

Check List	Individual Education Plan requirements checklist for use in developing or analyzing IEP programs. – 2009 Version	Law
	<u>PARENT CONCERNS</u>	
	<p>(A) In general.--In developing each child's IEP, the IEP Team, subject to subparagraph (C), shall consider--</p> <p>(i) the strengths of the child</p> <p>(ii) the concerns of the parents for enhancing the education of their child;</p> <p>(iii) the results of the initial evaluation or most recent evaluation of the child; and</p> <p>(iv) the academic, developmental, and functional needs of the child.</p>	614 (d)(3)(A)
	<p>(a) When developing each pupil's individualized education program, the individualized education program team shall consider the following:</p> <p>(1) The strengths of the pupil.</p> <p>(2) The concerns of the parents or guardians for enhancing the education of the pupil</p>	EC 56341.1.
	<u>PRESENT LEVELS OF PERFORMANCE</u>	
	<p>(1) A statement of the child's present levels of academic achievement and functional performance, including--</p> <p>(i) 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</p>	CFR 300.320
	<p>(ii) For preschool children, as appropriate, how the disability affects the child's participation in appropriate activities;</p>	CFR 300.320
	<p>(a) The individualized education program is a written statement the includes the following:</p> <p>(1) A statement of the individual's present levels of academic achievement and functional performance, including the following:</p> <p>(A) The manner in which the disability of the individual affects his or her involvement and progress in the general education curriculum.</p>	E.C. 56345
	<p>(B) For preschool children, as appropriate, the manner in which the disability affects his or her participation in appropriate activities</p>	E.C. 56345
	<u>GOALS AND OBJECTIVES</u>	
	<p>(i) A statement of measurable annual goals, including academic and functional goals designed to --</p>	CFR 300.320
	<p>(A) 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</p>	CFR 300.320
	<p>(B) Meet each of the child's other educational needs that result from the child's disability;</p>	CFR 300.320
	<p>(2) A statement of measurable annual goals, including academic and functional goals,</p>	E.C.

	designed to do the following: (A) Meet the needs of the individual that result from the disability of the individual to enable the pupil to be involved in and make progress in the general education curriculum.	56345
	(B) Meet each of the other educational needs of the pupil that result from the disability of the individual.	E.C. 56345
	**** (c) The individualized education program shall show a direct relationship between the present levels of performance, the goals and objectives, and the specific educational services to be provided. **** (NOTE: <u>No Federal Regulation Equivalent to this</u>)	5CCR 3040
	<u>PLACEMENT</u>	
	In determining the educational placement of a child with a disability, including a preschool child with a disability, each public agency must ensure that-- (a) The placement decision-- (1) Is made by a group of persons , including the parents, and other persons knowledgeable about the child, the meaning of the evaluation data, and the placement options; and (2) Is made in conformity with the LRE provisions of this subpart, including Sec. Sec. 300.114 through 300.118; (b) The child's placement-- (1) Is determined at least annually; (2) Is based on the child's IEP; and (3) Is as close as possible to the child's home; (c) Unless the IEP of a child with a disability requires some other arrangement, the child is educated in the school that he or she would attend if nondisabled; (d) In selecting the LRE, consideration is given to any potential harmful effect on the child or on the quality of services that he or she needs; and (e) A child with a disability is not removed from education in age-appropriate regular classrooms solely because of needed modifications in the general education curriculum.	CFR 300.116
	(a) Each public agency must ensure that a continuum of alternative placements is available to meet the needs of children with disabilities for special education and related services. (b) The continuum required in paragraph (a) of this section must-- (1) Include the alternative placements listed in the definition of special education under Sec. 300.38 (instruction in regular classes, special classes, special schools, home instruction, and instruction in hospitals and institutions); and (2) Make provision for supplementary services (such as resource room or itinerant instruction) to be provided in conjunction with regular class placement.	CFR 300.115
	(b) The individualized education program team shall document its rationale for placement in other than the pupil's school and classroom in which the pupil would otherwise attend if the pupil were not handicapped. The documentation shall indicate why the pupil's handicap prevents his or her needs from being met in a less restrictive environment even with the use of supplementary aids and services.	5CCR 3042
	(4) A statement of the special education and related services and supplementary aids	CFR

