficient. Progress on academic performance based on State standards and IEP goals are gathered and charted over time to describe trend data reflecting rate of growth and gap in performance related to grade level standards.</p> <p>Data from multiple sources are analyzed to provide a complete picture</p>	

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Present Levels of Academic & Functional Performance				
Component Overview	Compliance Indicator	Compliance Rating (0-1)	Best Practice Indicator(s)	Best Practice Rating (0-1-2)
<p>For preschool students, the PLAAFP is organized around the three early childhood outcome areas.</p>	<p>appropriate to the assessment),</p> <ul style="list-style-type: none"> classroom-based assessments, district assessments, classroom based observations, student's 's academic/functional strengths, parent information, and student and general education teacher input in relevant areas. <p>CFR § 300.320(a) COMAR 13A.05.01.09A(1)(a)</p> <p><i>MSDE Special Education Birth Through 21 Record Review, Part III - Part B Requirements</i></p>		<p>of the student's abilities and area(s) of need.</p> <p>For preschool students, include functional skills and behaviors related to positive social skills and relationships, acquisition and use of knowledge and skills to participate in activities and use of appropriate behaviors to meet needs, leading to increased independence. A comparison of the child's functioning to that of typically-developing peers is reflected in the descriptions for each outcome area and is updated at least annually. Team use the Decision Tree, each and every time, to reach consensus about the appropriate outcome descriptor statement.</p>	
<p>The IEP team considers and describes the student's strengths, interest areas, significant personal attributes and personal accomplishments. Parental concerns and input are documented as well as the student's communication needs. The team determines if the student requires Assistive Technology devices and/or services and includes a description of the needed devices and services</p>	<p>In developing an IEP, the IEP team shall consider and document:</p> <ul style="list-style-type: none"> Strengths of the student; Concerns of the parent for enhancing the education of the student; Communication needs of the student Whether the student requires assistive 		<p>The team uses student strengths to inform IEP decisions which include determining ways to increase engagement and motivation, and to determine potential strategies for teaching skills.</p> <p>For preschool age students, a specific mechanism to elicit information from preschool parents, such as the document "A Look at My Child's</p>	

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Present Levels of Academic & Functional Performance				
Component Overview	Compliance Indicator	Compliance Rating (0-1)	Best Practice Indicator(s)	Best Practice Rating (0-1-2)
	<p>technology devices and services;</p> <ul style="list-style-type: none"> The academic, developmental and functional needs of the student. <p>COMAR 13A.05.01.08A(3)</p> <p><i>MSDE Special Education Birth Through 21 Record Review, Part III - Part B Requirements</i></p>		<p>Development” is used consistently in the assessment process.</p> <p>For students age 14 and above, the student plays an active role in the meeting. The team prepares the student for participation by helping him or her identify strengths, needs, goals and other areas to discuss.</p>	
			<p>The student’s communication needs and impact on his or her access to the school environment and progress in the grade level curriculum are documented.</p> <p>Preschool teams consider how communication skills impact: social skills and relationships, acquiring and using knowledge to participate in activities and use of appropriate behavior to meet needs.</p> <p>Assistive technology is not listed on the Related Services Page as a stand-alone related services. The consideration and documentation of assistive technology need not be limited to any one section of the IEP. Assistive technology is incorporated in any and all areas appropriate for the student.</p>	

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Present Levels of Academic & Functional Performance				
Component Overview	Compliance Indicator	Compliance Rating (0-1)	Best Practice Indicator(s)	Best Practice Rating (0-1-2)
<p>The impact statement describes how the student’s disability affects participation (involvement in general education) and learning (making progress toward grade level standards). The impact statement provides specific information that informs the team’s decisions about specially designed instruction.</p> <p>For preschool students, the impact statement describes how the disability affects the child’s ability to participate in natural and inclusive learning opportunities within daily routines and activities.</p>	<p>The IEP for a student with a disability shall include how the student’s disability affects the student’s involvement and progress in the general curriculum (i.e., the same curriculum as for nondisabled students); or, for preschool students, as appropriate, how the disability affects participation in appropriate activities.</p> <p>34 CFR §300.320(a)(1) COMAR 13A.05.01.09A(1)(a)</p> <p><i>MSDE Special Education Birth Through 21 Record Review, Part III - Part B Requirements</i></p>		<p>The IEP team addresses the student as a whole when considering the impact of the disability on participation in school life, including socialization, activity engagement and attention, as well as strategies that support learning.</p> <p>For preschool students, the IEP team frames all discussions about the child’s participation in natural routines and activities across settings within the context of the three early childhood outcomes.</p>	

