Staff Training Issues in Light of Endrew F.

Possible training topics for Special Education Teachers

- **New FAPE standard**
  - Should be able to explain the new standard and should also be able to explain how each IEP for which s/he’s responsible is reasonably calculated to enable the child to make progress appropriate in light of the child’s circumstances
  - Should be prepared for parent question whether child’s IEP must be changed because of new standard

- **Importance of the IEP sequence**
  - Understanding why the IEP is written in the order it is may help the process of writing one
  - May be helpful to have teacher critique IEP(s) of student(s) on his/her caseload in examining the IEP training issues below

- **IEP - Present Levels/Objective Statements**
  - Where is the student currently functioning?
  - Be appropriately specific
    - Generalities, especially the same generalities year after year, may fail to reflect progress

- **IEP - Needs/Strengths**
  - Are they appropriately identified in light of present levels/objective statements?

- **IEP - Behavior as a “special factor”**
  - Behavior is a special factor when it impedes learning of student or others
  - What does that look like in the District
    - When to seek parent consent for FBA, how FBAs will be conducted and used to develop behavior intervention plans, data collection, etc.

- **IEP - Goals**
  - Must be individualized and measurable

- **IEP - Progress measures**
  - Must actually measure the goal they support

- **IEP - Progress reports**
  - Must report student progress as measured for each goal
  - If progress is not as expected, discuss/schedule IEP meeting
- **IEP - Extended School Year Services**
  - Student needs ESY when, without it, s/he is not expected to receive FAPE
  - When FAPE standard is higher, more students may need ESY to receive FAPE

- **IEP - Additional considerations for teachers of students with challenging behaviors and students functioning in the severe/profound range**
  - **Behavior**
    - How are school personnel working to eliminate/reduce behaviors of concern?
    - When you have tried everything you know to try, tell your director
    - For a student on a shortened day or homebased/homebound instruction due to behavior, are additional services needed to receive FAPE
  - **Severe/profound functioning**
    - Break down tasks and measure performance on each discrete step

- **Written Notice to Parents**
  - Functions as the “minutes” of the meeting
  - Develop Written Notice for every IEP meeting, even if nothing on the IEP is changed
  - Should reflect every topic the team discussed, including things it discussed and decided not to do
  - Should be sent home promptly after the meeting, but need not be handed to parent at the meeting’s end

- **Procedural compliance**
  - Meet without parent in attendance only when s/he cannot be persuaded to attend
  - Encourage input of parents and others they bring to meetings
  - Avoid claims of predetermination
    - Share IEP drafts with parents in advance
    - “Beef up” explanation about the IEP draft
    - Leave blank sections of a draft about which the team has disagreed
    - Watch language used about “the team”
    - Ensure everyone communicating with the parent understands
For All Personnel involved in IEP development

- New FAPE standard
  - Should be able to explain the new standard and should \textit{also} be able to explain, as appropriate, how a child’s IEP for which s/he’s responsible is reasonably calculated to enable the child to make progress appropriate in light of the child’s circumstances
- Communicating about student progress

For Qualified Examiners/Others deciding scope of evaluation & whether reevaluation is necessary

- Initial evaluations (and reevaluations)
  - Must be comprehensive in light of suspected disability
    - Inadequate evaluation will result in an inadequate IEP
- Purpose of reevaluation
  - Not only to determine if student continues to be IDEA-eligible
  - May be needed to determine current functioning level(s)
  - May be needed to determine if student needs a change in services

Important information for Administration

- District policies/regulations/procedures that refer to the previous FAPE standard must be amended
- New FAPE standard is higher and may result in need to provide increased services to students with disabilities for whom District can’t demonstrate progress appropriate in light of child’s individual circumstances, which might include
  - Students with challenging behaviors
  - Students on a shortened day or on homebased/homebound placement due to behavior or other issues
  - Students functioning in the severe/profound range (and other students for whom progress is slow and/or difficult to measure)
    - Students proposed for graduation
- District may need to budget increased $ for ESY programming because more students may need ESY to receive FAPE under the higher standard
- Possible that more disputes will result due to parent perception that services for all students with disabilities now fall short and must be increased
- Director’s proposed plan to address these issues