

2023-2024 Cohort – Tips and Tricks for Writing a Compliant IEP

[For more information, click here for the Special Education Required Forms Procedural Manual](#)

| <u>Finding</u> | <u>Location</u> | <u>MUSER Citation</u> | <u>Criteria</u> |
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| RAE1 | Section 4A | Results of initial or most recent evaluations of the child. 34 CFR 300.324(a)(1)(iii) MUSER IX.3.C(1)(c) | <ul style="list-style-type: none"> - Include evaluations that support the eligibility discussion - Include evaluation name - All evaluations must be dated |
| AFS1 | Section 4B | Academic, Functional, and/or Developmental strengths of the child 34 CFR 300.324(a)(1)(i) MUSER IX.3.C(1)(a) | <ul style="list-style-type: none"> - Based on observations - Include areas of strength and relative strengths - NOT a restatement of evaluations |
| APG2 | Section 4C | Academic needs (distinctly measurable and persistent skill gap) of the child. 34 CFR 300.324(a)(1)(iv) MUSER IX.3.C(1)(d) | <ul style="list-style-type: none"> - Academic - Distinctly Measurable and Persistent Skill Gaps - Best documented in a bulleted list - Make sure to include specific skill deficits <ul style="list-style-type: none"> - Fluency, Comprehension, etc. instead of Reading |

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| APG4 | Section 4C | <p>A statement of how the child’s distinctly measurable and persistent academic gaps (skill deficits) affect their involvement and progress in the general education curriculum is present in academic gaps section.</p> <p>34 CFR 300.320(a)(1) MUSER IX.3.A(1)(a)(i)</p> | <ul style="list-style-type: none"> - Academic - How the deficit has an adverse impact on the child accessing the general education curriculum - This MUST be included with the Academic Needs statement |
| APG6 | Section 4C to Section 5 | <p>Each identified distinctly measurable and persistent academic gap (skill deficit) listed in Section 4C of the IEP is aligned to a corresponding goal.</p> <p>34 CFR 300.320 (a)(2)(i)(A) MUSER IX.3.A(b)(i)</p> | <ul style="list-style-type: none"> - Each Academic skill gap in Section 4C is aligned to a goal in Section 5. |
| FDP2 | Section 4D | <p>Functional needs (distinctly measurable and persistent skill gap) of the child.</p> <p>34 CFR 300.324(a)(1)(iv) MUSER IX.3.C(1)(d)</p> | <ul style="list-style-type: none"> - Functional - Distinctly Measurable and Persistent Skill Gaps - Best documented in a bulleted list - Make sure to include specific skill deficits <ul style="list-style-type: none"> - Self-Initiation, etc. instead of Cognitive |
| FDP7 | Section 4D | <p>A statement of how the child’s distinctly measurable and persistent functional gaps (skill deficits) affect their involvement and progress in the general education curriculum is present in functional gaps section.</p> <p>34 CFR 300.320(a)(1) MUSER IX.3.A(1)(a)(i)</p> | <ul style="list-style-type: none"> - Functional - How the deficit has an adverse impact on the child accessing the general education curriculum. - This MUST be included with the Functional Needs statement. |

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| FDG1 | Section 4D to Section 5 | Each identified distinctly measurable and persistent functional gap (skill deficit) listed in Section 4D of the IEP is aligned to a corresponding goal. 34 CFR 300.320(a)(2)(i)(A) MUSER IX (3)(b)(i) | <ul style="list-style-type: none"> - Each Functional skill gap in Section 4D is aligned to a goal in Section 5. |
| DPG2 | Section 4E | Developmental needs (distinctly measurable and persistent skill gap) of the child. 34 CFR 300.324(a)(1)(iv) MUSER IX.3.C(1)(d) | <ul style="list-style-type: none"> - Developmental - Distinctly Measurable and Persistent Skill Gaps - Best documented in a bulleted list - Make sure to include specific skill deficits - Handwashing, etc. instead of Adaptive |
| DPG4 | Section 4E | A statement of how the child’s distinctly measurable and persistent developmental gaps (skill deficits) affect their involvement and progress in the general education curriculum is present in developmental gaps section. 34 CFR 300.320(a)(1) MUSER IX.3.A(1)(a)(i) | <ul style="list-style-type: none"> - Developmental - How the deficit has an adverse impact on the child accessing the general education curriculum. - This MUST be included with the Developmental Needs statement. |
| DPG6 | Section 4E to Section 5 | Developmental needs aligned to goals. 34 CFR 300.320 (a)(2)(i)(A) MUSER IX.3.A(b)(i) | <ul style="list-style-type: none"> - Every Developmental skill gap in Section 4E is aligned to a goal in Section 5. |
| APG3 | Section 5 | A statement of child’s present levels of academic achievement. 34 CFR 300.320(a)(1) MUSER IX.3.A(1)(a) | <ul style="list-style-type: none"> - Academic - Present Level is a MUST fill and can NOT be left blank - Present Level = Baseline data describing student’s current level - Avoid a range of data (60-70%) and subjective words like “sometimes...”, “often...”, “seems to...” etc. |