	and services, based on peer-reviewed research to the extent practicable, to be provided to the child, or on behalf of the child, and a statement of the program modifications or supports for school personnel that will be provided to enable the child--	300.320
	(i) To advance appropriately toward attaining the annual goals;	CFR 300.320
	(ii) To be involved in and make progress in the general education curriculum in accordance with paragraph (a)(1) of this section, and to participate in extracurricular and other nonacademic activities; and	CFR 300.320
	(iii) To be educated and participate with other children with disabilities and nondisabled children in the activities described in this section;	CFR 300.320
	(5) An explanation of the extent, if any, to which the child will not participate with nondisabled children in the regular class and in the activities described in paragraph (a)(4) of this section;	CFR 300.320
	(4) 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 the pupil, or on behalf of the pupil, and a statement of the program modifications or supports for school personnel that will be provided to enable the pupil to do the following: (A) To advance appropriately toward attaining the annual goals.	E.C. 56345
	(B) To be involved in and make progress in the general education curriculum in accordance with paragraph (1) and to participate in extracurricular and other nonacademic activities.	E.C. 56345
	(C) To be educated and participate with other individuals with exceptional needs and nondisabled pupils in the activities described in this subdivision.	E.C. 56345
	(5) An explanation of the extent, if any, to which the pupil will not participate with nondisabled pupils in the regular class and in the activities described in subparagraph (C) of paragraph (4).	E.C. 56345
	<u>ACCOMODATIONS</u>	
	(6) (i) A statement of any individual appropriate accommodations that are necessary to measure the academic achievement and functional performance of the child on State and districtwide assessments consistent with section 612(a)(16) of the Act; and (ii) If the IEP Team determines that the child must take an alternate assessment instead of a particular regular State or districtwide assessment of student achievement, a statement of why--(A) The child cannot participate in the regular assessment; and (B) The particular alternate assessment selected is appropriate for the child; and	CFR 300.320
	(6) (A) A statement of individual appropriate accommodations that are necessary to measure the academic achievement and functional performance of the pupil on state and districtwide assessments consistent with Section 1412(a)(16)(A) of Title 20 of the United States Code. (B) If the individualized education program team determines that the pupil shall take an alternate assessment instead of a particular state or districtwide assessment of pupil achievement, a statement of the following: (i) The reason why the pupil cannot participate in the regular assessment. (ii) The reason why the particular alternate assessment selected is appropriate for the pupil.	E.C. 56345