Special Considerations				
Component Overview	Compliance Indicator	Compliance Rating (0-1)	Best Practice Indicator(s)	Best Practice Rating (0-1-2)
<p>For a student who is blind or has visual impairments, the IEP Team provides for instruction in Braille, including textbooks in Braille, unless the IEP Team determines that Braille is not appropriate for the child, after a documented evaluation. There is a statement of the child’s functional vision, reading and writing skills with the</p>	<p>If a student is blind or visually impaired, the IEP team shall provide for instruction in Braille and the use of Braille, including textbooks in Braille, unless the IEP team determines after an evaluation, that instruction in Braille is not appropriate for the student. The IEP team shall notify</p>		<p>The Team uses information about the student’s visual functioning, reading media, future needs and knowledge of school environment to inform the development of the IEP goals, accommodations, and services.</p> <p>The IEP Team ensures that the student has equitable access to all aspects of</p>	

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Special Considerations				
Component Overview	Compliance Indicator	Compliance Rating (0-1)	Best Practice Indicator(s)	Best Practice Rating (0-1-2)
<p>current media, future needs and ability to access distance/near materials.</p> <p>For a student who is blind or has visual impairments, the IEP Team also provides instruction in orientation and mobility, unless the IEP Team determines that orientation and mobility instruction is not appropriate for the child, after a documented evaluation.</p>	<p>the parents or guardians of each blind or visually impaired student, including students with multiple disabilities, of the availability of the educational programs offered by the Maryland School for the Blind (MSB).</p> <p>34 CFR §300.324(a)(2)(iii) COMAR 13A.05.01.08A(6) Education Article, §8-307.1, Annotated Code of Maryland</p> <p><i>MSDE Special Education Birth Through 21 Record Review, Part III - Part B Requirements</i></p>		<p>the school environment.</p> <p>The IEP Team considers the student’s need to develop skills in the Expanded Core Curriculum for Blind and Visually Impaired Children and Youths.</p>	
<p>For a student who is Deaf or hard of hearing, the IEP Team considers the student’s language and communication needs, opportunities for direct communication with peers and personnel, in the child’s language and communication mode, academic level, and full range of needs, including opportunities for direct instruction in the child’s language and communication mode.</p>	<p>The IEP team must consider, in the case of a student who is deaf or hard of hearing, 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.</p> <p>The IEP team shall notify the parents or guardians of each student with a hearing impairment of the availability of the</p>		<p>The IEP Team uses information about the student’s language and communication modality, strengths, needs, and preferences to inform the development of the IEP goals, accommodations, and services.</p> <p>The IEP Team ensures that the student has equitable access to all aspects of the school environment.</p> <p>The IEP Team considers the student’s need to develop skills in the areas of self-advocacy, communication, technology use, etc.</p>	

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Special Considerations				
Component Overview	Compliance Indicator	Compliance Rating (0-1)	Best Practice Indicator(s)	Best Practice Rating (0-1-2)
	<p>educational programs offered by the Maryland School for the Deaf (MSD).</p> <p>If the IEP team determines that a student with a deaf or hard of hearing disability needs a particular device or service, including intervention, accommodations or other program modifications to receive a FAPE, the IEP shall include a statement to that effect.</p> <p>34 CFR §300.324(a)(2)(iv) Education Article, §8-305, Annotated Code of Maryland COMAR 13A.05.01.08A(7)&(8)</p> <p><i>MSDE Special Education Birth Through 21 Record Review, Part III - Part B Requirements</i></p>			
<p>The IEP team considers the language needs of a student who has limited English proficiency, as it relates to the IEP.</p>	<p>If the student is limited English proficient, the IEP team shall consider the language needs of the student as these needs relate to the student's IEP.</p> <p>34 CFR §300.324(a)(2)(ii) COMAR 13A.05.01.08^a</p> <p><i>MSDE Special Education Birth Through 21 Record Review, Part III - Part B Requirements</i></p>		<p>The IEP team includes an expert in the needs of English Learners to ensure the student's language needs are considered throughout the IEP process.</p>	