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| <p>SBG1</p> | <p>Section 5 to Section 4</p> | <p>Academic goals aligned with the child’s needs (skills gaps) and present level of academic performance and designed to facilitate the child’s achievement of grade level standards or the standards at which the child is performing based on the Maine Learning Results.</p> <p>34 CFR 300.320(a)(2)(i)(A) MUSER IX.3.A(1)(b)(i)</p> | <ul style="list-style-type: none"> - Must be alignment - Goal > Present Level > Section 4C |
| <p>SBG3</p> | <p>Section 5</p> | <p>IEP academic goals are measurable (including baseline data or activities to be measured by score, percent, frequency, or specific demonstration of mastery).</p> <p>34 CFR 300.320(a)(2) MUSER IX.3.A(1)(b) MUSER IX.3.A(1)(c) MUSER VII.2</p> | <ul style="list-style-type: none"> - Must be skill specific - Can measure goals using – <ul style="list-style-type: none"> - Skill specific curriculum-based measurements - Qualitative data through teacher observation - Checklist or daily log - Running records - Work samples - Rubrics (attached to the IEP) - Can NOT measure goals using – <ul style="list-style-type: none"> - Evaluations used for eligibility or continuing eligibility - State and local assessments - Grades or report cards - Specific academic curriculums |
| <p>SBG4</p> | <p>Section 5</p> | <p>IEP academic goals have a citation linking them to the grade level general education curriculum standards or the grade level at which the child is performing.</p> <p>34 CFR 300.320 (a)(2i)(A) MUSER IX (3)(b)(i) and (iii)</p> | <ul style="list-style-type: none"> - Cite standard - Can be Maine Learning Results, Guiding Principles and/or district adopted standards |

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| <p>SBG5</p> | <p>Section 5 to Section 7</p> | <p>Academic IEP Goal/Special Education Service Alignment</p> <p>34 CFR 300.320(a)(4)(i) MUSER IX.3.A.(1)(d)(i)</p> | <ul style="list-style-type: none"> - Every goal needs to be aligned to a service in Section 7 |
| <p>FDP3</p> | <p>Section 5</p> | <p>A statement of the child’s present levels of functional/developmental performance.</p> <p>34 CFR 300.320(a)(1) MUSER IX.3.A(1)(a)</p> | <ul style="list-style-type: none"> - Functional/Developmental - Present Level is a MUST fill and can NOT be left blank - Present Level = Baseline data describing student’s current level - Avoid a range of data (60-70%) and subjective words like “sometimes...”, “often...”, “seems to...” etc. |
| <p>FDP4</p> | <p>Section 5 to Section 4</p> | <p>Functional/developmental goals aligned with the child’s needs (skills gaps) and present level of functional/developmental performance.</p> <p>34 CFR 300.320(a)(2)(i)(A) MUSER IX.3.A(1)(b)(i)</p> | <ul style="list-style-type: none"> - Must be alignment - Goal > Present Level > Section 4D/E |

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| <p>FDP5</p> | <p>Section 5</p> | <p>IEP Functional/developmental goals are measurable (to be measured by score, percent, frequency, or specific demonstration of mastery).</p> <p>34 CFR 300.320(a)(2) MUSER IX.3.A(1)(b) MUSER IX.3.A(1)(c) MUSER VII.2</p> | <ul style="list-style-type: none"> - Must be skill specific - Avoid writing goals that are outcome/age appropriate expectations - Outcome based goals are age appropriate expectations we want for ALL children - Examples of outcome-based goals might include: <ul style="list-style-type: none"> - “Child will increase attendance at school...” - “Child will decrease tantrum behavior...” - “Child will wear a mask...” - Focus on the skill deficits that interfere with the child’s ability to reach those outcomes |
| <p>FDP6</p> | <p>Section 5 to Section 7</p> | <p>Functional/Developmental IEP Goal/Special Education/Related Service Alignment</p> <p>34 CFR 300.320(a)(4)(i) MUSER IX.3.A.(1)(d)(i)</p> | <ul style="list-style-type: none"> - Every goal in Section 5 needs to be aligned to a service in Section 7 |
| <p>SAS1</p> | <p>Section 6</p> | <p>Determine any necessary modifications and/or adaptations in the child’s general education program.</p> <p>34 CFR 300.320(a)(4) MUSER IX.3.A(1)(d)</p> | <ul style="list-style-type: none"> - Teaching supports/tools included for student to be successful in general education and special education - MUST fill all boxes across the row <ul style="list-style-type: none"> - If a supplementary aid, service, modification and/or support is listed-check when/where can be used, fill location, frequency, and duration - Ed techs, BHPs, related service assistants, collaborations between staff are listed here, NOT the service grid |
| <p>SVC1</p> | <p>Section 7 to Section 5</p> | <p>Service Grid/Goal Alignment</p> <p>34 CFR 300.320(a)(4)(i) MUSER IX.3.A(1)(d)(i)</p> | <ul style="list-style-type: none"> - Every service in Section 7 needs to be aligned to a goal in Section 5 - Consultation is goal specific and must be aligned to a goal in Section 5 |

