

North Dakota Department of Public Instruction

Special Education

Procedural Compliance Self-Assessment Tool Kit

Individualized Education Program (IEP)



NORTH DAKOTA DEPARTMENT OF
PUBLIC INSTRUCTION

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Purpose

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The North Dakota Department of Public Instruction (NDDPI) is responsible for developing and implementing methods to ensure public agencies comply with requirements of the Individuals with Disabilities Education Act (IDEA), 2004. The duties of the NDDPI include developing and implementing effective methods to identify noncompliance and to ensure noncompliance is corrected as soon as possible, but no later than one year after identification. As part of this effort, NDDPI created this tool kit for Special Education Units in North Dakota to assure their special education staff is complying with the requirements of the IDEA.

The State and each district need to have policies, practices and procedures in place to ensure that students are being appropriately identified for special education and related services and appropriately identified within specific disability categories.

According to §300.646(b) (1) The State must.... "Provide for the review and, if appropriate, revision of the policies, procedures, and practices used in the identification or placement to ensure that policies, procedures, and practices comply with the requirements of this Act." This tool kit was made as guidance for North Dakota Special Education Units to monitor their district(s). NDDPI strongly encourages North Dakota Special Education Units to sample IEPs yearly.

Conducting the Self-Assessment

Sampling

It is recommended by NDDPI that North Dakota Special Education Units sample a portion of their IEPs yearly. Appendix A provides steps for creating a sample.

Evaluating Compliance

The most recent IEPs and IEP team evaluations are used to conduct the self-assessment. Recording forms have been created by NDDPI for use with students in the sample. All records created (at the request of DPI or yearly monitoring done by the Special Education Unit) must be maintained for four (4) fiscal years (July 1-June 30).

Corrections of Noncompliance

When using the self-assessment, any noncompliance identified must be corrected, which is specified in the tool kit. In order to immediately address the noncompliance and ensure future compliance, the public agency must develop unit-wide corrective actions, such as communicating with staff, reviewing future work product, revising policies or procedures, training staff, increasing supervision or adding staff. The tool kit supports units by developing and maintaining internal systems to monitor compliance with school districts. Internal monitoring is an efficient way to review present practices, readily identify and correct areas of noncompliance, incorporate ongoing professional development and to promote compliance consistently. All correction documents must be maintained for four (4) fiscal years (July 1-June 30).

ITEM NO.	ITEM DESCRIPTION	DIRECTIONS	REQUIRED STUDENT-LEVEL CORRECTIVE ACTION	IDEA REGULATION	
			The requirement is not met if the affected LEA did not participate in the 2 years 7 months meeting for the child's transitioning from Part C to Part B. Enter " no " and go to IEP-2.		
IEP-2	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<p>A meeting to develop an IEP for a child is conducted within 30 days of a determination that the child needs special education and related services</p>	<p>Locate the <i>Individualized Education Program (IEP)</i>. If this is not the student's initial IEP meeting, enter "NA" (not applicable) and go to IEP-3.</p> <p>If this is the student's initial IEP, locate the <i>Integrated Written Assessment Report (IWAR)</i>.</p> <p>A meeting to develop the initial IEP for a child must be conducted within <i>30 calendar days</i> from the date of the meeting during which it was determined that the child has a disability. This determination will be noted in the IWAR prepared by the evaluation team at that meeting.</p> <p>Compare the date of the IWAR meeting date to the initial IEP meeting date.</p> <p>The requirement is met if the initial IEP meeting was conducted within 30 calendar days of the IWAR meeting. Enter "yes" and go to IEP-3.</p> <p>The requirement is not met if the initial IEP meeting was not conducted within 30 calendar days of the IWAR meeting. Enter "no" and go to IEP-3.</p>	<p><i>Student Level Noncompliance:</i> Offer parents the opportunity to conduct a new IEP team meeting to develop or review the student's IEP.*</p> <p><i>Current Compliance:</i> LEA must take action to ensure future compliance including implementing a system of internal controls.</p>	34 CFR 300.323(c)(1)
IEP-3	<input type="checkbox"/> Yes <input type="checkbox"/> No	The student's parent(s) and/or student (required invitation to the student if is 16 or older) attended the	<p>Locate the <i>Individualized Education Program: Cover Sheet</i>.</p> <p>The school must take steps to ensure that one or both parents of the student are present at the IEP meeting or afforded the opportunity to participate, including 1)</p>	<p><i>Student Level Noncompliance:</i> Offer parents the opportunity to conduct a new IEP team meeting to develop or review the student's IEP.*</p>	<p>34 CFR 300.321 (a)(1)(b)(1) 34 CFR 300.322</p> <p>North Dakota IEP Guidelines: pages 22-35</p>

*In making changes to a student's IEP after the annual IEP meeting for a school year, the parent of a student with a disability and the local educational 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.

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	<p>meeting to develop or review the student's IEP or participated by other means.</p>	<p>notifying parents of the meeting early enough to ensure that they have an opportunity to attend; and 2) scheduling the meeting at a mutually agreed upon time and place.</p> <p>If neither parent can be convinced to attend an IEP meeting, the school may conduct the meeting without them. However, the school must use other methods to ensure parent participation and consideration of their input.</p> <p>Alternative methods of participation such as video conferencing and/or conference calls are allowable. Special education unit policy and procedures should be consulted for a description of the nature and number of contacts that must be attempted before determining that parent attendance is not possible, as well as the documentation required.</p> <p>Additional Notice of Meeting requirements apply when secondary transition planning is a topic to be discussed at an IEP meeting. Students who are 16 or older and their parents are to be informed in advance that transition issues will be discussed at the IEP meeting, thus providing them with the opportunity to prepare for the discussion. They may also want to invite individuals who have knowledge or special expertise regarding the student as he or she transitions into adult life. By knowing that their son or daughter will be invited, parents have an opportunity to discuss transition goals and activities with their child, and to ask school personnel to utilize strategies for maximizing the student's participation in the IEP meeting.</p>	<p><i>Current Compliance:</i> LEA must take action to ensure future compliance including implementing a system of internal controls.</p>	

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		<p>For students 16 years or older, review the <i>Individualized Education Program: Cover Sheet</i>. Student invitation to the IEP meeting is required when the purpose of the meeting will be the consideration of the postsecondary goals of the student and the transition services needed to assist the student in reaching those goals. The student's preferences and interests must always be considered when designing and developing transition services. In most instances, the most appropriate person to express those interests and preferences is the student.</p> <p>The requirements are met if a parent attended the meeting and the purpose of the meeting was to develop or review or revise the IEP. Enter "yes" and go to IEP-4.</p> <p>The requirement is met if the student's name is in the <i>Team Members section on the Cover Page of the IEP</i> and marked that the student attended. Enter "yes" and go to IEP-4.</p> <p>The requirement may be met if the student did not attend the meeting and documentation (i.e. <i>Notice of Meeting or Student Notice of Meeting</i>) addressed to the student for the meeting is found. Enter "yes" and go to IEP-4.</p> <p>The requirement is not met if the parent or student (required if 16 or older) was not in attendance and there is no evidence (i.e. <i>Notice of Meeting or Student Notice of Meeting</i>) that the parent or student (required if 16 or older) was invited. Enter "no" and go to IEP-4.</p>		
IEP-4	The LEA conducted	Locate the <i>Individualized Education Program: Cover</i>	<i>Student Level Noncompliance:</i>	34 CFR 300.321

