



NORTH DAKOTA DEPARTMENT OF **PUBLIC INSTRUCTION**

Related Services Guidance

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IDEA states:

“Related services” means transportation and such developmental, corrective, and other supportive services as are required to assist a child with a disability to benefit from special education and includes speech-language pathology and audiology services; interpreting services; psychological services; physical and occupational therapy; recreation, including therapeutic recreation; early identification and assessment of disabilities in children; counseling services, including rehabilitation counseling; orientation and mobility services; and medical services for diagnostic or evaluation purposes. Related services also include school health services and school nurse services; social work services in schools; and parent counseling and training.

Related services do not include a medical device that is surgically implanted including cochlear implants, the optimization of device functioning (e.g., mapping), maintenance of the device, or the replacement of that device. The list of related services is not exhaustive and may include other developmental, corrective, or supportive services (such as artistic and cultural programs, and art, music, and dance therapy), if they are required to assist a child with a disability to benefit from special education. (34 CFR 300.34(a) and (b))

Related services also include educational interpreters. Additionally, there are some related services that may be requested by a member of the IEP Team that are not frequently discussed. Examples of these less frequently provided services include equine therapy (hippotherapy), aquatic therapy, music therapy, art therapy, parent training, parent counseling, and student counseling services. Local education agencies and IEP Teams may not arbitrarily refuse services because of the type of service or lack of staff.

A child may be eligible for additional services (“related services”) if the services “are required to assist a child with a disability to benefit from special education...” (34 C.F.R. Section 300.34). Although a child may benefit from a related service, the child will not be eligible to receive that service if the child can perform educationally without it. Determining the need for related services for a student involves a process of determining educational relevance as well as educational necessity. That is, the IEP team must identify those services (e.g., speech and language, transportation, occupational therapy, assistive technology) that are needed for the student to have a reasonable opportunity to benefit from special education.

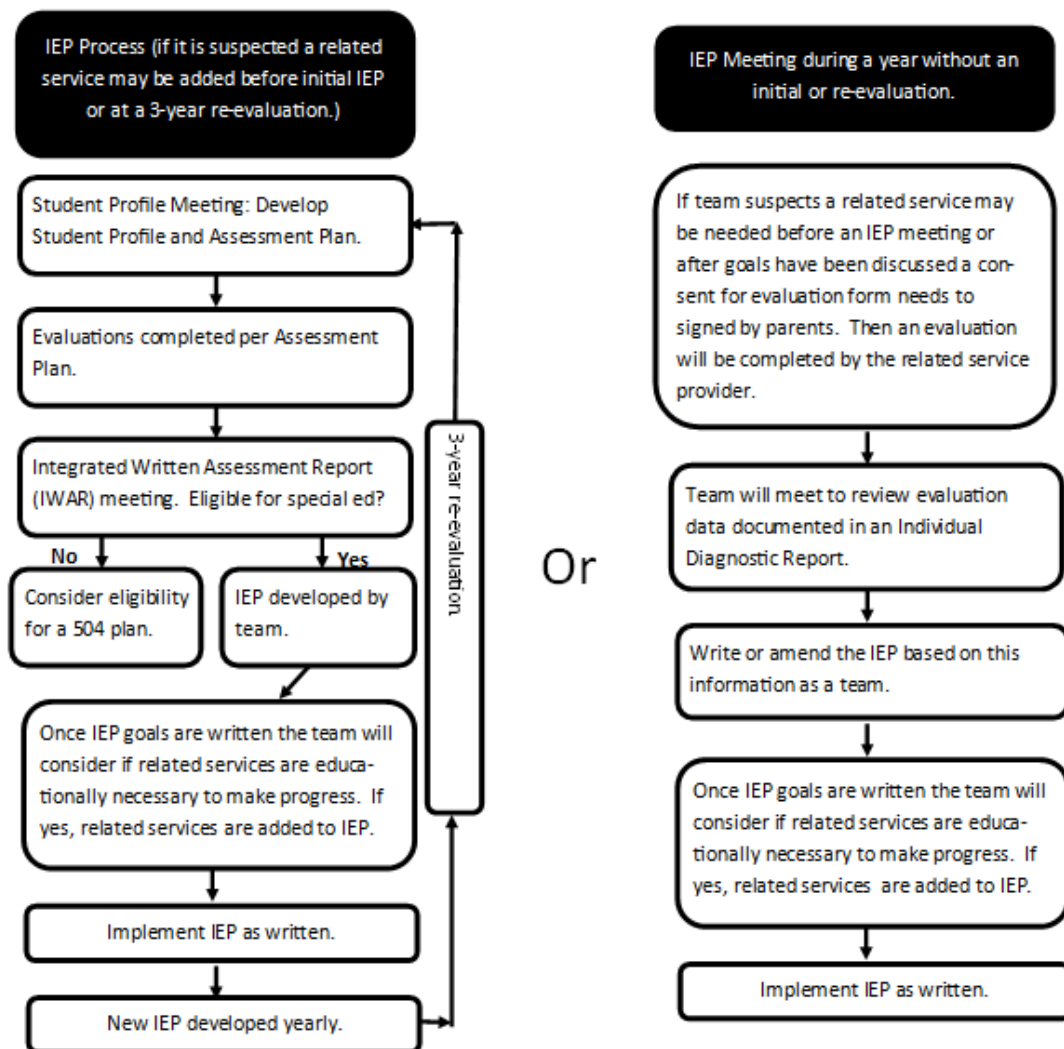
To be educationally relevant, a related service must be necessary to support the student’s IEP goals. At the IEP meeting, the IEP team will write the Present Levels of Academic and Functional Performance (PLAAFP). The PLAAFP is an integrated summary of data from all sources including parents. The statement 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. The