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| SVC2 | Section 7 | <p>A statement of the special education and related services to be provided.</p> <p>34 CFR 300.320(a)(4) MUSER IX.3.A(1)(d)</p> | <ul style="list-style-type: none"> - Child's needs drive services and frequency, not school schedule - Location can be Special Education, General Education or Both - Document frequency in parent friendly, understandable terms - Service time is actual delivery time of SDI provided - Do NOT include content areas (SS, Science) in Service Grid - Responsible position is certified staff only (no ed tech or assistants) |
| LRE1 | Section 8 | <p>An explanation of the extent, if any, to which the child will not participate with non-disabled students in the regular class and in extra-curricular and other non-academic activities.</p> <p>34 CFR 300.114(a)(2) MUSER IX.2.B</p> | <ul style="list-style-type: none"> - Do not restate service times - Include how the Nature and Severity of the Disability affect the student's ability to be with same-age peers |
| DIB1 | Whole IEP | <p>The IEP is reflective of the child's identifying disability category.</p> <p>34 CFR 300.320(a)(2) MUSER VI.2.J(4)</p> | <ul style="list-style-type: none"> - Programming must be included to support the disability - Examples of Disability Misalignment might include: <ul style="list-style-type: none"> - Specific Learning Disability with no academic programming - OHI (ADD/ADHD) with no functional programming - Programming must address the adverse impact of the disability |
| APG5 | Section 5 of current and prior IEPs | <p>Academic annual progress of the child.</p> <p>34 CFR 30.324(b)(1)(i) MUSER IX.3.D(1)(a) Andrew F. v. Douglas County School District RE-1, 580 U.S. ____ (2017)</p> | <ul style="list-style-type: none"> - Make sure that academic goals change from year to year - Increase rigor, level of independence etc. |

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| FDG2 | Section 5 of current and prior IEPs | Functional annual progress of the child. 34 CFR 30.324(b)(1)(i) MUSER IX.3.D(1)(a) Endrew F. v. Douglas County School District RE–1, 580 U.S. ____ (2017) | <ul style="list-style-type: none"> - Make sure that functional goals change from year to year - Increase rigor, level of independence etc. |
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| <u>Eligibility Forms</u> | |
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| <u>Finding</u> | <u>What</u> |
| FOT4 | Speech/Language Eligibility Criteria – <ul style="list-style-type: none"> • Document the criteria that documents adverse impact • Verification must include data • Document and Include all Severity Rating Scales • Document conversation/completion of form in Written Notice MUSER VII.3 34 CFR 300.8(c)(11) MUSER VII.2.K(2) |
| FOT5 | Form for Determination of Adverse Effect on Educational Performance – <ul style="list-style-type: none"> • Make sure there are no Blank Boxes/Areas • Document Reason for Use of Form • N/A means Not Available • Verification must include data • Document conversation/completion of form in Written Notice MUSER VII.3 34 CFR 300.8(c) MUSER VII.3 |

Indicator B11 – Child Find

| <u>Finding</u> | <u>What</u> |
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| INR1 | <p>Procedural Safeguards –</p> <ul style="list-style-type: none"> • Procedural Safeguards were offered to parent upon initial referral • Document as enclosure in AWN or WN of the initial referral meeting <p style="text-align: right;">34 CFR 300.504(a)(1) MUSER Appendix 1</p> |
| INR3 | <p>Timeline –</p> <ul style="list-style-type: none"> • Evaluations were completed within 60 calendar days (days from date consent to evaluate was received by CDS to date eligibility meeting held) • Record on the consent form when received back in CDS • Include parental consent • Include cover page of all evaluations parent signed consent to complete with date received back in CDS • Include WN from eligibility meeting • Compliance data reported to Office of Special Education Programs (OSEP) annually <p style="text-align: right;">34 CFR 300.301(c)(1)(ii) MUSER V.A.3(a)(i)</p> |