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	<p>an IEP team meeting to develop or review and revise:</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>a) that included a local educational agency representative;</p>	<p><i>Sheet.</i> One of the required team IEP team members is the LEA representative. When determining an LEA representative, IDEA states that the selected representative needs to meet the following criteria (i) Is qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of children with disabilities; (ii) Is knowledgeable about the general education curriculum; and (iii) Is knowledgeable about the availability of resources of the public agency. For students in a private or public residential facility, an LEA representative from the resident district or unit is required to attend.</p> <p>Any required participant may be excused from attending an IEP meeting even if the meeting involves a modification to, or discussion of, the participant’s area of the curriculum or related services. The required participant may be excused if, on or prior to the meeting date, the parent gives written consent and prior to the meeting and the excused participant submits to the parent and IEP team written input into the development of the IEP. In two circumstances IDEA 2004 permits required IEP team participants to be excused from an IEP meeting, in part or whole. First, a participant is not required to attend an IEP meeting, in whole or part, if the parent and the LEA agree in writing the attendance of the required participant is not necessary because the participant’s area of the curriculum or related service is not being modified or discussed in the meeting.</p> <p>The requirements are met if a LEA representative attended the meeting and the purpose of the meeting is to develop or review and revise the IEP. Enter “yes” and</p>	<p>Offer parents the opportunity to conduct a new IEP team meeting with LEA representative present.*</p> <p><i>Current Compliance:</i> LEA must take action to ensure future compliance including implementing a system of internal controls.</p>	<p>North Dakota IEP Guidelines: page 22-35</p>

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	<input type="checkbox"/> Yes <input type="checkbox"/> No b) not less than 1 general education teacher (if the student is, or may be, participating in the general education environment);	<p>go to IEP-4b.</p> <p>The requirement is not met if the LEA representative did not attend and there is not an <i>Excusal of Required IEP Team Member(s) Form</i>. Enter “no” and go to IEP-4b.</p> <p>The requirement is met if the LEA representative did not attend and there is an <i>Excusal of Required IEP Team Member(s) Form</i>. Enter “yes” and go to IEP-4b.</p> <p>The LEA cannot consent to the excusal of the LEA representative for an IEP team meeting if the individual is needed to ensure that decisions can be made at the meeting about commitment of LEA resources that are necessary to implement the IEP being developed, reviewed or revised.</p> <p>Locate the <i>Individualized Education Program: Cover Sheet</i>. A general education teacher is a required member of the team.</p> <p>The requirement is met if the general education teacher attended the IEP meeting. Enter “yes” and go to IEP-4c.</p> <p>The requirement is not met if the general education teacher did not attend and there is not an <i>Excusal of Required IEP Team Member(s) Form</i>. Enter “no” and go to IEP-4c.</p> <p>The requirement is met if the general education teacher did not attend and there is an <i>Excusal of Required IEP Team Member(s) Form</i>. Enter “yes” and go to IEP-4c.</p>	<p><i>Student Level Noncompliance:</i> Offer parents the opportunity to conduct a new IEP team meeting with general education teacher present.*</p> <p><i>Current Compliance:</i> LEA must take action to ensure future compliance including implementing a system of internal controls.</p>	

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<input type="checkbox"/> Yes <input type="checkbox"/> No	c) not less than 1 special education teacher;	<p>Locate the <i>Individualized Education Program: Cover Sheet</i>.</p> <p>A special education teacher is a required member of the team. Not less than one special education service provider with knowledge of the child’s needs must attend the IEP meeting. When the child has more than one disability, consideration should be given to including persons with knowledge and training in each area of disability.</p> <p>Special education and related service providers bring expertise to the team regarding the specialized instruction, adaptations and accommodations needed to help the child benefit from his/her education. They help the team focus on the system of necessary supports that will allow the child to participate in the general education curriculum as much as possible. Further, these persons will help the team build on the child’s strengths as compared with the past practice of focusing on limitations imposed by the disability.</p> <p>The requirement is met if the special education teacher attended the IEP meeting. Enter “yes” and go to IEP-4d.</p> <p>The requirement is not met if the special education teacher did not attend and there is not an <i>Excusal of Required IEP Team Member(s) Form</i>. Enter “no” and go to IEP-4d.</p> <p>The requirement is met if the special education teacher did not attend and there is an <i>Excusal of Required IEP Team Member(s) Form</i>. Enter “yes” and go to IEP-4d.</p>	<p><i>Student Level Noncompliance:</i> Offer parents the opportunity to conduct a new IEP team meeting with the special education teacher present.*</p> <p><i>Current Compliance:</i> LEA must take action to ensure future compliance including implementing a system of internal controls.</p>	

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	<input type="checkbox"/> Yes <input type="checkbox"/> No d) an individual to interpret instructional implications of evaluation results;	<p>If the special education teacher did not attend, locate the <i>Excusal of Required IEP Team Member(s) Form</i>. If the parent signed the form on or prior to the meeting date, the requirement is met. Enter “yes” and go to IEP-4d.</p> <p>Locate the <i>Individualized Education Program: Cover Sheet</i>.</p> <p>Another important member of the IEP Team is the individual who can interpret what the child’s evaluation results mean in terms of designing appropriate instruction. There may be numerous scores and totals on various tests of performance or other measures the child has completed as part of the evaluation process to determine eligibility for special education. Results may also be available from statewide or district wide assessments, class work, observations, outside evaluations that the parents have arranged, and so forth. Accordingly, the Team has to move from <i>those</i> scores to <i>that</i> instruction...and this is the person who brings that knowledge to the IEP Team meeting table.</p> <p>The requirement is met if the individual to interpret instructional implications of evaluation results attended the IEP meeting. Enter “yes” and go to IEP-4e.</p> <p>The requirement is not met if the individual to interpret instructional implications of evaluation results did not attend and there is not an <i>Excusal of Required IEP Team Member(s) Form</i>. Enter “no” and go to IEP-4e.</p>	<p><i>Student Level Noncompliance:</i> Offer parents the opportunity to conduct a new IEP team meeting with an individual to interpret instructional implications of evaluation results present.*</p> <p><i>Current Compliance:</i> LEA must take action to ensure future compliance including implementing a system of internal controls.</p>	

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<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	e) for early childhood children transitioning from Part C to Part B, the Part C service coordinator.	<p>The requirement is met if the individual to interpret instructional implications of evaluation results did not attend and there is an <i>Excusal of Required IEP Team Member(s) Form</i>. Enter “yes” and go to IEP-4e.</p> <p>Review the <i>Joint Prior Written Notice</i>. If the student is older than 3 years old, enter NA (not applicable) and go to the next item. For the initial IEP for a child previously served under Part C, at the request of the parent, the local education agency will invite <u>the Part C service coordinator</u> and/or other representative of the Part C system.</p> <p>The requirement is met if the box at the bottom of the Joint Notice of Meeting indicates the parent’s wants or does not want the Part C service coordinator and/or representative invited and there is documentation that the parent wishes were followed. Enter “yes” and go to IEP-4f.</p> <p>The requirement is not met if the box at the bottom of the Joint Notice of Meeting indicates whether the parent wants or does not want the Part C service coordinator and/or representative invited and there is documentation that the parent wishes were not followed. Enter “no” and go to IEP-4f.</p>	<p><i>Student Level Noncompliance:</i> Offer parents the opportunity to conduct a new IEP team meeting with the Part C service coordinator present.*</p> <p><i>Current Compliance:</i> LEA must take action to ensure future compliance including implementing a system of internal controls.</p>	
<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	f) for students ages 16 years or older, the adult agency representative	<p>For students on a transition IEP, review the <i>Notice of Meeting or Student Notice of Meeting</i>. For students not on a transition IEP (the student must have a transition IEP in effect by their 16th birthday), please enter “NA” (not applicable) and go to IEP-5.</p>	<p><i>Student Level Noncompliance:</i> Offer parents the opportunity to conduct a new IEP team with the</p>	

