New York State Education Department
Office of Special Education
Educational Partnership

Committee on Preschool Special Education (CPSE) and Committee on Special Education (CSE) Training

Module 6: Implementing and Amending the Individualized Education Program (IEP)

Produced by the Technical Assistance Partnership for Transition at Cornell University in conjunction with the Technical Assistance Partnerships for Academics and Behavior at University at Albany and Technical Assistance Partnership for Equity at Bank Street College of Education.

Last updated on July 3, 2023

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Disclaimer

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Today's Facilitators

Meeting Norms

- Take care of your needs (water, food, restroom, etc.).
- Speak your truth; use "I" statements.
- Ask what you need to understand and contribute.
- Listen with respect.
- Push your growing edge.
- Participate and struggle together.
- Expect a lack of closure.
- Respect each others' needs.

Blueprint for Improved Results for Students with Disabilities

Self-Advocacy

Students engage in self-advocacy and are involved in determining their own educational goals and plan.

Family Partnership

Parents, and other family members, are engaged as meaningful partners in the special education process and the education of their child.

Specially-Designed Instruction

Teachers design, provide, and assess the effectiveness of specially-designed instruction to provide students with disabilities with access to participate and progress in the general education curriculum.

Research-Based Instruction

Teachers provide research-based instructional teaching and learning strategies and supports for students with disabilities.

Multi-tiered Support

Schools provide multi-tiered systems of behavioral and academic support.

Inclusive Activities

Schools provide high-quality inclusive programs and activities.

Transition Support

Schools provide appropriate instruction for students with disabilities in career development and opportunities to participate in work-based learning.

Agenda

- Introduction to Module 6

- Regulatory Content

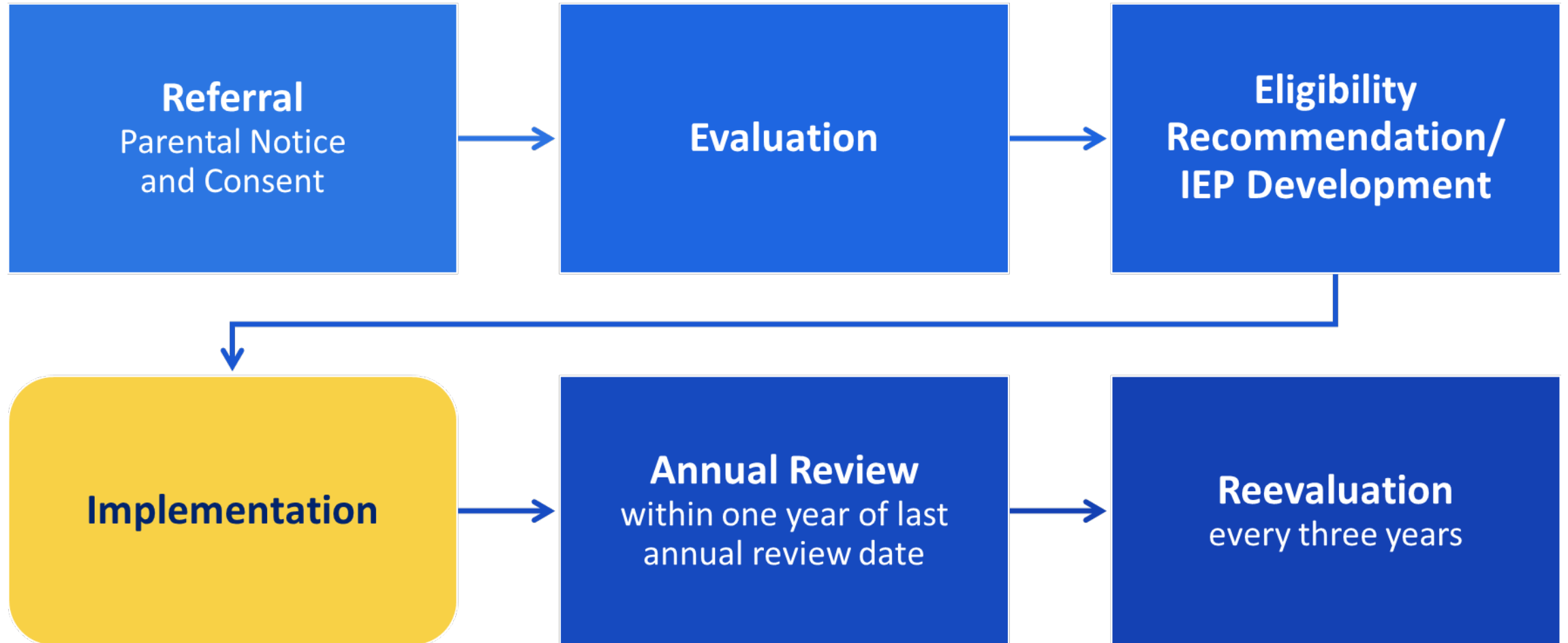- Wrap-up

Overview of Series

- Module 1: The Foundations
- Module 2: Referral
- Module 3: Evaluation
- Module 4: Eligibility
- Module 5: Recommendations/IEP Development
- **Module 6: Implementing and Amending the IEP**
- Module 7: Annual Review
- Module 8: Reevaluation
- Module 9: Effective CPSE/CSE Meetings
- Module 10: CPSE

