Fixing the Form: Improving Individualized Education Programs in North Carolina

Prepared for: Advocates for Children’s Services
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Executive Summary

Policy Problem: Special education services for children in North Carolina schools are highly dependent upon the development of individualized education programs, or IEPs. In fact, without an IEP in place, a North Carolina student will not receive special education services. As the statewide agency tasked with providing special education, the Department of Public Instruction (DPI) publishes a model form for school districts (also known as local education agencies or LEAs) to use when they develop IEPs.

This project considers how the form used to prepare IEPs, known as the DEC 4, can be changed to improve the substantive special education services that will be provided for North Carolina children. This project is premised on the notion that improved parental understanding of the form will help parents, as advocates for their children, ensure that children receive better services.

Policy Question: How can the DEC 4, the form used to develop individualized education programs in North Carolina, be revised to better help parents understand the DEC 4?

Policy Recommendations: There are two sets of recommendations in this project. First, I include recommendations for how to change the DEC 4, which are presented in order of feasibility. A more complete analysis of these recommendations can be found on pages 16 - 27 of this report.

(1) Add instructions to the DEC 4.
(2) Add numbers or letters before all items on the DEC 4.
(3) Add legal citations to the DEC 4.
(4) Add a text box and change the wording of the item on page 7.
(5) Change the wording of all items on the DEC 4 so they are worded as questions, not statements.

Next, I propose four strategies for changing the DEC 4. For maximum impact, these strategies should be implemented in the order in which they are presented in this report. A more complete analysis of these recommendations can be found on pages 25 - 30.

(1) ACS must identify the best lead actor for this project, ideally a parent or group of parents.
(2) The lead actor should reach out to three specific children’s rights organizations and DPI to garner support for the project.
(3) Consider using one LEA as a pilot for DEC 4 revisions.
(4) When this project concludes, work next on the DEC 5.

Summary of Methodology and Criteria for Analysis: To determine how the DEC 4 could be improved, I conducted three types of research:

(1) legal research
(2) research on survey design
(3) qualitative interviews and surveys

The legal research consisted of an analysis of state and federal statutes and regulations
about special education. The survey design research focused on best practices in structuring or writing questions so that they are easily understandable. The qualitative interviews included phone or in-person interviews with five parents, two teachers, and one director of special education, as well as attorneys who represent parents and children in special education matters in North Carolina. Although this sample was small and selected by professional contacts, the conversations were consistent with findings from research on survey design and survey comprehensibility.

I also sent an electronic survey to a variety of organizations and individuals in North Carolina that represent four critical groups: teachers, parents, school administrators, and school psychologists. 238 people completed the survey. The survey did not track respondents’ geographic region of North Carolina or income level; however, the respondents represented a range of North Carolinians who interact with children.

To develop the recommendations for changes to the DEC 4, I considered four criteria:

1. whether the recommendation would be supported or approved by multiple groups of stakeholders
2. how responsive the recommendation was to parental concerns
3. the legality of the recommendation
4. how much the recommendation would cost DPI, the organization that creates the state model IEP form

Explanation of Results: To make the DEC 4 more understandable, ACS should encourage DPI to modify the DEC 4 to make it more user-friendly. Parents, teachers, school personnel, and parent advocates all comment that the DEC 4 is confusing and lacks clarity, even for school administrators that use the form regularly. The five recommendations concerning the DEC 4 will all help ensure that the form is more easily understandable for parents, as the advocate for children in IEP meetings and the focal group for ACS. However, these recommendations are also supported by other groups of stakeholders, such as teachers and school personnel, which will help ACS make a stronger case than if the changes were supported by parents alone. Presumably, making the form more understandable will then improve the substance of services for North Carolina children.

Since ACS is not DPI and does not control the DEC 4, this report also includes strategies to help ACS encourage DPI to change the form. These strategies are built on the assumption that a collaborative effort among a diverse group of organizations will encourage DPI to make these changes faster than if ACS acts alone.
Introduction to Project
This project was developed for Advocates for Children’s Services (ACS), a branch of Legal Aid of North Carolina’s network that provides free legal services to low-income individuals. Through direct client representation, ACS represents students in a variety of school-based matters such as suspension, denial of enrollment, and discrimination. In the cases that ACS litigates, students frequently have IEPs in place because they qualify for special education and other related services. ACS considers an IEP to be inadequate when it lacks sufficient information about the student’s specific needs, the academic and related services that the student will receive, and how the services are connected with the student’s academic outcomes. These inadequate IEPs are often the subject of ACS’s litigation.