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		<p>An adult agency representative is only required to be invited to the IEP meeting when that agency is likely to provide and/or pay for transition services within the next year. You may choose, with parental permission, to invite agency representatives earlier in the planning process.</p> <p>Schools can actively facilitate linkages to the appropriate outside adult service agencies. Establishing those linkages could be an appropriate transition service. Linkages can be facilitated effectively outside of the IEP meeting. Work with your local agency partners to establish relationships and develop strategies for their participation in the IEP planning process.</p> <p>The requirement is met if an outside agency representative was invited to the IEP meeting and there is evidence in the student's file that parents' written permission was obtained prior to extending an invitation to an outside agency representative to attend any IEP meeting. This written consent must be obtained annually for any outside agency representative who is invited to an IEP team meeting. Enter "yes" and go to IEP-5.</p> <p>The requirement is not met if an outside agency representative was invited to the IEP meeting and there is no evidence in the student's file that parents' written consent was obtained prior to extending an invitation to an outside agency representative to attend any IEP meeting. Enter "no" and go to IEP-5.</p> <p>The requirement may be met if an agency has a</p>	<p>adult agency representative present.*</p> <p><i>Current Compliance:</i> LEA must take action to ensure future compliance including implementing a system of internal controls.</p>	

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IEP-5	<input type="checkbox"/> Yes <input type="checkbox"/> No	<p>The IEP contains a statement of the student's present levels of academic achievement and functional performance.</p>	<p>custodial role then parental consent would not be required. Enter "yes" and go to IEP-5.</p> <p>Review the <i>Individualized Education Program: Present Level of Academic Achievement and Functional Performance (PLAAFP)</i> page. The requirement is met if there is a statement identifying the student's present levels of academic achievement and functional performance related to his or her educational needs. The language should be written in language understandable to all team members, including parents.</p> <p>The statement should include information about the student's specific strengths and weaknesses, unique patterns of functioning and implications of the problem areas on the student's total functioning.</p> <p>The requirement is met if the PLAAFP information includes all the required areas and has been updated from the previous year's IEP. Enter "yes" and go to IEP-6a.</p> <p>The requirement is not met if the PLAAFP information has not been updated from the previous year's IEP. Enter "no" and go to IEP-6a.</p>	<p><i>Student Level Noncompliance:</i> Conduct a new IEP team meeting to revise the IEP to include a statement of the student's present levels of academic achievement and functional performance.*</p> <p><i>Current Compliance:</i> LEA must take action to ensure future compliance including implementing a system of internal controls.</p>	<p>34 CFR 300.320 (a)(1)</p> <p>34 CFR 300.324 (a)</p> <p>North Dakota IEP Guidelines: pages 38-40</p>
IEP-6	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<p>The IEP for a student 16 years old or older contains:</p> <p>a. appropriate measurable postsecondary goals based upon age appropriate</p>	<p>For students on a transition IEP, review the T-1 Section of the <i>Individualized Education Program: Present Level of Academic Achievement and Functional Performance (PLAAFP)</i> page. For students not on a transition IEP (the student must have a transition IEP in effect by their 16th birthday), please enter "NA" (not applicable) and go to IEP-7.</p> <p>The team should begin its discussion surrounding a</p>	<p><i>Student Level Noncompliance:</i> Conduct a new IEP team meeting to revise the IEP to include appropriate postsecondary goals.*</p> <p><i>Current Compliance:</i> LEA must take action to ensure future compliance including</p>	<p>34 CFR 300.320 (b)(1)</p> <p>North Dakota IEP Guidelines: pages 41-42</p> <p>North Dakota Secondary Transition IEP</p>

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	transition assessments related to education or training, employment, and, where appropriate, independent living.	<p>transition IEP by considering the student’s long-range plans after high school and to what extent supports will be necessary in the areas of <i>education or training, employment</i> and, when needed, <i>independent living</i>. Measurable postsecondary goals are defined as observable outcomes that a student wishes to attain after exiting high school. A measurable postsecondary goal is not the process of pursuing or moving toward a desired outcome. Measurable postsecondary goals must be written with result orientated verbs or verb phrases- see Secondary Transition: Tips for Compliance at https://www.nd.gov/dpi/sites/www/files/documents/SpEd/Transition/Tips%20for%20Compliance%20to%20Indicator%2013%20Spring%202019.pdf.</p> <p>The requirement is met if there are appropriate measurable postsecondary goals that address <i>education or training, employment, and independent living</i> (when needed). To check to make sure the goals in these areas are appropriate compare the goals with the PLAAFP and/or the student’s strengths, preferences and interests. Enter “yes” and go to IEP-6b.</p> <p>The requirement is not met if there are not any goals for <i>education or training, employment, and independent living</i> (when needed) or the goals are not written as measurable outcomes. Enter “no” and go to IEP-6b.</p> <p>The requirement is also not met if there is a misalignment between the student’s postsecondary goals (s) and the information available (PLAAFP, student interests, student preferences). Enter “no” and go to IEP-6b.</p>	implementing a system of internal controls.	Process on NDDPI website

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<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	b. measurable postsecondary goals updated annually	<p>Review the <i>Individualized Education Program: Present Level of Academic Achievement and Functional Performance (PLAAFP)</i> page. Annually the IEP team will discuss the student’s postsecondary goals. For students not on a transition IEP (the student must have a transition IEP in effect by their 16th birthday), please enter “NA” (not applicable) and go to the next item.</p> <p>If the postsecondary goals of the student have not changed from the previous annual IEP, the team would then document that a discussion was held, and the postsecondary goals are a current reflection of the student’s postsecondary plans.</p> <p>If the postsecondary goals of the student have changed from the previous annual IEP, the team would document the discussion and then revise the postsecondary goals section to reflect the change.</p> <p>The requirement is met if it is apparent that the postsecondary goals were discussed and revised if necessary. Enter “yes” and go to IEP-6c.</p> <p>The requirement is not met if it is apparent that the student’s interests have changed, and postsecondary goal(s) have not been revised. Enter “no” and go to IEP-6c.</p>	<p><i>Student Level Noncompliance:</i> Conduct a new IEP team meeting to revise the IEP to include measurable postsecondary goals.*</p> <p><i>Current Compliance:</i> LEA must take action to ensure future compliance including implementing a system of internal controls.</p>	
<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	c. evidence that the measurable postsecondary goals were based on age appropriate	<p>Review the <i>Individualized Education Program: Present Level of Academic Achievement and Functional Performance (PLAAFP)/ Transition Domains</i> section. For students not on a transition IEP (the student must have a transition IEP in effect by their 16th birthday), please</p>	<p><i>Student Level Noncompliance:</i> Conduct a new IEP team meeting to revise the IEP to include measurable postsecondary goals based on an age appropriate</p>	