Participants will:

- Know the regulations and procedures regarding IEP implementation, including for transfer students.

- Learn the regulations and procedures required to amend an IEP.

- Understand the regulations informing student annual goal progress monitoring and reporting.

Module 6: Learning Objectives

CPSE/CSE Process

Referral
Parental Notice and Consent

→

Evaluation

→

Eligibility Recommendation/ IEP Development

Implementation

→

Annual Review
within one year of last annual review date

→

Reevaluation
every three years

Section: IEP Implementation

Chairperson's IEP Implementation Responsibilities
§200.5(b)(4)

- To ensure parents provide informed consent to the initial provision of special education

- To ensure that there is an IEP in place at the start of each school year

- To distribute the IEP and ensure individuals are informed of their responsibilities to implement the IEP
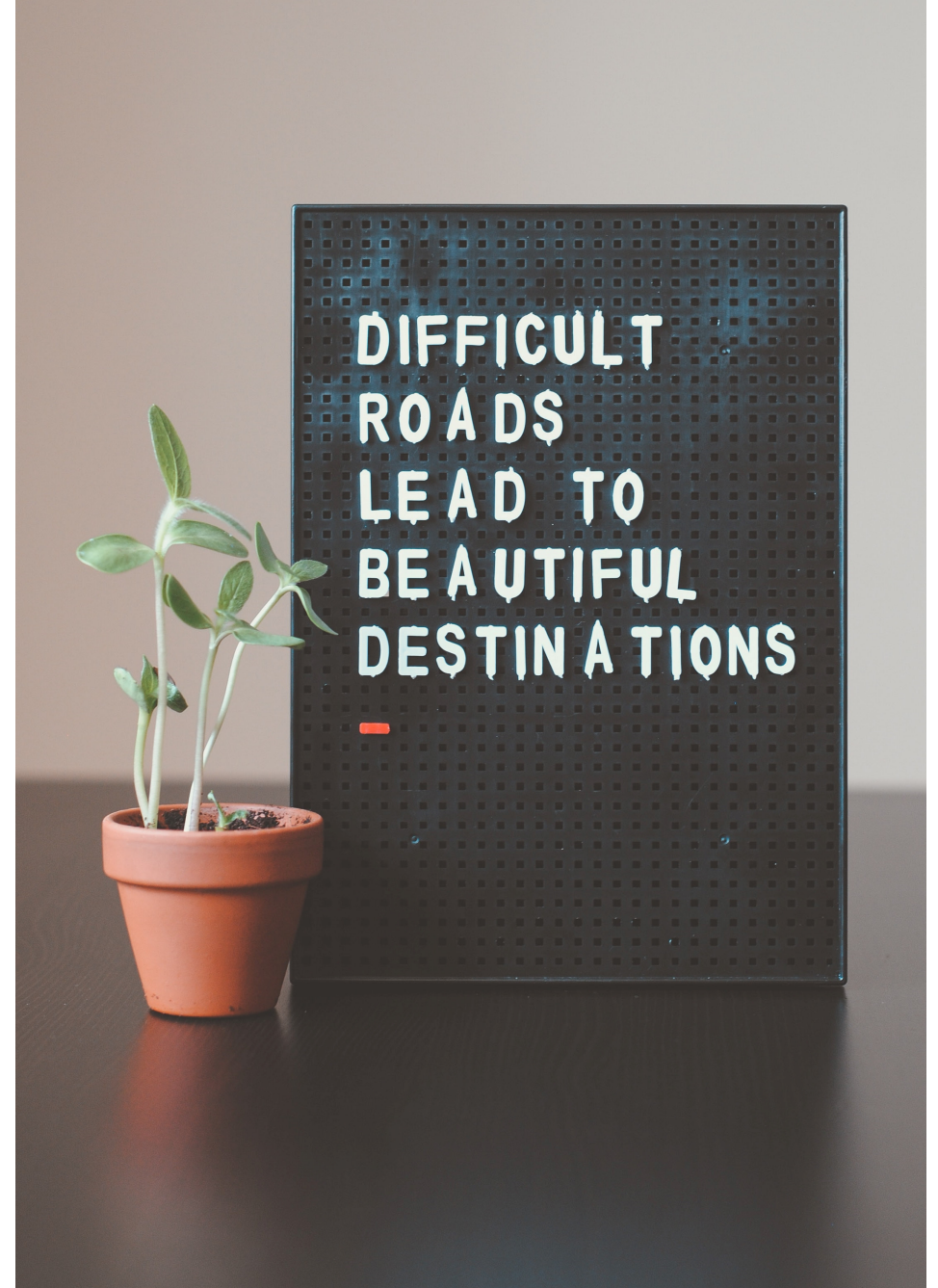
IEP Implementation

