

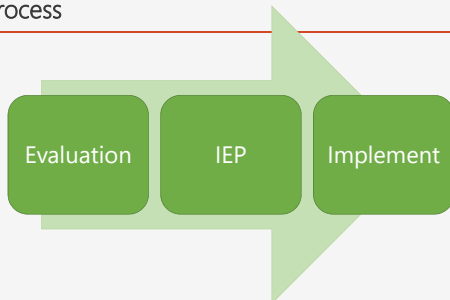
WELCOME TO SANTA'S WORKSHOP:

Learn How to Impress the "Big Guy" with your ARD Document!

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It's a Process



The FAPE Standard

The Supreme Court's decision in *Endrew F. v. Douglas County School District RE-1*, 137 S. Ct. 988 (2017), established the standard that IEPs should meet. The standard is **a district must offer an IEP that is reasonably calculated to enable a child to make progress appropriate in light of the child's circumstances.**



IEP REQUIREMENTS

34 CFR 300.320 (a)(4)

- A child's IEP must contain:
 - A statement of the special education and related services and supplementary aids and services based on peer-reviewed research, to the extent practicable, to be provided to or on behalf of the child, and
 - A statement of the program modifications or supports for school personnel that will be provided for the child.



RELATED SERVICE REQUIREMENTS

- Statement of related services must be "based on peer-reviewed research ... that will be provided to enable the child:
1. To advance appropriately toward attaining the annual goals;
 2. To be involved in and make progress in the general education curriculum in accordance with 34 CFR 300.320 (a)(1), and to participate in extracurricular and other nonacademic activities; and
 3. To be educated and participate with other children with disabilities and nondisabled children in the activities described in this section."



Obligation to Evaluate

- District must conduct FIE before the initial provision of special education and related services to a child with a disability.
- The IDEA provides that either a parent of a child or a public agency may initiate a request for an initial evaluation to determine if the child is a child with a disability.
- Parents must be given notice of a district's decision not to evaluate a child. 34 CFR 300.503 (a)(2).
- School districts have an affirmative obligation to evaluate under the IDEA when there is reason to suspect that, because of a disability, a child needs special education and related services.



Deliberations

1. You should document the attendees.
2. Note whether the meeting is being recorded.
3. Include both parent and staff information.
4. Describe the decision-making process.
 - a) What was requested?
 - b) What was discussed?
 - c) What was decided?
5. Do not practice creative writing skills. Just the facts, please!



ARD Agenda Outline of Deliberations

1. Review Evaluation Data and Other Information
2. Determination of Eligibility
3. Transition Planning (if appropriate)
4. Review Present Levels of Academic and Functional Performance
5. ARD/IEP Additional Considerations:
 - Swedish Students:
 - Hearing Impairment
 - Autism
 - Blind/Visual Impairment
 - Behavior Intervention Plan (BIP)
 - Communication
 - All Students:
 - Language (limited English proficiency)
 - Assistive Technology
 - Extended School Year (ESY) Services
 - Seizures
6. Annual Goals and Objectives, as needed
7. Accommodations or Supplementary Aids & Services:
 - Related Services (including frequency, time, location, duration (amount of time) and location of where services will be anticipated to be provided (Plans))
 - Transportation Needs (if appropriate)
8. State and District Assessments
9. Determine other services to be provided:
 - Coordination between Regular and Special Education
 - Grading
10. Determine Placement
11. Consider Least Restrictive Environment (LRE)
12. Assurances
13. ARD Committee members agreement or disagreement

ARD Committee Members

1. The parents of the child;
2. A general education teacher of the child (if the child is or may be participating in the general education setting);
3. A special education teacher of the child, or, where appropriate, a special education provider of the child;
4. A district representative
5. Assessment staff, as appropriate; and
6. Whenever appropriate, the child with the disability.



PLAAFP

34 CFR 300.320(a)(1)

Present Levels of Academic Achievement and Functional Performance

How the child's disability affects the child's involvement and progress in the general education curriculum (*i.e.*, the same curriculum as for nondisabled children); or

For preschool children, as appropriate, how the disability affects the child's participation in appropriate activities.



Measurable Annual Goals

34 CFR 300.320(a)(2)(i)

Meet the child's needs that result from the child's disability to enable the child to be involved in and make progress in the general education curriculum; and

Meet each of the child's other educational needs that result from the child's disability.



Method of Measuring Progress

An IEP must include a description of how and when progress will be reported to the parent/guardian.

1. How the child's progress toward meeting the annual goals described in 34 CFR 300.320(a)(2) will be measured; and
2. When periodic reports on the progress the child is making toward meeting the annual goals will be provided.



Accommodations

DOE explained accommodations are changes in materials or procedures that measure the student's knowledge and skills instead of measuring a student's disability or English proficiency.

Generally grouped into the 4 categories:

- Presentation (repeat directions, read aloud, use of larger bubbles, etc.),
- Response (mark answers in book, use reference aids, point, etc.),
- Setting (study carrel, special lighting, separate room, etc.), and
- Timing/scheduling (extended time, frequent breaks, etc.)



Least Restrictive Environment

A school district's obligation to educate students with disabilities in the LRE is set out in the IDEA regulations at 34 CFR 300.114-120.

LRE mandate

...To the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are nondisabled...



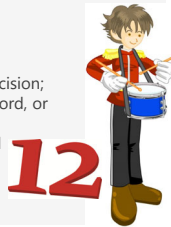
Prior Written Notice

Must be sent:

1. within a "reasonable time" period;
2. after the team decision is made to propose or refuse a change, not before the team meeting;

Must include:

3. description of the proposal or refusal;
4. explanation of why the district proposes or refuses the decision;
5. description of each evaluation procedure, assessment, record, or report used as a basis for the decision;
6. statement regarding the protections under the procedural safeguards (give the parent a copy, again)...

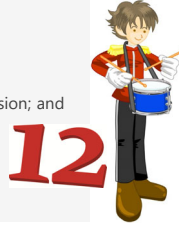


Prior Written Notice

7. Sources for parents to contact to obtain assistance in understanding the procedural safeguards;
8. Description of other options considered;
9. Reasons why those other options were rejected;
10. Description of other factors relevant to the decision;

Also:

11. PWN is required even if parent requests the change/decision; and
12. PWN must provide sufficient detail



Summary

Prior Written Notice

Least Restrictive Environment

Accommodations

Method of Measuring Progress

Measurable Annual Goals

PLAAFP

ARD Committee Members

Deliberations

Evaluation

Related Services

IEP Requirements

**&
THE FAPE
STANDARD**

The End



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ROGERS
MORRIS &
GROVER