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	transition assessments	<p>enter “NA” (not applicable) and go to the next item.</p> <p>The PLAAFP section of the transition IEP includes sections for recording transition assessment information. Transition assessments provide information about the student’s interests, preferences strengths, and needs as they relate to the demands of current and long range plans in in the domain areas of <i>job and job training, recreation and leisure, home/independent living, community participation and postsecondary training and learning opportunities</i>. “Age appropriate” means a student’s chronological, rather than developmental age.</p> <p>The results of transition assessments should be used in making recommendations for instructional strategies, accommodations in instruction, and environments to meet the students’ strengths and needs. The results also should help students make a connection between their individual academic program and their post-school ambitions.</p> <p>Look at the previous year’s information in the domain section. For those students who are age 16 or younger, the transition assessment information should be a comprehensive assessment of functional skills in the transition domain areas of the PLAAFP as this is the first IEP for the student 16 or younger where transition assessment information will be included.</p> <p>The requirement is met for a student 16 or older if there is evidence of comprehensive transition assessments and the information from the assessments (student’s strengths, interests, preferences and needs) is included</p>	<p>transition assessment.*</p> <p><i>Current Compliance:</i> LEA must take action to ensure future compliance including implementing a system of internal controls.</p>	

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		<p>in each transition domain area of the PLAAFP. Enter “yes” and go to IEP-7.</p> <p>The requirement is not met if evidence that transition assessments were conducted and the information (student’s strengths, interests, preferences and needs) is not found. Look at the previous year’s information in the transition domain sections. Enter “no” and go to IEP-7.</p> <p>The requirement is met if there is new information in each of the domain areas and an age appropriate transition assessment listed under the section titled: By What Method was this Obtained. Enter “yes” and go to IEP-7.</p> <p>The requirement is also met if there is documentation that the previous year’s transition assessment information about the student’s strengths, interests, preferences and needs has been reviewed, remains current or has been revised and data obtained over the last IEP term has been included in the summary updating findings related to the previous year’s transition assessment information. Enter “yes” and go to IEP-7.</p> <p>The requirement is not met if the information from the previous year has remained the same with no documentation in the PLAAFP transition domain areas that the information was reviewed and remains to be a current assessment of the student’s strengths, interests, preferences and needs and no new information is added. Enter “no” and go to IEP-7.</p>		
IEP-7	<input type="checkbox"/> Yes	The IEP contains the	Review the <i>Individualized Education Program: Present</i>	<i>Student Level Noncompliance:</i>
				34 CFR 300.324(a)(ii)

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	<input type="checkbox"/> No concerns of the parents for enhancing the education of their child.	<p><i>Level of Academic Achievement and Functional Performance (PLAAFP).</i></p> <p>The requirement is met if there is a statement such as “parent(s) report(s),” “parent(s) stated,” “Mr. or Mrs. _____ said” or a statement like “this is happening at the home also.” Enter “yes” and go to IEP-8.</p> <p>If a statement like this cannot be found in the PLAAFP, the requirement still could be met. A comparison of the current and last year PLAAFP in the IEP can be made to see if additional information that could have been provided by the parent has been considered. If available, a review of meeting notes could also indicate if parent concerns were considered. Enter “yes” and go to IEP-8.</p> <p>If there are no evidence the parent’s concerns have been included in the IEP, the requirement is not met. Enter “no” and go to IEP-8.</p>	<p>Offer parents the opportunity to conduct a new IEP team meeting to address their concerns.*</p> <p><i>Current Compliance:</i> LEA must take action to ensure future compliance including implementing a system of internal controls. The department will verify current compliance on a new student record sample.</p>	<p>North Dakota IEP Guidelines: pages 38-40</p>
IEP-8	<input type="checkbox"/> Yes <input type="checkbox"/> No The IEP includes how the student’s disability affects his or her involvement and progress in the general curriculum or for preschool student in age-appropriate activities.	<p>Review the <i>Individualized Education Program: Present Level of Academic Achievement and Functional Performance (PLAAFP)</i> to see whether it includes a description of the impact of the student’s disability on his or her progress and involvement in the general curriculum.</p> <p>The present level of educational performance must include <u>how</u> the student’s disability affects his or her involvement and progress in the general curriculum. The term “general curriculum,” refers to the same curriculum as for students without disabilities. It is the common core of subjects and curriculum areas adopted by each</p>	<p><i>Student Level Noncompliance:</i> Conduct a new IEP team meeting to revise the IEP to include how the student’s disability affects the student’s involvement and progress in the general curriculum.*</p> <p><i>Current Compliance:</i> LEA must take action to ensure future compliance including implementing a system of internal controls. The department will</p>	<p>34 CFR 300.320(a)(1)(i)</p> <p>North Dakota IEP Guidelines: Pages 38-40</p>

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		<p>LEA, or schools within the LEA, that applies to all students within each general age grouping from preschool through secondary school.</p> <p>For a preschool student, the present level must address <u>how</u> the student’s disability affects his or her participation in age appropriate activities. “Appropriate activities” means activities that students of that chronological age typically engage in (refer to the Age Expectations Milestone document on NDDPI website: https://www.nd.gov/dpi/sites/www/files/documents/SpEd/Early%20Childhood/ND%20Early%20Childhood%20Outcomes%20Process%20Full%20Version.pdf) as part of a formal preschool program or in informal activities, for example: coloring, pre-reading activities, play time, sharing time, listening to stories read by teachers or parents.</p> <p>The requirement is met if the present level of educational performance includes how the student’s disability affects his or her involvement in the general curriculum. Enter “yes” and go to IEP-9.</p> <p>A statement that just acknowledges that a student’s disability impacts his/her performance is <u>not</u> sufficient. Look for statements that tell <u>how</u> the student’s progress is impacted by the disability.</p> <p>The requirement is not met if the present level of educational performance does not include how the student’s disability affects his or her involvement in the general curriculum. Enter “no” and go to IEP-9.</p>	<p>verify current compliance on a new student record sample.</p>	