<u>IMPLEMENTATION OF IEP</u>		
	(7) The projected date for the beginning of the services and modifications described in paragraph (a)(4) of this section, and the anticipated frequency, location, and duration of those services and modifications.	CFR 300.320
	(7) The projected date for the beginning of the services and modifications described in paragraph (4), and the anticipated frequency, location, and duration of those services and modifications.	E.C. 56345
	(2) As soon as possible following development of the IEP, special education and related services are made available to the child in accordance with the child's IEP.	CFR 300.323
	(b) Pursuant to Section 300.323(c)(2) of Title 34 of the Code of Federal Regulations, as soon as possible following development of the individualized education program , special education and related services shall be made available to the individual with exceptional needs in accordance with the individual's individualized education program. (NOTE: This statute says services begin after “development” not after signing anything.)	E.C. 56344
	(d) (3) <u>A public agency may not use a parent's refusal to consent to one service or activity under paragraphs (a) or (d)(2) of this section to deny the parent or child any other service, benefit, or activity of the public agency,</u> except as required by this part.	34 CFR 300.300
<u>PROGRESS MONITORING</u>		
	(3) A description of-- (i) How the child's progress toward meeting the annual goals described in paragraph (2) of this section will be measured ; and	CFR 300.320
	(ii) When periodic reports on the progress the child is making toward meeting the annual goals (such as through the use of quarterly or other periodic reports, concurrent with the issuance of report cards) will be provided;	CFR 300.320
	(3) A description of the manner in which the progress of the pupil toward meeting the annual goals described in paragraph (2) will be measured and when periodic reports on the progress the pupil is making toward meeting the annual goals, such as through the use of quarterly or other periodic reports, concurrent with the issuance of report cards, will be provided.	E.C. 56345
<u>EXTENDED SCHOOL YEAR - ESY</u>		
	(a) General. (1) Each public agency must ensure that extended school year services are available as necessary to provide FAPE , consistent with paragraph (a)(2) of this section. (2) Extended school year services must be provided only if a child's IEP Team determines, on an individual basis, in accordance with Sec. Sec. 300.320 through 300.324, that the services are necessary for the provision of FAPE to the child. (3) In implementing the requirements of this section, a public agency may not-- (i) Limit extended school year services to particular categories of disability; or (ii) Unilaterally limit the type, amount, or duration of those services	CFR 300.106
	(3) Pursuant to Section 300.106 of Title 34 of the Code of Federal Regulations, extended school year services shall be included in the individualized education program and provided	E.C.

	to the pupil if the individualized education program team of the pupil determines, on an individual basis, that the services are necessary for the provision of a free appropriate public education to the pupil.	56345
	(4) Provision for the transition into the regular class program if the pupil is to be transferred from a special class or nonpublic, nonsectarian school into a regular class in a public school for any part of the schoolday, including the following:	E.C. 56345
	<u>INTEGRATION ACTIVITIES</u>	
	(A) A description of activities provided to integrate the pupil into the regular education program. The description shall indicate the nature of each activity, and the time spent on the activity each day or week.	E.C. 56345
	(B) A description of the activities provided to support the transition of pupils from the special education program into the regular education program	E.C. 56345
	(5) For pupils with low-incidence disabilities, specialized services , materials, and equipment, consistent with guidelines established pursuant to Section 56136.	E.C. 56345
	<u>NON ACADEMIC AND EXTRACURRICULAR ACTIVITIES</u>	
	(a) Each public agency must take steps, including the provision of supplementary aids and services determined appropriate and necessary by the child's IEP Team, to provide nonacademic and extracurricular services and activities in the manner necessary to afford children with disabilities an equal opportunity for participation in those services and activities.	CFR 300.107
	(b) Nonacademic and extracurricular services and activities may include counseling services, athletics, transportation, health services, recreational activities, special interest groups or clubs sponsored by the public agency, referrals to agencies that provide assistance to individuals with disabilities, and employment of students, including both employment by the public agency and assistance in making outside employment available.	CFR 300.107
	(a) Pursuant to Section 300.107 of Title 34 of the Code of Federal Regulations, each public agency shall take steps, including the provision of supplementary aids and services determined appropriate and necessary by the individualized education program team of the individual with exceptional needs, to provide nonacademic and extracurricular services and activities in the manner necessary to afford individuals with exceptional needs an equal opportunity for participation in those services and activities.	E.C. 56345.2.
	(b) Nonacademic and extracurricular services and activities may include counseling services, athletics, transportation, health services, recreational activities, special interest groups or clubs sponsored by the public agency, referrals to agencies that provide assistance to individuals with exceptional needs, and employment of pupils, including both employment by the public agency and assistance in making outside employment available.	E.C. 56345.2
	(c) Pursuant to Section 300.117 of Title 34 of the Code of Federal Regulations, each public agency shall ensure that each individual with exceptional needs participates with nondisabled children in extracurricular services and activities to the maximum extent appropriate to the needs of that individual. Each public agency shall ensure that each individual with exceptional needs has the supplementary aids and services determined by the individualized education program team of the individual to be appropriate and necessary for the individual to participate in nonacademic settings.	E.C. 56345.2