ACS believes that IEPs may be inadequate because parents and guardians1 – as advocates for their children – are not clearly informed or educated about the IEP development process. This project is premised on the notion that better education and information for parents would help schools around the state develop better IEPs, which would in turn lead to better outcomes for children.2 The project also relies on the assumption that all the people within one category, such as parents or school psychologists, all feel the same way about the IEP development process and there are not strong deviations within each group.

The purpose of this project is to address concerns with the IEP form and develop a template that ACS can promote in discussions with policy-makers and statewide children’s advocates. Although local education agencies, or LEAs, as the actual “keepers” of the form, would be the direct beneficiary of such a project, the indirect beneficiaries of the project will be parents, teachers, school administrators, and attorneys who represent both parents and schools.

In developing this project, many concerns rose both about the process through which an IEP is developed and the form that guides the discussion of the IEP meeting. The form, known as the DEC 4, is critical for children’s educational outcomes because of the way the form guides the discussion and leads parents or teachers to answer the questions in a particular way. Therefore, while this project focuses only on the DEC 4 itself, the broader impact of this project will be to improve the way that the answers on the form address children’s educational needs in the state of North Carolina. Of course, improvements to the DEC 4 will not solve all concerns related to children’s educational outcomes; even with a clear, understandable DEC 4, there may still be issues related to the IEP process that need to be overcome, such as the need for better translation services or for schools to provide education or training to parents before the IEP meetings begin. As explained by special education attorney Jane Wettach, “[t]he written IEP is only as good as the educational staff implementing it.”3

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1 The author acknowledges that parents and guardians are not the same; however, for the purposes of this paper, the term “parent” is used to represent both sets of individuals.

2 See Wade Fish, The IEP Meeting: Perceptions of Parents of Students who Receive Special Education Services, Preventing School Failure, Fall 2008, at 9 (stating that “[t]he establishment of effective educational experiences for students who receive special education services depends on parents’ involvement in educational programming”).

3 Email from Jane Wettach, Attorney, Duke Children’s Law Clinic, to Elizabeth Ireland (April 4, 2013) (on file with author).
This report starts with relevant background information for this project, including the legal requirements for an IEP, information about key actors in the IEP process, and a description of how IEPs are developed. The subsequent sections detail the problem with the DEC 4, criteria used in making recommendations about changes to the form, and recommendations about how to change the form. The final section provides strategy suggestions for ACS about how to proceed with the revision process.

**Background**
This section includes a brief overview of background information on four topics: the purpose of an IEP, the IEP development process, the role of DPI in IEP development, and the DEC 4 form that has been developed by DPI.

*The Purpose of IEPs*
Under the Individuals with Disabilities Education Act (IDEA), which Congress enacted in 1990 and amended in 1997 and 2004, children who attend public school and qualify for “special education and related services” must receive an Individualized Education Program (IEP) from the school the child attends.\(^4\) This IEP is meant to ensure that students with disabilities receive a “free, appropriate public education,” or FAPE.\(^5\) Any child in preschool, elementary school, or secondary school can receive an IEP if he or she qualifies as a “child with a disability.”\(^6\) In North Carolina, approximately 13% of school-aged children,\(^7\) a total of 192,261 students,\(^8\) qualify as children with disabilities who are entitled to an IEP.

*Developing an IEP*
Before an IEP meeting is convened, there is a referral and an assessment of the child’s performance.\(^9\) A variety of possible referral sources exist, such as parents, a community agency, or an early childhood provider. The school, parents, private providers, and outside agencies may submit assessments of a child’s performance.\(^10\) Image 1 provides a diagram of this process.

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\(^8\) *April 1, Exceptional Children, Public Schools of North Carolina*, http://ec.ncpublicschools.gov/reports-data/child-count/reports/april-1 (click on “April 2012 by LEA” hyperlink).
\(^9\) Interview with Kate Neale, Department of Public Instruction, in Raleigh, N.C. (Nov. 21, 2012). To my knowledge, there is no compilation of data indicating the referral source for students who are identified as children with disabilities.
Image 1: IEP Development

Referral → Assessment → IEP Meeting → IEP

After referral and assessment, federal law requires an IEP meeting with a certain composition of individuals who will develop the IEP for each student.11 This “Individualized Education Program Team” includes a parent, at least one regular education teacher, at least one special education teacher, a representative from the LEA who knows about the school curriculum and available resources, and an individual who can interpret educational evaluations. The student is a member of the team “whenever appropriate.”12 Because the individual who can interpret educational evaluations may also fulfill one of the other roles, this group will have at least four members. When convened, the team fills out the DEC 4 to create an IEP for the child.