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IEP-9	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA The IEP team must, in the case of a student whose behavior impedes his or her learning, or that of others, consider the positive behavioral interventions and supports and other strategies to address that behavior.	<p>Locate <i>Individualized Education Program: Consideration of Special Factors</i> page. If “no” is checked for number 6 on the Consideration of Special Factors page and there is no reference to behavior in the PLAAFP, enter “NA” (not applicable) and go to IEP-10.</p> <p>The requirement is not met if either “no” or “yes” is not checked. Enter “no” and go to IEP-10.</p> <p>The requirement is met if “yes” is checked, determine that the IEP includes positive behavioral interventions, strategies, and supports to address the behavior impeding learning (i.e. goals, behavior adaptations or behavior plans). Enter “yes” and go to IEP-10.</p> <p>An IEP only including negative measures, such as seclusion or restraint, suspension, or detention does not meet the standard.</p>	<p><i>Student Level Noncompliance:</i> Conduct a new IEP team meeting to consider the use of positive behavioral interventions and supports and other strategies to address behavior.*</p> <p><i>Current Compliance:</i> LEA must take action to ensure future compliance including implementing a system of internal controls. The department will verify current compliance on a new student record sample.</p>	<p>34 CFR 300.324(a)(2)(i)</p> <p>North Dakota IEP Guidelines: pages 36-38</p>
IEP-10	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA The IEP for a student 16 years old or older must include courses of study.	<p>Review the <i>T-2 Course of Study</i> page. For students not turning 16 during the duration of the IEP, please enter “NA” (not applicable) and go to IEP-11.</p> <p>The purpose of this requirement (Course of Study) is to identify courses and educational experiences that will lead to graduation and to the student’s desired postschool outcomes.</p> <p>All anticipated coursework and experiences for the remaining high school years is to be identified as thoroughly as possible. That is, the IEP team will enter its best estimate of anticipated coursework for grades 9-12 for a ninth-grade student. For a junior, the team will enter anticipated coursework for both 11th and 12th</p>	<p><i>Student Level Noncompliance:</i> Conduct a new IEP team meeting to revise the IEP to include multi-year description of coursework and experiences that align with the student’s postsecondary goals.*</p> <p><i>Current Compliance:</i> LEA must take action to ensure future compliance including implementing a system of internal controls. The department will verify current compliance on a</p>	<p>34 CFR 300.320(b)</p> <p>North Dakota Secondary Transition IEP Process on NDDPI website</p>

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			<p>grades, and so on. It is recommended, but not necessary, to identify coursework taken during previous years, if that coursework had not previously been recorded. However, an up-to-date accounting of the number of credits the student has earned at the time of the IEP meeting is essential. Elective course credits must be listed if the student is a junior or senior.</p> <p>The requirement is met if a multi-year description of coursework from the student's current to anticipated exit year is aligned with the student's identified postsecondary goals. Enter "yes" and go to IEP-11.</p> <p>The requirement is not met if a multi-year description of coursework from the student's current to anticipated exit year or if the course of study does not align with the student's identified postsecondary goals. Enter "no" and go to IEP-11.</p>	new student record sample.	
IEP-11	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	The transition services for a student 16 years old or older and on an IEP must include transition services that will enable the student to meet his/her postsecondary goals.	<p>Review the <i>T-3 Transition Services</i> page. For students not turning 16 or older during the duration of the IEP, enter "NA" (not applicable) and go to IEP-12.</p> <p>This section of the IEP is formatted to serve as a worksheet for addressing student needs in the areas of <i>instruction, employment, community experiences, independent living, related services, and if necessary, daily living and functional vocational assessment</i>. The team will identify at least one strategy or activity for each postsecondary goal of the student. For each strategy or activity needed, the team will also identify the agency responsible, the agency's responsibility and the timeline for these responsibilities.</p>	<p><i>Student Level Noncompliance:</i> Conduct a new IEP team meeting to revise the IEP to include services that would enable the student to meet his/her postsecondary goals.*</p> <p><i>Current Compliance:</i> LEA must take action to ensure future compliance including implementing a system of internal controls. The department will verify current compliance on a new student record sample.</p>	<p>34 CFR 300.320 (b)(1)</p> <p>North Dakota Secondary Transition IEP Process on NDDPI website</p>

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			<p>The requirement is met if there is at least one strategy or activity identified for each postsecondary goal of the student, the agency responsible is identified, and the timeline for the strategy or activity is within the current IEP year. Enter “yes” and go to IEP-12.</p> <p>The requirement is not met if there is not a strategy or activity identified for each of the student’s postsecondary goals and the agency responsible or the timeline is not identified. Enter “no” and go to IEP-12.</p> <p>The requirement is met if there are transition services listed on the IEP that are likely to be provided or paid for by an outside agency and the student and/or parent consented in writing, prior to the IEP meeting for the outside agency to attend. Enter “yes” and go to IEP-12.</p> <p>The requirement is not met if there are transition services listed on the IEP that are likely to be provided or paid for by an outside agency and the student and/or parent did not provide written consent for the outside agency to attend. Enter “no” and go to IEP-12.</p>		
IEP-12	<input type="checkbox"/> Yes <input type="checkbox"/> No	The IEP: a. for students include a statement of measurable annual goals.	<p>Review the <i>Individualized Education Program: Annual Goal</i> page(s). All of the IEP annual goals must be measurable and include a level of attainment. The annual goal must address disability-related needs of the student. Goals such as “pass all classes” or “take classes to meet graduation requirements” apply to all students. They do not meet the standard, because they do not address a student’s specific disability-related needs.</p> <p>If a student is taking the North Dakota Alternate Assessment during the current testing window or is not</p>	<p><i>Student Level Noncompliance:</i> Conduct a new IEP team meeting to revise the IEP to include a statement of measurable goals for the student, including academic and functional goals.*</p> <p><i>Current Compliance:</i> LEA must take action to ensure future compliance including implementing a system of internal</p>	<p>34 CFR 300.320(a)(2)(i) 34 CFR 300.320</p> <p>North Dakota IEP Guidelines: pages 43-49</p>

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		<p>scheduled to take the NDAA this current year but has taken the NDAA during the previous testing window, the IEP must include benchmarks or short-term objectives for all IEP annual goals. Benchmarks describe the amount of progress the student is expected to make within specific segments of the year. Short-term objectives break the skills described in the annual goal into discrete, measurable, intermediate steps.</p> <p>Review the <i>Individualized Education Program: Adaptation</i> page, to determine whether the student is taking/took the North Dakota Alternate Assessment.</p> <p>The requirement is not met if the student is taking/took the North Dakota Alternate Assessment during the current/previous testing window for the student and the goals do not include benchmarks or short-term objectives. Enter “no” and go to IEP-12b.</p> <p>If the student is taking the Alternate Assessment, the requirement is met if there are benchmarks or short-term objectives for annual goals related to the core content areas of the state assessment. Enter “yes” and go to IEP-12b.</p> <p>Sometimes, the IEP team will develop benchmarks or short-term objectives even though the student will not participate in the Alternate Assessment. If there are benchmarks or short-term objectives associated with an annual goal, consider the annual goal to be measurable if a majority of the benchmarks or short-term objectives are measurable and include a level of attainment.</p>	<p>controls. The department will verify current compliance on a new student record sample.</p>	

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	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<p>b. for students 16 years or older include measurable annual goals that are related to their transition service needs.</p>	<p>The requirement is met if meaningful goals are written on an annual basis that are unique to the student, measurable, are reasonably attainable within one year and relate to an age appropriate standard. Enter “yes” and go to IEP-12b.</p> <p>If the goals, objectives, and characteristics of service are not meeting the child’s needs, the case manager is responsible for reconvening the IEP team for review and revision of the IEP. The team will identify alternative strategies to assure achievement of goals by the end of the year.</p> <p>The requirement is not met if the goals, objectives, and characteristics of service are not meeting the child’s needs and a meeting has not been held to rewrite appropriate goals. Enter “no” and go to IEP-12b.</p> <p>Review the <i>Individualized Education Program: Annual Goal</i> page(s). For students not turning 16 during the duration of the IEP, please enter “NA” (not applicable) and go to IEP-13.</p> <p>The requirement is met if there are annual goals related to the student’s transition needs. Enter “yes” and go to IEP-13.</p> <p>The requirement is not met if there are not annual goals related to the student’s transition needs as identified in the T3 section or transition domain areas of the PLAAFP. Enter “no” and go to IEP-13.</p>	<p><i>Student Level Noncompliance:</i> Conduct a new IEP team meeting to revise the IEP to include measurable annual goals that are related to the student’s transition service needs.*</p> <p><i>Current Compliance:</i> LEA must take action to ensure future compliance including implementing a system of internal controls. The department will verify current compliance on a new student record sample.</p>	
IEP-13	<input type="checkbox"/> Yes <input type="checkbox"/> No	The student’s IEP includes a statement	Review the <i>Individualized Education Program: Annual Goals</i> pages. For each of the annual goals the IEP must	<p><i>Student Level Noncompliance:</i> Conduct a new IEP team meeting</p> <p>34 CFR 300.320(a)(3)(i)</p>	