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Special Considerations				
Component Overview	Compliance Indicator	Compliance Rating (0-1)	Best Practice Indicator(s)	Best Practice Rating (0-1-2)
<p>The IEP team discusses special considerations relating to behavior if the student’s behavior affects his or her own learning or the learning of others. This can include positive behavioral interventions, strategies and supports that address behavior.</p> <p>If the student’s behavior is a significant disruption to the learning environment or poses a significant risk of self-harm to the student or harm to others, the team considers a Functional Behavior Assessment (FBA). Parental consent is required to conduct an FBA.</p> <p>Based on the findings of the FBA, the team determines if a Behavior Intervention Plan (BIP) is needed. The BIP describes positive strategies to be implemented to increase student engagement in learning and reduce the student’s need to engage in the target behavior(s). It also includes strategies to teach the student acceptable replacement behaviors that serve the same function (e.g., escape, gain attention) as the problem behavior and a plan for how adults will respond to the target behavior(s). The BIP is reviewed yearly, at a minimum.</p>	<p>If a student’s behavior impedes the student’s learning or the learning of others, the IEP team shall consider strategies, including positive behavioral interventions, strategies and supports to address that behavior, as appropriate.</p> <p>COMAR 13A.05.01.08A(4) 34 CFR§300.324(a)(2)(i)</p> <p><i>MSDE Special Education Birth Through 21 Record Review, Part III - Part B Requirements</i></p>		<p>If the disability impacts behavior or social interaction, , the IEP includes strategies designed to promote positive behavior and engagement in instruction.</p> <p>The IEP Team ensures least restrictive Tier 1 and Tier 2 behavior interventions have been tried and failed or been deemed inappropriate before considering a Functional Behavior Assessment (FBA). If an FBA is being considered, obtain parental consent prior to the assessment.</p> <p>If the IEP Team determines a Behavior Intervention Plan (BIP) is necessary, it is consistently applied by trained staff to reduce or eliminate challenging behaviors and supports the development of appropriate behaviors and responses. Data is collected on the targeted behaviors and replacement behaviors that are taught.</p> <p>If a student is having increased behavior challenges, the IEP Team reviews the BIP on a more frequent basis and makes necessary adjustments based on the data collected.</p>	

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Special Considerations				
Component Overview	Compliance Indicator	Compliance Rating (0-1)	Best Practice Indicator(s)	Best Practice Rating (0-1-2)
<p>If the IEP Team determines that restraint and/or seclusion may be required as part of the BIP, know that it is prohibited until there is an emergency situation that makes it necessary to protect a student or other person from imminent, serious, physical harm. Restraint and/or seclusion can only be used after less intrusive nonphysical interventions have failed or been deemed inappropriate. Parental consent is required in order to include the use of restraint and/or seclusion on the IEP as part of the student’s BIP.</p>	<p>Except as provided in §A(1)(b) of this regulation, the use of physical restraint is prohibited in public agencies and nonpublic schools until there is an emergency situation and physical restraint is necessary to protect a student or other person from imminent, serious, physical harm after other less intrusive, nonphysical interventions have failed or been determined inappropriate.</p> <p>COMAR 13A.08.04.05A(1)(a)</p> <p>Once physical restraint has been used or school personnel have made a student-specific determination that it may need to be used consistent with §A(1)(a) of this regulation, physical restraint may be included in a student’s behavioral intervention plan or IEP to address the student’s behavior in an emergency situation, provided that school personnel:</p> <ul style="list-style-type: none"> Review available data to identify any contraindications to the use of physical restraint based on medical history or past trauma, including consultation with medical or mental health professionals as appropriate; 		<p>The IEP Team identifies the need for restraint and/or seclusion only if in alignment with the BIP and a crisis plan. The need for restraint and/or seclusion is only considered as a last resort intervention in an emergency situation and only in the event of imminent, serious physical harm to the student or others after less restrictive interventions have failed or been deemed inappropriate.</p> <p>The IEP Team must obtain parental consent for use of restraint or seclusion. The IEP Team clearly describes the circumstances under which restraint and/or seclusion will be used and how they would be used, as a last resort, to the family of the student.</p>	

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Special Considerations				
Component Overview	Compliance Indicator	Compliance Rating (0-1)	Best Practice Indicator(s)	Best Practice Rating (0-1-2)
	<ul style="list-style-type: none"> Identify the less intrusive, nonphysical interventions that will be used to respond to the student's behavior until physical restraint is used in an emergency situation; and Obtain written consent from the parent, consistent with Education Article, §8-405, Annotated Code of Maryland. <p>COMAR 13A.08.04.05A(1)(b)</p>			

Instructional and Assessment Accommodations				
Component Overview	Compliance Indicator	Compliance Rating (0-1)	Best Practice Indicator(s)	Best Practice Rating (0-1-2)
<p>The IEP contains descriptions of practices and procedures that will provide the student with equitable access <i>during instruction and assessment</i> in the areas of:</p> <ol style="list-style-type: none"> Presentation of content; Student response; Setting for instruction and assessments; and Timing. 	<p>The IEP for a student with a disability shall include a statement of any appropriate individual accommodations that are needed to measure the student's academic achievement and functional performance on Statewide or district-wide assessments.</p> <p>34 CFR 300.320(a)(6)(i) COMAR 13A.05.01.09A(1)(f)</p>		<p>The IEP Team selects accommodations that mitigate the effects of the student's disability on his or her ability to access content or to show what he or she knows and can do.</p> <p>The IEP Team considers how the student will develop self-advocacy skills in relation to using and requesting identified accommodations.</p>	