§200.16(f)(1), 200.4(e)

The Board of Education (BOE) shall arrange for appropriate special programs and services as follows:

- **For preschool**: commencing with July, September, or January start date of program, unless recommendations made less than 30 school days prior/after such start date, in which case implement as soon as possible following IEP development, but no later than 30 school days from CPSE recommendation to BOE and within 60 school days from receipt of consent to evaluate.

- **For school-age**: within 60 school days of the receipt of consent to evaluate for a student not previously identified as having a disability, or within 60 school days of the referral for review of the student with a disability.

IEP Implementation (continued)

§200.4(e)

- BOE may remand a recommendation back to Committee or establish a second Committee to develop a recommendation but must still implement a program within the timeline.

- There may be no delay in implementing the IEP, including any case in which the payment source for providing the services is being determined.

- There must be an IEP in place at the start of each school year.

Transfer Students

§200.4(e)(8)

- **Transferring within New York (NY):** provide Free Appropriate Public Education (FAPE), including comparable services to existing IEP, in consultation with parents, until the Committee adopts IEP or develops a new IEP.

- **Transferring from outside of NY:** conduct an initial evaluation, if necessary, and develop an IEP that complies with New York State (NYS) laws and regulations.

- **Homeless student transfers:** If the student is homeless and has no records, provide FAPE per information from parents until the Committee develops an IEP.

- **In all cases:** promptly request/provide records for transfer students.

IEP Implementation Discussion Questions

Discussion

- How will you ensure compliance with procedures and timelines?

- How will the parents be kept informed about their child's program and progress?

- How will you evaluate the effectiveness of the services and programs that your district is providing?

IEP Distribution

§200.4(e); §200.2(b)(10); §200.5(e)

- Must provide paper or electronic copy of the IEP before implementation to all responsible for implementation of services:

  - General education teacher

  - Special education teacher

  - Related service providers

  - Any other service provider: a representative of another public, charter, article 81, 85, or 89 school or BOCES where the student receives/will receive services

- When distributing IEPs, preserve the confidentiality of personally identifiable data, information or records pertaining to students with disabilities.

IEP Distribution (continued)

§200.4(e)(3); §200.2(b)(11)

- Must ensure that supplementary school personnel or others responsible for assisting with implementation have the opportunity to review a copy and have ongoing access to a copy of the IEP.

- **Chairperson must designate one or more than one professional employee of the district with knowledge of the student to inform each person of their responsibilities to implement the recommendations in the IEP.**

- All IEPs shall remain confidential.

Monitoring and Reporting Progress

Why Monitor Progress Toward Goals?

- Federal and NYS law require periodic reports to the parent of student progress toward annual goals

- Progress or lack of progress informs instructional decisions during the year as well as annual review meetings

How to Monitor Progress

Do what you committed to when writing the goals:

- Use the identified evaluation **procedure.**

- Follow the evaluation **schedule.**

- Collect and review the **data.**

Monitoring, then Reporting

- Progress must be reported to parents at least as often as parents of non-disabled students are informed of their student's progress.

- Be written in a language that the parent understands.

- Base progress reports on data collected.

- Use concrete data; statements such as "student is doing well" or "is making progress" are subjective and open to interpretation.

- Data charts or graphs can be shared to provide a clear visual representation of progress.