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		of how the student's progress toward achieving the annual goals will be measured.	<p>identify how the student's progress is to be measured. Such methods may include keeping a log, work samples, classroom exams, attendance records, or point sheets.</p> <p>The requirement is met if how the student's progress is to be measured is listed. Enter "yes" and go to IEP-14.</p> <p>The requirement is not met if how the student's progress is not listed. Enter "no" and go to IEP-14.</p>	<p>to revise the IEP to include a statement of how the student's progress toward achieving the annual goals will be measured.*</p> <p><i>Current Compliance:</i> LEA must take action to ensure future compliance including implementing a system of internal controls. The department will verify current compliance on a new student record sample.</p>	North Dakota IEP Guidelines: page 43-49
IEP-14	<input type="checkbox"/> Yes <input type="checkbox"/> No	The IEP includes a statement of when periodic reports on the progress of the child will be provided.	<p>Review the <i>Individualized Education Program: Annual Goals</i> pages. For each of the annual goals, the IEP must identify when the student's progress will be measured.</p> <p>Parents must receive regular reports of the child's progress in subjects or curricular areas for which the child is not receiving special education. In addition, parents must also receive a periodic review of the child's progress toward the annual goals and the extent to which that progress is sufficient to enable the child to achieve the goals by the end of the year. The periodic report schedule is determined by the IEP team and documented in the IEP.</p> <p>The requirement is met if under the "how and when" section of the annual goal page it is indicated when the parents will be provided progress reports and the number of progress reports matches the when. Enter "yes" and go to IEP-15.</p> <p>The requirement is not met if under the "how and</p>	<p><i>Student Level Noncompliance:</i> Conduct a new IEP team meeting to revise the IEP to include a statement of when the student's progress toward achieving the annual goals will be measured.*</p> <p><i>Current Compliance:</i> LEA must take action to ensure future compliance including implementing a system of internal controls. The department will verify current compliance on a new student record sample.</p>	<p>34 CFR 300.320(a)(3)(ii)</p> <p>North Dakota IEP Guidelines: page 49</p>

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			<p>when” section of the annual goal page it is indicated when the parents will be provided progress reports and the number of progress reports does not match the when. Enter “no” and go to IEP-15.</p> <p>The requirement is not met if under the “how and when” section of the annual goal page it is not indicated when the parents will be provided progress reports. Enter “no” and go to IEP-15.</p>		
IEP-15	<input type="checkbox"/> Yes <input type="checkbox"/> No	<p>The student’s IEP includes adaptations of educational services, accommodations, modifications, supports and other adjustments that enable the student to participate in the general curriculum.</p>	<p>Review the <i>Individualized Education Program: Adaptations</i> page. In section G, adaptations needed for the student to meet his/her goals are to be described. In addition, accommodations to permit successful inclusion of the student in general education settings must be identified. For clarity, it is important to note which staff person(s) will be responsible for implementing each adaptation. General education teacher input is necessary for determination of appropriate positive behavioral interventions and strategies for the child, as well as determination of supplementary aids and services, program modifications, and supports for school personnel.</p> <p>The requirement is met if the IEP designated the provision of supplementary aids to allow the student a free and appropriate public education as well as educated in the least restrictive environment. Enter “yes” and go to IEP-16.</p> <p>The requirement is not met if the IEP did not designate the provision of supplementary aids to allow the student a free and appropriate public education as well as educated in the least restrictive environment. Enter “no”</p>	<p><i>Student Level Noncompliance:</i> Conduct a new IEP team meeting to revise the <i>Adaptation of Educational Services</i> section of the IEP.*</p> <p><i>Current Compliance:</i> LEA must take action to ensure future compliance including implementing a system of internal controls. The department will verify current compliance on a new student record sample.</p>	<p>34 CFR 300.320(a)(4)</p> <p>34 CFR 300.42</p> <p>North Dakota IEP Guidelines: pages 49-51</p>

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IEP-16	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<p>The student's IEP includes the student's participation in district and North Dakota State Assessment.</p>	<p>and go to IEP-16.</p> <p>Review the <i>Individualized Education Program: Adaptation</i> page. If the student does not participate in the North Dakota State Assessment (NDSA), enter NA (Not Applicable) and go to item IEP-17.</p> <p>In section G, a decision regarding which assessment option a student will participate in, will be made annually by the student's IEP team, and will be based on the student's curriculum, present levels of academic achievement, functional performance, and learning characteristics. Decisions cannot be based on program setting, category of disability, or percentage of time in a particular placement.</p> <p>The accommodations used during testing must be included in the student's instructional accommodations. Accommodations for the state test allow students to access and complete the NDSA or the North Dakota Alternate Assessment (NDAA) in a manner that provides consistent accessibility and allows these students to demonstrate what they know and are able to do.</p> <p>The requirement is met if the assessment the student is participating in is marked and the testing accommodations are included in the instructional accommodations. Enter "yes" and go to IEP-17.</p> <p>The requirement is not met if the assessment the student is participating in is marked but the testing accommodations are not included in the instructional accommodations. Enter "no" and go to IEP-17.</p>	<p><i>Student Level Noncompliance:</i> Conduct a new IEP team meeting to revise the <i>Adaptation of Educational Services</i> section of the IEP.*</p> <p><i>Current Compliance:</i> LEA must take action to ensure future compliance including implementing a system of internal controls. The department will verify current compliance on a new student record sample.</p>	<p>34 CFR 300.320(a)(5)(6)</p> <p>North Dakota IEP Guidelines pages 51-53</p>

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			The requirement is not met if the assessment the student is participating in is not marked and the testing accommodations are not included in the instructional accommodations. Enter “no” and go to IEP-17.		
IEP-17	<input type="checkbox"/> Yes <input type="checkbox"/> No	The student’s IEP includes a description of activities with students who are not disabled.	<p>Review the <i>Individualized Education Program: Adaptation</i> page. In section H, it should include the issues that the IEP team members need to consider as they plan the student's participation in physical education, program options, and nonacademic and extracurricular areas. The list of program options is not exhaustive and could include any program or activity in which students without disabilities participate. This implies that the team will not only discuss current options, but sequentially plan strategies to make more options available to the student. The deliberations of the team, including all current options discussed and new options to be developed must be documented. This documentation should also address the steps the team will take to make program options available, as well as the necessary accommodations and modifications needed to ensure accessibility and an equal opportunity for participation in those activities including specific responsibilities of team members.</p> <p>The requirement is met if the activities the student will participate with students without disabilities is marked. Enter “yes” and go to IEP-18.</p> <p>The requirement is not met if the activities the student will participate with students without disabilities is marked. Enter “no” and go to IEP-18.</p>	<p><i>Student Level Noncompliance:</i> Conduct a new IEP team meeting to revise the Description of Activities with Students Who Are Not Disabled section of the IEP.*</p> <p><i>Current Compliance:</i> LEA must take action to ensure future compliance including implementing a system of internal controls. The department will verify current compliance on a new student record sample.</p>	<p>34 CFR 300.320(4)(iii)</p> <p>North Dakota IEP Guidelines pages 53-55</p>
IEP-18	<input type="checkbox"/> Yes <input type="checkbox"/> No	The student’s IEP includes the	Review the <i>Individualized Education Program: Educational Environment/Related Services</i> page. It must	<i>Student Level Noncompliance:</i> Conduct a new IEP team meeting	34 CFR 300.114 (a)(2)