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Instructional and Assessment Accommodations				
Component Overview	Compliance Indicator	Compliance Rating (0-1)	Best Practice Indicator(s)	Best Practice Rating (0-1-2)
<p>The IEP contains a statement that explains the rationale for selecting accommodations and how they will be implemented in instructional activities as well as during assessments.</p> <p>Appendix D is required for any student who requires a text-to-speech, human reader, or ASL Video/human signer accommodation on the English Language Arts/Literacy Statewide assessment.</p>	<p><i>MSDE Special Education Birth Through 21 Record Review, Part III - Part B Requirements</i></p>		<p>Data is collected over time to explain and justify the selection and implementation of accommodations to reduce or eliminate the effects of the student’s disability.</p>	

Supplementary Aids, Services, Program Modifications and Supports				
Component Overview	Compliance Indicator	Compliance Rating (0-1)	Best Practice Indicator(s)	Best Practice Rating (0-1-2)
<p>The supplementary aids, services, program modifications and supports align with student need and the impact of the student’s disability as described in the PLAAFP and support participation across all school environments and activities, including extracurricular activities.</p> <p>The selected supplementary aids, services, program modifications and supports are based upon peer-reviewed</p>	<p>The IEP includes a description of the supplementary aids and services, based on peer-reviewed research to the extent practicable, to be provided to the student or on behalf of the student; program modifications and/or supports for school personnel.</p> <p>The IEP of a student with a disability must include the projected dates for initiation of services, the anticipated</p>		<p>The IEP Team discusses the student’s participation in all school activities and events, as well as opportunities to build positive interactions with peers without disabilities.</p> <p>In the absence of peer-reviewed research on a selected support or service, the IEP Team has documentation that the service or intervention improves student performance for this student or similar students.</p>	

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Supplementary Aids, Services, Program Modifications and Supports				
Component Overview	Compliance Indicator	Compliance Rating (0-1)	Best Practice Indicator(s)	Best Practice Rating (0-1-2)
<p>research (as applicable) and other appropriate evidence of effectiveness.</p> <p>The IEP addresses the inclusive training needs of all staff responsible for providing services to the student and families.</p>	<p>frequency, location and duration of those services and modifications.</p> <p>34 CFR §300.320(a)(4) 34 CFR §300.320(a)(7) COMAR13A.05.01.09A(1)(c)(d) COMAR 13A.05.01.09A(1)(h)</p> <p><i>MSDE Special Education Birth Through 21 Record Review, Part III - Part B Requirements</i></p>		<p>Personnel support takes into consideration the needs of the service providers (teachers, related service providers, paraeducators, etc.) to delivery specially designed instruction with fidelity, as well as the families’ need to learn how to support the student’s participation and learning at home and in the community.</p> <p>The locations/times/circumstances and manner in which supplementary aids and services will be provided are clearly described, so that someone unfamiliar with the student would be able to implement the services.</p> <p>If the student has a BIP, strategies and supports from the BIP are included in the supplementary aids and services, including inclusive training as appropriate.</p> <p>If the student requires AT devices and/or services, appropriate supports, including inclusive training are documented.</p>	

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IEP Goals and Objectives				
Component Overview	Compliance Indicator	Compliance Rating (0-1)	Best Practice Indicator(s)	Best Practice Rating (0-1-2)
<p>IEP goals and objectives are ambitious and reasonably calculated to enable the student to progress in general education. IEP goals and objectives clearly address learning needs resulting from the student’s disability to enable them to access and make progress in the curriculum.</p> <p>Academic goals are aligned to the Maryland College and Career Ready Standards (MCCRS) for the grade in which the student is enrolled. For students with significant cognitive disabilities whose parents have consented to participation in the alternate assessment or learning alternate standards, academic goals are aligned to the Core Content Connectors (CCCs) for the grade in which the student is enrolled. For students who require additional academic goals, they are aligned to priority standards from earlier in the learning progression.</p> <p>For preschool age students, goals and objectives are aligned to the Maryland Early Learning Standards and is related to at least one of the early childhood outcomes.</p> <p>Functional IEP goals are aligned to age and grade appropriate non-academic skills impacted by the student’s disability.</p>	<p>The IEP for a student with a disability must include measurable academic and functional goals.</p> <p>Academic and functional goals must be 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 and meet each of the student’s other educational needs that result from the student’s disability.</p> <p>34 CFR §300.320(a)(2)(i) 34 CFR § 300.320(b) COMAR 13A.05.01.09A(1)(b) COMAR 13A.05.01.09A(3)(a)(ii)</p> <p>The IEP for a student determined eligible to be instructed using alternate academic achievement standards must be aligned with the State’s grade level content standards, although they may be restricted in scope or complexity or take the form of introductory or pre-requisite skills.</p> <p>34 CFR §200.1(d) and §300.160</p> <p><i>MSDE Special Education Birth Through 21 Record Review, Part III - Part B Requirements</i></p>		<p>Goals address priority skills to enable to the student to achieve or make progress toward grade level standards and/or age appropriate functional skills. These skills are prioritized within each area of need by reviewing grade and age expectations for the current, future and past grade levels.</p> <p>For each identified area of need, at least one academic goal is aligned to one or more priority standard in the student’s enrolled grade. Remaining academic goals target those skills from earlier in the learning progression that the student has not yet mastered, but is essential for the student to progress toward achieving grade level standards.</p> <p>Functional IEP goals are developed in conjunction with all service providers including, but not limited to experts in behavior such as a school psychologist, behavior specialist, speech pathologist, etc.</p> <p>Goals and objectives are individualized based on the student’s PLAAFP and include the following five components:</p> <ol style="list-style-type: none"> 1. Conditions 2. Behavior 3. Criteria (Mastery and Retention) 4. Method of Measurement 5. Time Frame 	