information should also include how the child's disability affects the child's involvement and progress in the general education curriculum. Performance areas to be considered are: Cognitive Functioning, Academic Performance, Communicative Status, Physical Characteristics, Emotional/Social Development, Adaptive Characteristics, Ecological Factors, and Other. The IEP team will use the information from the PLAAFP to form educationally relevant goals.

Since related services must be necessary to support the student's IEP goals, the process for identifying if the student needs a related service is different from that of determining if a student needs special education. The need for related services is based on IEP discussion versus a decision based on standardized assessment scores.

Process

Paths to Adding A Related Service



Referral

An evaluation for related services may be requested at any time by the IEP team (including parents)/multi-disciplinary team (MDT). This is done when a member of either team:

- suspects the student may require a related service;
- suspect a change in the student's status; or
- requires additional information to draft appropriate goals or treatment.

The IEP/MDT Team must document the request for an assessment in a related service area(s) on a Prior Written Notice of Special Education Action (PWN).

Review of Existing Data

After the request for an evaluation is made, the MDT/IEP team must review existing data. This process can be done through a meeting or by gathering information from all the MDT/IEP members. If the related service evaluation(s) is done in conjunction with an initial or reevaluation, the review of existing data is going to be documented on the Student Profile: Evaluation. If it does not happen in conjunction with an initial or reevaluation, the team needs to document the review of existing data on meeting notes. Along with documenting the review of existing data, the team also needs to document when the team has determined that no additional information is needed to determine/confirm the student's disability and educational needs. The child's parents have been notified of this determination and reasons thereof, and the right to request assessment procedures to determine disability or educational needs in accordance with 300.305(d).

If the team decides additional data is needed, the assessments the related service provider(s) will be administering will be documented on meeting notes and Consent for Evaluation must be obtained. On the Consent for Evaluation, if the evaluation is not part of an initial or reevaluation, the team will mark the purpose for the consent as *student needs/programming or other*. Please note for some related service evaluations, a primary source of data may be observation of the student in the learning or school environment. This observation data may provide information on multiple domains (e.g., fine motor and gross motor). Professionals should consider the specific domains or areas reviewed during the observation. The documentation of the review of existing data, the need for additional information, and evaluations must be captured in a Prior Written Notice and the Prior Written Notice and Meeting Notes must be sent home.

Reporting of Findings

Once the related service provider(s) has finished assessing the student, he/she will write a report of findings. If the related service evaluation(s) is not in conjunction with the initial or reevaluation, the report will be written on the Individual Diagnostic Report (IDR). If the related service evaluation(s) is in conjunction with the initial or reevaluation, the report can be written on the Individual Diagnostic Report or an Integrated Written Assessment Report (IWAR). Depending on the situation, the team will have an IEP meeting or an IWAR meeting to report the findings. Even though the data may be shared at the IWAR, the determination of related services is made by the IEP team when writing the IEP. However, if the data indicates that the student may be eligible for one of the 13 disability categories, the team must have an IWAR meeting to consider that determination.

The IEP Team will meet to hear the findings and either create a new IEP or amend a current one. The information relevant to the related service(s), including data from the evaluation, should be documented in the PLAAFP. Once the IEP goals are written, the team then decides if the related service(s) is educationally necessary and relevant. The last page of this document includes optional questions to help the IEP team in determining if the related service(s) is necessary for the student to benefit from special education.

The IEP Team must document that related services are services and supports “required to assist a child with a disability to benefit from special education.” The IEP Team should document their decision as to whether a related service was needed in a PWN. The team will include specific data in the PWN highlighting data and other options considered. Determination of required services and goals should be discussed with the input of those knowledgeable in the specific related service area. Having related service providers at the meeting will allow the IEP Team to review data, discuss any questions or concerns, address educational relevance, and make appropriate evidence-based decisions regarding services and goals.