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	educational environment in which the child with disabilities will receive a majority of his or her education.	<p>indicate the educational environment in which the child with a disability will receive the majority of his or her education. Please note that the educational environment and the amount of service minutes being provided may not always match. Indirect minutes would not be calculated in the educational environment percentage. In the situation they do not match, look for any indication in the PLAAPF or the justification for LRE that services from the special or related service provider will be provided with a majority of peers without disabilities (examples: co-taught classes, services provided in the general education classroom).</p> <p>The requirement is met if the educational environment code matches where the students receives the majority of his/her learning. Enter “yes” and go to IEP-19.</p> <p>The requirement is not met if the educational environment code doesn’t match where the students receives the majority of his/her learning. Enter “no” and go to IEP-19.</p>	<p>to revise the educational environment section of the IEP.*</p> <p><i>Current Compliance:</i> LEA must take action to ensure future compliance including implementing a system of internal controls. The department will verify current compliance on a new student record sample.</p>	North Dakota IEP Guidelines: pages 56-66
IEP-19	<input type="checkbox"/> Yes <input type="checkbox"/> No The IEP team must document the reason the educational environment is the most appropriate to meet the student’s unique needs.	<p>Review the <i>Individualized Education Program: Educational Environment/Related Services</i> page. In section I, the decisions made by the IEP team regarding the environment in which the child will receive most of his/her education must be documented. The discussion and statements must be individualized, not derived from a checklist or a set of generic phrases, and must be based on the specific instructional needs, and the plan to address these needs, identified in other sections of the IEP.</p> <p>The IEP team will review and discuss the environment</p>	<p><i>Student Level Noncompliance:</i> Conduct a new IEP team meeting to revise the justification for the team’s decision.*</p> <p><i>Current Compliance:</i> LEA must take action to ensure future compliance including implementing a system of internal controls. The department will verify current compliance on a new student record sample.</p>	34 CFR 300.114 34 CFR 300.320 North Dakota IEP Guidelines: pages 56-66

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			<p>options considered and compare them as an appropriate means to address the student's specific identified needs. The IEP team must document the placement selected and the reason this placement is the most appropriate to meet the student's unique needs.</p> <p>Unless the IEP requires other arrangements, the location of early childhood special education services must be:</p> <ul style="list-style-type: none"> ✓ as close as possible to the child's home, ✓ in the setting the child would attend if nondisabled, and ✓ a team decision. <p>The requirement is met if the team considered the placement of the student with a disability in the general classroom/home district and has taken into account the full range of supplementary aids and services that could be provided to facilitate the student's placement in the general education environment. Enter "yes" and go to IEP-20.</p> <p>If the general education environment with supplementary aids and services are not the least restrictive environment for the student, then an explanation of why this setting is not appropriate needs to be provided.</p> <p>The requirement is not met if the team has only considered special education options. Enter "no" and go to IEP-20.</p>		
IEP-20	<input type="checkbox"/> Yes <input type="checkbox"/> No	The student's IEP includes a statement to the maximum	In the majority of cases, children with disabilities can receive all or most of their education in the general education classroom. Each child's IEP team must fully	<i>Student Level Noncompliance:</i> Conduct a new IEP team meeting to revise the IEP to consider the	34 CFR 300.114 (2) North Dakota IEP Guidelines: pages

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	extent appropriate the student is educated with children who are nondisabled	<p>consider ways to remove obstacles to educating the child with disabilities in less restrictive settings before proceeding to more restrictive options. However, the IEP team may decide that an individual student cannot be educated satisfactorily in the general education classroom, even when appropriate aids and services are provided. The IEP team must then consider other placement options.</p> <p>The IEP team must consider the general education classroom as the FIRST placement option every year. For each option rejected, there must be a clearly stated justification statement explaining why the learning environment cannot be changed to enable the child the opportunity to participate in that setting.</p> <p>The requirement is met if the justification of placement is based on the student’s individualized learning, behavior characteristics and needs. This includes considering general education as the first placement option and a justification statement explaining why the student cannot be educated in this environment. Enter “yes” and go to IEP-21.</p> <p>The requirement is not met if the justification of placement is not based on the student’s individualized learning, behavior characteristics and needs. Enter “no” and go to IEP-21.</p>	<p>general education classroom as the first placement option and include justification for why the student cannot be educated in the general education setting with the appropriate adaptations in the four core classes (math, English, science, social studies) .*</p> <p><i>Current Compliance:</i> LEA must take action to ensure future compliance including implementing a system of internal controls. The department will verify current compliance on a new student record sample.</p>	56-66
IEP-21	<input type="checkbox"/> Yes <input type="checkbox"/> No The student’s IEP includes a statement of special education and related services.	Look for documentation on the <i>Individualized Education Program: Special Education and Related Services</i> (Section J). The services (including paraprofessional minutes) must be stated in the IEP so the level of the LEA’s commitment of resources is clear to the parents and	<i>Student Level Noncompliance:</i> Conduct a new IEP team meeting to revise the IEP to include anticipated frequency including the amount, of special education.*	34 CFR 300.320(a)(4) North Dakota IEP Guidelines: pages 56-68

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			<p>other IEP team members, which needs to include both direct and indirect minutes. The amount of time to be committed to each of the various services must be appropriate to the specific service and needs of the student and stated in a manner that can be understood by all involved in developing and implementing the IEP. The specific service is generally stated with an amount of time and frequency. "20 minutes three times per week", "40 minutes per week" or "1 hour daily" are acceptable statements.</p> <p>The IEP team must discuss, determine and document the specific service for both direct and indirect services, the amount of time the service will be provided, the starting date for each service, the anticipated duration, the service provider's job title, and where the service is to be provided.</p> <p>The requirement is met if the services are listed to allow parents to understand the level of services the student is receiving for direct and indirect services. Enter "yes" and go to IEP-22.</p> <p>The requirement is not met if the services are not listed to allow parents to understand the level of services the student is receiving for direct and indirect services (if all columns are not completed for a service, the requirement is not met). Enter "no" and go to IEP-22.</p>	<p><i>Current Compliance:</i> LEA must take action to ensure future compliance including implementing a system of internal controls. The department will verify current compliance on a new student record sample.</p>	
IEP-22	<input type="checkbox"/> Yes <input type="checkbox"/> No	In selecting LRE, the student's IEP team must consider any potential harmful	Review the <i>Individualized Education Program: Educational Environment/Related Services</i> page. In Section I, as a part of the decision making regarding LRE, the team will discuss and document potential harmful	<i>Student Level Noncompliance:</i> Conduct a new IEP team meeting to revise the potential harmful effect on the child or on the	34 CFR 300.116 (d) North Dakota IEP Guidelines: page 60