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IEP Goals and Objectives				
Component Overview	Compliance Indicator	Compliance Rating (0-1)	Best Practice Indicator(s)	Best Practice Rating (0-1-2)
<p>For students age 14-21, academic and functional IEP goals and objectives support identified postsecondary goals and transition services.</p> <p>Objectives describe meaningful intermediate outcomes between the student’s current performance level and measurable annual goal.</p>			<p>Objectives support instruction and progress monitoring by indicating steps towards the mastery of the goal. Objectives may reflect sequential targets of increasing proficiency, accuracy and complexity or reduced supports over time. Alternatively, they may describe component skills which when combined lead to the achievement of the goal.</p> <p>Objectives have the same essential best practice components as goals as described above (conditions, behavior, criteria, method of measurement, time frame).</p> <p>Although there does not need to be a separate annual goal developed for each postsecondary goal in the student’s transition plan, the IEP Team considers how the annual goal(s) developed will support postsecondary goals and transition services.</p> <p>When developing preschool goals, teams need to focus on the functionality of learning and development within the context of natural routines and activities and resist the tendency to develop goals that simply reflect the development of isolated skills driven by evaluation results.</p> <p>Functional, participation-based goals include ALL of the following:</p>	

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IEP Goals and Objectives				
Component Overview	Compliance Indicator	Compliance Rating (0-1)	Best Practice Indicator(s)	Best Practice Rating (0-1-2)
			<ul style="list-style-type: none"> The goal is written in plain language and is jargon-free; The goal emphasizes the positive; The goal describes the child’s involvement in age-appropriate activities to address academic and functional areas; The goal is measurable and observable; The goal describes how the child will demonstrate what they know or can do; and The goal describes the situations in which the child will demonstrate the goal, and does not name a placement or educational environment. <p>The following IEP goal criteria should also be evaluated:</p> <ul style="list-style-type: none"> The goal includes what the child is doing now and includes the family’s input and concerns. The goal is achievable in one year and specific timelines are noted. The goal details special factors related to communication, assistive technology, and support specific to the child’s 	

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IEP Goals and Objectives				
Component Overview	Compliance Indicator	Compliance Rating (0-1)	Best Practice Indicator(s)	Best Practice Rating (0-1-2)
			disability and/or English language learning.	
<p>The IEP describes how the parents will be informed of the student’s progress on goals and objectives throughout the year.</p> <p>The IEP includes at least quarterly reports on the student’s progress, including an indication of whether progress is sufficient for the student to meet the goal within one year.</p> <p>The IEP team reviews the IEP periodically, no less than annually, to determine the impact of specially designed instruction on the student’s performance.</p> <p>If a student is not making progress at the level the IEP team expected, despite receiving all services and supports identified in the IEP, the IEP team convenes to review and revise the IEP, while maintaining ambitious academic goals.</p>	<p>An IEP shall include how a parent is to be regularly informed of:</p> <ul style="list-style-type: none"> • The student’s progress toward the annual goals will be measured; and • The extent to which the progress is sufficient to enable the student to achieve the goals within a year. <p>34 CFR § 300.320(a)(3)(ii) COMAR13A.05.01.09B(1)</p> <p><i>MSDE Special Education Birth Through 21 Record Review, Part III - Part B Requirements</i></p>		<p>IEP Teams report, at least quarterly or in the same frequency as students without disabilities: the gains made during the last IEP period by goal area, factors influencing progress, student’s response to the supports and specially designed instruction implemented, and recommendations for change in order to increase the student’s progress or rate of learning.</p> <p>These progress reports are based on objective data collected from standard and curriculum assessments, rubrics, structured observations and other relevant data sources. The IEP Team carefully considers how progress monitoring informs specially designed instruction by setting targets that are reasonably calculated for the student and targeted skill(s).</p> <p>At a minimum, the instructional team reviews student progress quarterly. Progress on goals and objectives and general education measures are reviewed more frequently based on</p>	