Amount of Services

The IEP Team should also consider the student’s needs and balance those with other services to ensure the provision of a free and appropriate public education (FAPE) in the least restrictive environment (LRE). Data from evaluations and from any services provided may be considered when making this determination. The IEP Team may determine that a student requires direct service, indirect service, or a combination. Direct services are provided to the student, while indirect services are provided to another professional or the family to assist on behalf of the student. The IEP Teams should indicate the type of service, direct or indirect, in the special education and related services section on the IEP. This ensures that parents are informed of the services being provided to the student.

Annual Consideration

Data must be collected by the related service provider and reviewed annually at the IEP meeting. A question the IEP team should ask annually is, “Does the related service continue to be a necessary component of the student’s educational program in order for him/her to continue achieving identified academic and functional outcomes of the general education curriculum?”

Dismissing/Exiting

The IEP team should consider discontinuing related services if:

1. The student has accomplished the IEP goals for which the therapy was necessary, and therapy will no longer have an impact on the child’s functioning in special education, i.e., services are no longer necessary to meet the remaining IEP goals.
2. The student performs at a standard expected of his or her typical peers.
3. The intervention no longer results in measurable benefits, regardless of multiple documented interventions.

4. The student continues to make gains, however there is no evidence that the related services interventions are related to the gains.
5. The identified priority skills are no longer a concern within the student's educational context.
6. The student is no longer eligible for special education, and therefore, no longer eligible for a related service under IDEA 2004.

When determining the appropriateness of discontinuing services, the student needs, the context for performance, and the future needs of the student should be considered. The IEP team can discontinue the related service without conducting a reevaluation. The child would not have to be re-evaluated in the area of the related service at the next reevaluation unless the IEP team suspected the child requires a related service to benefit from special education. If the IEP team's decision is to dismiss the student from a related service, the related service providers must document in the IEP the date of dismissal, justification supported by data and plan for recommendations. A PWN needs to be completed noting the dismissal of the related service and given to the parents.

Related services under the IDEA are provided to support IEP goals. Therefore, related service providers cannot provide stand-alone services with no other special education service needs identified. A student who does not qualify for services through IDEA could receive related services if they qualify under Section 504 of the 1973 Rehabilitation Act. IDEA funds may not be used to provide such services to a qualified Section 504 student. It is at the discretion of the school administrators to determine how students on a 504 plan will be served.

What is the proposed related service? (List here): <input type="text"/>		
Is the proposed related service educationally relevant? (Circle Yes or No) <ul style="list-style-type: none"> If NO, the service should not be considered as a related service If YES, continue... 	YES	NO
What purpose does it serve for the student? Check all that apply. <input type="checkbox"/> select or maintain equipment, specify: <input type="text"/> <input type="checkbox"/> make adaptations or design support programs, specify: <input type="text"/> <input type="checkbox"/> transfer information or skills to other school staff, specify: <input type="text"/> <input type="checkbox"/> be a resource or support to the family, specify: <input type="text"/> <input type="checkbox"/> provide services or therapies to students, specify: <input type="text"/> <input type="checkbox"/> other, specify: <input type="text"/> <input type="checkbox"/> other, specify: <input type="text"/>		
Is the service educationally necessary? Circle YES or NO for each question. <i>If the team answers, "yes" to the following question, it is an indication that the service under consideration probably IS educationally necessary:</i>		
<ul style="list-style-type: none"> Will the absence of the service interfere with the student's access to, or participation in, his or her educational program this year? 	YES	NO
<i>If the team answers "yes" to any of the following questions, the service under consideration may NOT be educationally necessary:</i>		
<ul style="list-style-type: none"> Could the proposed service be addressed appropriately by the special educator or classroom teacher? 	YES	NO
<ul style="list-style-type: none"> Could the proposed service be addressed appropriately through core school faculty or staff (e.g., school nurse, guidance counselor, librarian, teachers, administrator, bus drivers, cafeteria staff, or custodians?) 	YES	NO
<ul style="list-style-type: none"> Has the student been benefiting from his or her educational program without the service? 	YES	NO
<ul style="list-style-type: none"> Could the student continue to benefit from his or her educational program without the service? 	YES	NO
<ul style="list-style-type: none"> Could the service be appropriately provided during non-school hours? 	YES	NO
<ul style="list-style-type: none"> Does the proposed service present any undesirable or unnecessary gaps, overlaps, or contradictions with other proposed services? 	YES	NO
Major points from team discussion: <input type="text"/>		
Decision by the team about the need for the proposed related service: <input type="text"/>		