Reporting Progress Example

Date	Words Per Minute
9/15/20XX	60
9/22/20XX	62
9/29/20XX	68
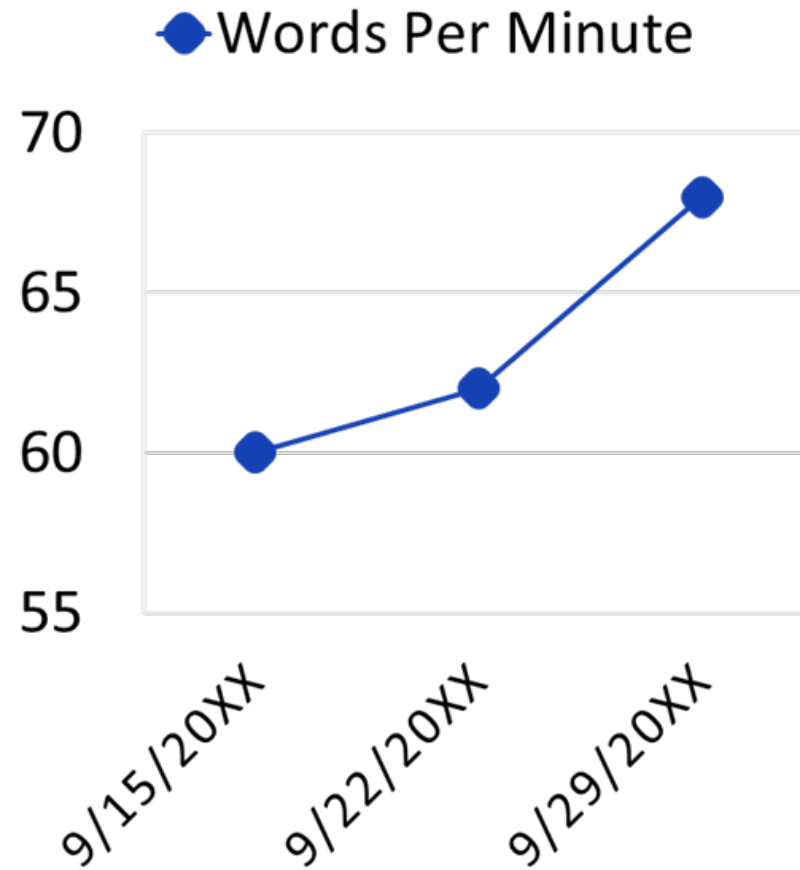
◆ Words Per Minute

Comments

- Mike's oral reading has increased from 60 to 68 correct words per minute.

- If Mike maintains this rate of progress, he will reach his goal target by June.

Section: Amending the IEP

Meeting? What Kind of Meeting?

Discussion

Not all meetings for families of students with disabilities require an amendment to the IEP.

Amending the IEP
§200.4(g)(1), §200.4(e)(3)

- Amendments to an IEP made **after the annual review** may be made by rewriting the IEP or by developing a written document to amend or modify the student's current IEP, provided that:

  - the parent shall receive prior written notice (PWN) of any changes to the IEP

  - the parent shall receive a copy of the document that amends or modifies the IEP or, upon request, the parent shall be provided a revised copy of the entire IEP with the amendments incorporated. The parent shall receive PWN of any changes and receive a copy of the changes made to the IEP.

- The addendum/amended IEP must be distributed to staff.

Amending the IEP Without Meeting

§200.4(g)(2)&(3)

- After the annual review, the district and parent may agree to change the IEP without holding a meeting:

  - If parent requests changes and the district and parent agree in writing

  - If district proposes changes, submits written proposal in language understandable to the parent, provides parent opportunity to discuss with providers, and the **parent agrees in writing**

- Does not affect the requirement that a CPSE/CSE review the IEP at least annually.

PWN

For Amendments (Meeting or No-Meeting)

Do you have to complete a full PWN for an amendment?

Wrap Up

IEP Implementation Key Points

- The chairperson is responsible for ensuring that the IEP is in place at the start of the school year, distributed to all relevant staff, and implemented

- Transfer students are provided with FAPE until an IEP is developed or adopted

- Progress is reported to parents per the schedule in the IEP

- Progress monitoring informs instruction and IEP development

- The IEP is adjusted as needed to support the achievement of the annual and postsecondary goals

- Amendments to the IEP are documented in the PWN and new IEPs are distributed to the parents and responsible staff

- Parent agreement to amend the IEP without a meeting are carried out in accordance with regulations

IEP Implementation Process Guiding Questions

- Is there a case manager or team leader who will be coordinating the dissemination and review of student's IEP? If so, do I have a format to communicate with them?

- Is there a system to document when a staff member has received and reviewed the IEP?

- What is our district's policy and procedures related to the confidentiality of IEP information?

- Do we send required documentation and notification to key parties?

- What procedures (IEP dissemination, transportation, etc.) do we have in place when a student is going to receive services in a non-district program or approved private provider?

What's Going on Your To-Do List?

- "I" time—reflect on the regulatory topics related to IEP Development that we covered

- Note any specific "to-dos" on your follow-up plan

Questions and Answers

Exit Ticket

What is one take-away from Module 6?

References

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This training was provided by the Technical Assistance Partnership for Transition at Cornell University. The OSE Educational Partnership is funded by the New York State Education Department Office of Special Education.