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IEP Goals and Objectives				
Component Overview	Compliance Indicator	Compliance Rating (0-1)	Best Practice Indicator(s)	Best Practice Rating (0-1-2)
			<p>the student’s performance and rate of progress.</p> <p>If the student is not making adequate progress, the IEP team reviews the student’s entire program, which includes IEP implementation, and makes adjustments as needed to accelerate student progress.</p> <p>For preschool students, Information from the ELA or other formative assessment is used to inform specially designed instruction as well as annual and exit COS ratings.</p>	

Implementation of the IEP				
Component Overview	Compliance Indicator	Compliance Rating (0-1)	Best Practice Indicator(s)	Best Practice Rating (0-1-2)
<p>The IEP considers the special education and related services required for the student to achieve annual IEP goals and objectives and to be involved in and make progress in general education.</p> <p>The IEP team considers family input when developing special education and related services and specifies the consultation between general and special educators and related service providers. The IEP includes</p>	<p>The IEP includes a statement of the special education and related service(s) to be provided to the student or on behalf of the student for the student:</p> <ul style="list-style-type: none"> • To advance appropriately toward attaining annual goals, and • To be involved in and make progress in the general education curriculum; 		<p>The IEP team calculates reasonable special education and related services based on the student’s performance trends over time, progress on IEP goals and objectives, progress in general education and input from the student, family and instructional team.</p> <p>Service descriptions include the IEP team’s determination about the nature and type of instruction to be provided in order to enable any service provider</p>	

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Implementation of the IEP				
Component Overview	Compliance Indicator	Compliance Rating (0-1)	Best Practice Indicator(s)	Best Practice Rating (0-1-2)
<p>the positions responsible for providing specially designed instruction.</p>	<p>34 CFR §300.320(a)(4)(i) and (ii) COMAR 13A.05.01.09A(1)(c) and (d)</p> <p><i>MSDE Special Education Birth Through 21 Record Review, Part III</i> - Part B Requirements</p>		<p>to implement the service(s) with fidelity.</p> <p>Collaboration among general and special educators and related services may include, but is not limited to:</p> <ul style="list-style-type: none"> • The development, implementation and evaluation of specially designed instruction and day to day instructional planning • The development and modeling of services and strategies for teaching and learning; • Coaching on implementation of specific strategies; • Development of positive behavioral supports; and • Data collection/analysis of the impact of the student’s specially designed instruction. <p>When a student receives services in general education classrooms, both the general classroom teacher and special educator are responsible for providing educational services.</p> <p>A paraprofessional cannot be defined as the sole service provider, responsible for service delivery, but may support the delivery of instruction under the direction and supervision by a qualified special educator.</p>	

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Implementation of the IEP				
Component Overview	Compliance Indicator	Compliance Rating (0-1)	Best Practice Indicator(s)	Best Practice Rating (0-1-2)
<p>The nature, frequency and duration of special education and related services are individually determined based on the student's needs.</p>	<p>The IEP for a student with a disability shall include the projected dates for initiation of services, and modifications, including the anticipated frequency, location, and duration.</p> <p>34 CFR §300.320(a)(7) COMAR 13A.05.01.09(A)(1)(h)</p> <p><i>MSDE Special Education Birth Through 21 Record Review, Part III</i> - Part B Requirements</p>		<p>The frequency (how often a service is provided) and intensity (the duration of each session) of special education and related services are determined on the basis of the student's history and the effectiveness of specially designed instruction, related services, supplementary aids and services, and program modifications.</p> <p>When discussing the nature and amount of special education services, IEP Team members consider whether the recommended frequency and intensity will be adequate to:</p> <ul style="list-style-type: none"> • Allow the student to meet IEP goals and objectives and make progress in general education • Address the nature of the student's needs • Support an accelerated rate of learning to narrow the gap between the student's current level of performance and the grade level standards and age appropriate skills • Allow preschool students to participate in natural routines and activities in classroom, home, and community settings. 	