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	effect on the child or on the quality of services that he or she needs.	<p>effects of a placement on the child or the quality of services the child needs. A situation does not have a harmful effect if actions taken can prevent or diminish the effect.</p> <p>The following questions can be used to guide the discussion regarding potential harmful effects. These questions are by no means an exhaustive listing of questions that might be considered in the determination of harmful effect.</p> <ul style="list-style-type: none"> ✓ Will there be a detrimental effect on the child's social relationships if he does not attend his/her neighborhood school? ✓ Will this placement be detrimental to the family relationship? ✓ Will the student be stigmatized or feel excluded from the general education setting as a result of this placement? ✓ Will this placement diminish the student's access to and participation in the general education curriculum? ✓ Will this placement result in the loss of instructional time during transition periods? <p>The requirement is met if the potential harmful effect was considered. Enter "yes" and go to IEP-23.</p> <p>The requirement is not met if the potential harmful effect was not considered. Enter "no" and go to IEP-23.</p>	<p>quality of services he or she needs. *</p> <p><i>Current Compliance:</i> LEA must take action to ensure future compliance including implementing a system of internal controls. The department will verify current compliance on a new student record sample.</p>	

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IEP-23	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<p>The student's placement and programming is determined at least annually.</p>	<p>If the student's initial placement in special education was in the last 12 months, enter "NA" (not applicable) and go to IEP-24.</p> <p>If the initial placement in special education was more than 12 months ago, locate the date of the current <i>Individualized Education Program</i>. Next, locate the previous <i>Individualized Education Program</i>. Compare the dates on the current and previous Individualized Education Program to verify that no more than 12 months elapsed.</p> <p>The IDEA 2004 allows parents and public agencies to agree to make amendments to a student's IEP without conducting an IEP meeting. For this process, there is the optional form on TieNet; <i>Notice of Change to IEP Without an IEP Team</i>. It is important that personnel who are responsible for implementing the IEP are informed of these changes as it relates to their responsibilities. Copies of the revised IEP incorporating the amendments must be provided to the parents at their request. Amendments are not to be considered the annual review/revised IEP.</p> <p>The requirement is met if the last review/ revision IEP meeting was conducted within the past 12 months. Enter "yes" and go to IEP-24.</p> <p>The requirement is not met if the last review/revision meeting was conducted more than 365 days ago. Enter "no" and go to IEP-24.</p>	<p><i>Student Level Noncompliance:</i> Conduct a new IEP team meeting to revise the IEP. *</p> <p><i>Current Compliance:</i> LEA must take action to ensure future compliance including implementing a system of internal controls. The department will verify current compliance on a new student record sample.</p>	<p>34 CFR 300.116(b)</p> <p>North Dakota IEP Guidelines: pages 11-14</p>
IEP-24	<input type="checkbox"/> Yes <input type="checkbox"/> No	<p>The student's need for extended school</p>	<p>Review the <i>Individualized Education Program: Educational Environment/Related Services</i> page. If the</p>	<p><i>Student Level Noncompliance:</i> Conduct a new IEP team meeting</p> <p>34 CFR 300.106</p> <p>North Dakota IEP</p>	

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	<p>year services must be determined and documented annually.</p>	<p>team has not had the annual IEP meeting for the current school year, enter “NA” (not applicable) and go to IEP-25.</p> <p>Under federal law, three basic principles apply to the provision of extended school year services (ESY):</p> <ol style="list-style-type: none"> 1) <i>All</i> children who are eligible for special education and related services are to be considered for an extended year program. 2) <i>All</i> relevant information relating to the individual needs of the child must be considered in determining whether ESY should be part of the child’s program. 3) The parents or guardians are entitled to full participation in the ESY decision as part of the development of their child’s IEP. <p>Two critical questions should be addressed when the team considers ESY for a student with a disability:</p> <ol style="list-style-type: none"> 1) Will the learning that occurred during the regular school year be significantly jeopardized if ESY services are not provided? 2) What data can be considered to determine the need for ESY services? <p>The requirement is met, if the team has determined ESY services should be provided and a valid justification for the decision is given. Enter “yes.”</p> <p>The requirement is met, if the team has determined ESY services should not be provided and a valid justification for the decision is given. Enter “yes.”</p> <p>The requirement is met, if the team determined that</p>	<p>to revise the extended school year section of the IEP. *</p> <p><i>Current Compliance:</i> LEA must take action to ensure future compliance including implementing a system of internal controls. The department will verify current compliance on a new student record sample</p>	<p>Guidelines: pages 67-68</p> <p>North Dakota Guidelines: Extended School Year (ESY) Services</p>

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		<p>additional data must be collected before a decision is made for extended school year services, a date for the next team meeting must be recorded on the form and the team's justification for its decision regarding ESY must also be included to meet the requirement. Enter "yes."</p> <p>The requirement is not met, if the team has determined ESY services should be provided and a valid justification for the decision is not given. Enter "no."</p> <p>The requirement is not met, if the team has determined ESY services should not be provided and a valid justification for the decision is not given. Enter "no."</p> <p>The requirement is not met if the team determined that additional data must be collected before a decision is made for extended school year services, a date for the next team meeting is not recorded on the form or the team's justification for its decision regarding ESY is not included. Enter "no."</p>		

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Appendix A

Sampling

1. Create the following lists of students who currently have IEPs.
 - Elementary (including early childhood students age 3 through 5)
 - Middle School
 - High School

Do not include the following students:

 - Transfer students whose IEPs have been adopted from their previous local educational agencies.
 - Students attending under Full-time Open Enrollment unless the student's current IEP was developed by your agency.
2. Assign the first student on each list (elementary, middle school, high school) the number one. Number the remaining students on each list consecutively.
3. On the *IEP Recording Form*, enter the number of elementary, junior high/middle, and high school students, respectively. The Grand Total is calculated.
4. To figure out the sample size of the number of files you should review in order to get results that reflect the target population as precisely as needed go to the following link <http://www.surveysystem.com/sscalc.htm#one> and use the sample size calculator.
5. Include a proportionate number of students from each level in the sample. Enter the name of each student selected by level (elementary, middle, high school) on the *IEP Recording Form*. Complete a separate page for each level. To calculate the quota of elementary students needed in the sample, take the total number of elementary students and divide by the Grand Total. Then multiply the resulting decimal by the total number of students needed for the sample. Do the same calculation for each of the other levels.
6. Generate a separate randomized sequence of numbers for each level (elementary, middle school, high school) using the generator at random.org: <http://www.random.org/sequences> (Appendix C). When using the generator, enter 1 for "smallest value" and the total number of students at the level for the "largest value." Click "get sequence" to produce a random sequence of numbers. Print the pages generated as they appear, including the URL and the date.
7. Start at the top of the list of randomized numbers for the elementary level. From the elementary student list, select the student assigned the number appearing at the top of the list of randomized numbers. Select the student assigned the next number appearing on the randomized number list. Continue until you have selected the required number of elementary students. Enter each student's name on the *IEP Recording Form* for that level.
8. Repeat step 7 for the middle school level and for the high school level using the separate randomized sequences.
9. Maintain the student lists, the *IEP Recording Form*, and sequences of randomized numbers.