<u>TRANSITION PLANNING</u>		
	<p>(b) Transition services. Beginning not later than the first IEP to be in effect when the child turns 16, or younger if determined appropriate by the IEP Team, and updated annually, thereafter, the IEP must include--</p> <p>(1) Appropriate measurable postsecondary goals based upon age appropriate transition assessments related to training, education, employment, and, where appropriate, independent living skills; and</p> <p>(2) The transition services (including courses of study) needed to assist the child in reaching those goals</p>	CFR 300.320
	<p>(a) The term "transition services" as defined in Section 1401(34) of Title 20 of the United States Code and as used in subparagraph (B) of paragraph (8) of subdivision (a) of Section 56345, means a coordinated set of activities for an individual with exceptional needs that does all of the following:</p> <p>(1) Is designed within an results-oriented process, that is focused on improving the academic and functional achievement of the individual with exceptional needs to facilitate the movement of the pupil from school to postschool activities, including postsecondary education, vocational education, integrated employment, including supported employment, continuing and adult education, adult services, independent living, or community participation.</p>	E.C. 56345.1
	<p>(2) Is based upon the individual needs of the pupil, taking into account the strengths, preferences, and interests of the pupil.</p>	E.C. 56345.1
	<p>(3) Includes instruction, related services, community experiences, the development of employment and other postschool adult living objectives, and, if appropriate, acquisition of daily living skills and provision of a functional vocational evaluation.</p>	E.C. 56345.1
	<p>(c) If a participating agency, other than the local educational agency, fails to provide the transition services described in the individualized education program of the pupil in accordance with Section 1414(d)(6) of Title 20 of the United States Code and paragraph (8) of subdivision (a) of Section 56345, the local educational agency shall reconvene the individualized education program team to identify alternative strategies to meet the transition service needs for the pupil set out in the program.</p>	E.C. 56345.1
<u>MENU OF IEP SERVICES</u>		
	<p>(a) Each public agency must ensure that assistive technology devices or assistive technology services, or both, as those terms are defined in Sec. Sec. 300.5 and 300.6, respectively, are made available to a child with a disability if required as a part of the child's-</p> <p>(1) Special education under Sec. 300.36;</p> <p>(2) Related services under Sec. 300.34; or</p> <p>(3) Supplementary aids and services under Sec. Sec. 300.38 and 300.114(a)(2)(ii).</p> <p>(b) On a case-by-case basis, the use of school-purchased assistive technology devices in a child's home or in other settings is required if the child's IEP Team determines that the child needs access to those devices in order to receive FAPE.</p>	CFR 300.105
	<p>Health and Nursing Services</p> <p>(B) Appropriate accommodations for safety and necessary physical care services for the individual with exceptional needs in the school setting shall be provided by the school. Personal privacy and dignity of an individual with exceptional needs shall be assured.</p>	5 CCR 3051.12

	- Parent Counseling and Training	5 CCR 3051.11
	- Social Worker Services	5 CCR 3051.13
	- Specially Designed Vocational Education and Career Development	5 CCR 3051.14
	- Language, Speech and Hearing Development and Remediation	5 CCR 3051.1
	- Psychological Services	5 CCR 3051.10
	- Recreation Services	5 CCR 3051.15
	- Services for Pupils with Chronic Illnesses or Acute Health Problems	5 CCR 3051.17
	- Audiological Services	5 CCR 3051.2
	- Mobility Instruction	5 CCR 3051.3
	- Instruction in the Home or Hospital	5 CCR 3051.4
	- Adapted Physical Education for Individuals with Exceptional Needs	5 CCR 3051.5
	- Physical and Occupational Therapy	5 CCR 3051.6
	- Vision Services	5 CCR 3051.7
	- Vision Therapy	5 CCR 3051.75
	- Specialized Driver Training Instruction	5 CCR 3051.8
	- Counseling and Guidance Services	5 CCR 3051.9
	- Behavioral Intervention Plans	5 CCR 3052
	Transportation.	EC 41851,2