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Educational Environment				
Component Overview	Compliance Indicator	Compliance Rating (0-1)	Best Practice Indicator(s)	Best Practice Rating (0-1-2)
<p>The IEP Team considers implementation of the IEP in the general education classroom (or regular early childhood program for preschoolers) first with supplementary aids and services for all students.</p>	<p>The LSS/PA shall ensure that, to the maximum extent appropriate, students with disabilities, including students in public or private institutions or other care facilities, are educated with students who are not disabled; and special classes, schooling, or other removal of students with disabilities from the regular educational environment occurs only when the nature or severity of the disability is such that education in regular classes with use of SAS, cannot be achieved satisfactorily.</p> <p>34 CFR §300.114(a)(2) COMAR 13A.05.01.10A</p> <p><i>MSDE Special Education Birth Through 21 Record Review, Part III - Part B Requirements</i></p> <p>The IEP Shall include an explanation of the extent, if any, to which the student will not be educated and participate with students without disabilities in the general education class and in extracurricular and other nonacademic activities.</p> <p>34 CFR §300.320(a)(5) COMAR 13A.05.01.09A(1)(e)</p>		<p>The IEP Team plans for implementing supports and services in the general education class <i>in the school that the student would attend if they did not have a disability</i>. The IEP Team discusses how the use of supplementary aids and services can be implemented to support maximum participation in the general education environment during academic and extracurricular activities.</p>	

Maryland IEP Process Performance Indicators

Educational Environment				
Component Overview	Compliance Indicator	Compliance Rating (0-1)	Best Practice Indicator(s)	Best Practice Rating (0-1-2)
	<p><i>MSDE Special Education Birth Through 21 Record Review, Part III - Part B Requirements</i></p> <p>The student’s placement is</p> <ul style="list-style-type: none"> • Determined at least annually by the IEP team, • Based on the student’s IEP; and • As close to the student’s home as possible <p>34 CFR §300.116(b)(1) COMAR 13A.05.01.10C(1)(a)(i)&(iii)</p> <p><i>MSDE Special Education Birth Through 21 Record Review, Part III - Part B Requirements</i></p>			
<p>If the IEP Team determines that the student will be removed from the general education setting, the reasons for removal are discussed and documented along with reasons for rejecting less restrictive options.</p> <p>When a more restrictive placement is recommended such as a self-contained class, separate school or other removal, the IEP team considers the next least restrictive option. Justification for a more restrictive environment describes the rationale in terms of implementing the IEP and is not based on the category of the student’s disability, the severity of</p>	<p>If the student is removed from the general education setting, the IEP team shall document the basis for the LRE determination, including reasons for rejecting lesser restrictive environments.</p> <p>34 CFR §§300.114(a)(2)(ii) & 300.503(a) COMAR 13A.05.01.10A(2)</p> <p><i>MSDE Special Education Birth Through 21 Record Review, Part III - Part B Requirements</i></p>		<p>Considerations for placement in more restrictive settings include the impact on the student’s opportunities to learn with peers without disabilities, the student’s emotional well-being and opportunity to participate and make progress in the general education curriculum.</p> <p>A more restrictive placement is not based on disability label, intensity of supports needed, or the fact that the student is instructed using alternate academic standards and/or participates in the alternate assessment.</p>	

Maryland IEP Process Performance Indicators

Educational Environment				
Component Overview	Compliance Indicator	Compliance Rating (0-1)	Best Practice Indicator(s)	Best Practice Rating (0-1-2)
<p>the student’s disability, participation in the alternate learning framework or assessment, language and communication needs, extent of modifications needed to the general curriculum, need for functional goals, lack of staff training and experience or administrative convenience.</p> <p>In selecting the educational environment, the IEP team discusses any harmful effects on the student and the ability of the IEP team to implement the IEP.</p>	<p>In selecting the LRE, consideration is given to any potential harmful effect on the student or on the quality of services that the student needs.</p> <p>34 CFR §300.116(d) COMAR 13A.05.01.10C(1)(c)</p> <p><i>MSDE Special Education Birth Through 21 Record Review, Part III - Part B Requirements</i></p>		<p>If a general or special education teacher has no or limited experience or training in teaching a student with a particular disability or learning need, the IEP Team identifies personnel supports and does not use this as a justification for a more restrictive placement.</p> <p>A more restrictive placement is not recommended when a student transitions from Part C to Preschool, preschool to Kindergarten, elementary to middle school, or middle school to high school based on the receiving school’s delivery system.</p>	
<p>The IEP Team determines the need for specialized transportation based on considerations including age, disability, specialized equipment needed, personnel supports, travel time and distance.</p>	<p>If the IEP team determines a student with a disability cannot be educated in the school or typical early student setting the student would attend if not disabled, the IEP team shall document the specialized transportation needs of the student. This should include the consideration of the effect transportation may have upon the student in relationship to the:</p> <ul style="list-style-type: none"> • Student’s age and disability; • Specialized equipment needs of the student; • Personnel needed to assist the student during transportation; 		<p>The IEP Team considers supports that may be provided in the least restrictive transportation environment. The IEP Team may collaborate with transportation during IEP development.</p>	

Maryland IEP Process Performance Indicators

Educational Environment				
Component Overview	Compliance Indicator	Compliance Rating (0-1)	Best Practice Indicator(s)	Best Practice Rating (0-1-2)
	<ul style="list-style-type: none"> Amount of time involved in transporting the student; and Distance the student will be transported. <p>34 CFR §300.116(d) COMAR 13A.05.01.10C(1)(e)</p> <p><i>MSDE Special Education Birth Through 21 Record Review, Part III - Part B Requirements</i></p>			

Extended School Year				
Component Overview	Compliance Indicator	Compliance Rating (0-1)	Best Practice Indicator(s)	Best Practice Rating (0-1-2)
<p>The IEP team determines the need for extended school year services (ESY) within one year of the previous IEP team’s ESY discussion.</p>	<p>At least annually, the IEP team shall determine whether the student requires the provision of extended school year services.</p> <p>34 CFR 300.106; Education Article §8-405(b) COMAR 13A.05.01.08B(2)(a)</p> <p><i>MSDE Special Education Birth Through 21 Record Review, Part III - Part B Requirements</i></p>		<p>The IEP team annually considers the student’s progress on IEP goals and objectives when discussing and documenting extended school year services.</p>	

Maryland IEP Process Performance Indicators

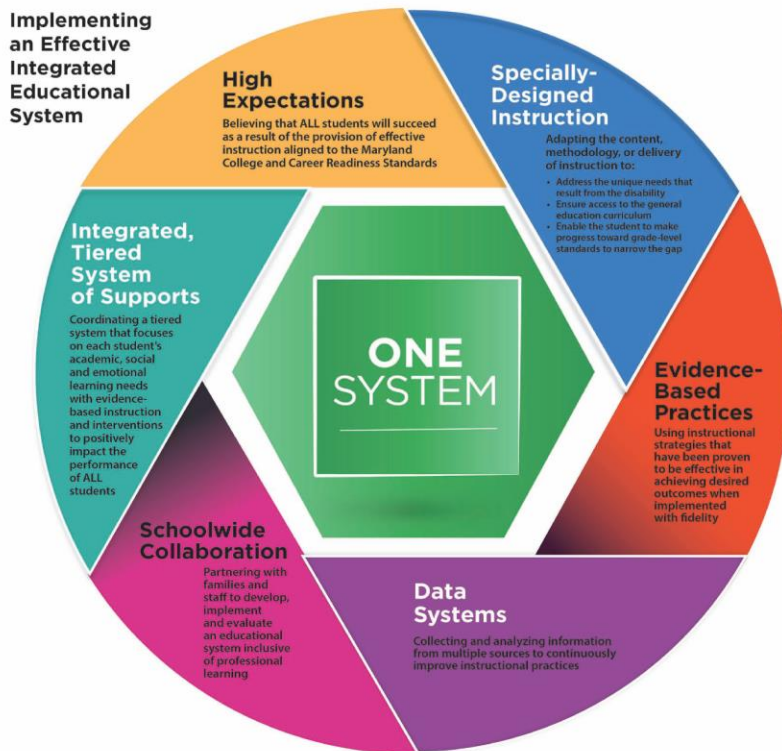
Extended School Year				
Component Overview	Compliance Indicator	Compliance Rating (0-1)	Best Practice Indicator(s)	Best Practice Rating (0-1-2)
<p>The IEP team discusses and documents ESY considerations.</p>	<p>The IEP team shall consider: Whether the IEP includes annual goals related to critical life skills; • Whether there is a likelihood of substantial regression of critical life skills caused by the normal school break in the general school year and a failure to recover those lost skills in a reasonable time; • The student’s degree of progress toward mastery of IEP goals related to critical life skills; • The presence of emerging skills or breakthrough opportunities; • Interfering behaviors; • The nature and severity of the disability; and • Special circumstances COMAR 13A.05.01.08B(2)(b)(i-vii) <i>MSDE Special Education Birth Through 21 Record Review, Part III - Part B Requirements</i></p>		<p>The IEP team discusses and documents all ESY considerations based on objective data collection and input from team members.</p>	

NARROW THE GAP

Access, Equity, Progress

Division of Early Intervention and Special Education Services STRATEGIC PLAN: MOVING MARYLAND FORWARD

Educating students with disabilities must be a schoolwide priority.



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NOVEMBER 2019 | WORKING DOCUMENT

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Narrow the Gap