At an “IEP meeting,” the LEA representative leads the group in filling out the DEC 4, which must include specific information to comply with federal and state law. For example, the form must include the child’s present level of academic and functional performance, a statement of measurable annual goals, and a statement about any accommodations for testing, as well as other statements about the services that the child will receive. As the team creates these statements and interprets data, the team must also “[d]raw upon information from a variety of sources, including aptitude and achievement tests, parent input, teacher recommendations, as well as information about the child’s physical condition, social or cultural background, and adaptive behavior.”13 The team meeting is essentially a consensus-based process where all parties are expected to agree on the items developed for a child’s IEP.

**DPI’s Role in IEP Development**

To comply with both federal and state law,14 the North Carolina Department of Public Instruction must regularly monitor local education agencies (LEAs) “to ensure compliance with state and federal laws, rules, and regulations that govern the provision of special education and related services to children with disabilities.”15 This monitoring function ideally “focus[es] federal, state, and local resources on improved results for children with

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12 Id.
disabilities and their families.\textsuperscript{16} As part of this directive, DPI provides guidance, in the form of policies, to each LEA about how the LEA can structure its local practices to comply with federal law.

The DEC 4 Form
The model form that DPI suggests for North Carolina schools to use in developing IEPs is known as the DEC 4.\textsuperscript{17} Although the DPI model forms are not legally required, the majority of districts across North Carolina adopt the forms that DPI develops and disseminates throughout the state. All but one North Carolina county (New Hanover) use the DEC 4 from DPI.\textsuperscript{18} DPI also advises LEAs about how to fill out the IEP form and gives guidance to parents about the IEP process and how to resolve disputes that arise after IEP determination meetings.\textsuperscript{19} DPI also provides a Spanish version of the IEP form on its website for parents who do not speak English.\textsuperscript{20}

The DEC 4 was revised in September 2012. Before then, the form was last revised in 2008. Between 2008 and 2012, DPI made only a few changes to the form, specifically in the areas of testing and alternative educational placements. In the past few years, DPI has also started encouraging LEAs to use two software programs for IEP information, known as Easy IEP and C-CAS, to collect information. Both these programs use the DEC 4 template but allow LEAs to electronically access the information that has been entered in each field of the DEC 4.\textsuperscript{21}

Methodology
To better understand how the DEC 4 could be revised to better serve parents in the state of North Carolina, I completed three types of analysis:

(1) legal research
(2) research on survey design, and
(3) qualitative interviews and surveying.

First, for legal analysis, I considered the federal statutes and regulations related to education for children with disabilities. I also examined the North Carolina General Statutes pertaining to education and the North Carolina policies disseminated by DPI. Second, I researched survey principles and how surveys or questionnaires should be worded to reach the broadest group of people. I also considered the model IEP form

\begin{footnotesize}
\begin{enumerate}
\item Id.
\item The 2004 Individuals with Disabilities Education Improvement Act, also known as the reauthorization of IDEA, required the federal Department of Education to publish model forms for states to replicate. (“The Secretary shall publish and disseminate widely to States, local educational agencies, and parent and community training and information centers—(1) a model IEP form; (2) a model individualized family service plan (IFSP) form; (3) a model form of the notice of procedural safeguards described in section 615(d); and (4) a model form of the prior written notice.”). See 20 U.S.C. § 1417(e) (2004).
\item Interview with Bobbie Grammer, Department of Public Instruction, in Raleigh, N.C. (Dec. 3, 2012).
\item See generally PUBLIC SCHOOLS OF NORTH CAROLINA, GUIDING PRACTICES, supra note 10.
\item Statewide Forms, PUBLIC SCHOOLS OF NORTH CAROLINA, http://ec.ncpublicschools.gov/policies/forms/statewide-forms (click on “Forms” hyperlink next to DEC 4 IEP: Individualized Education Program (IEP) about halfway down the page) (hereinafter DEC 4).
\item Interview with Kate Neale, Department of Public Instruction, in Raleigh, N.C. (Nov. 21, 2012).
\end{enumerate}
\end{footnotesize}
provided by the federal Office of Special Education Programs, as well as IEP forms used in
the states of Colorado, New Jersey, Ohio, Connecticut, Massachusetts, Missouri, New York,
Pennsylvania, and Virginia.\(^\text{22}\) These states were selected semi-randomly – I randomly
picked the first three states from a number of IEP forms that are accessible online. The
next six states were considered because they were states with “IEP guidebooks” online that
had been identified by special education attorney Jane Wettach.\(^\text{23}\)

My third type of analysis was qualitative. First, I conducted interviews with eleven parents
and professionals across the state to learn about their experiences with the DEC 4. These
individuals were selected after consultation with my client, master’s project advisor, and
master’s project committee. The interviews were primarily conducted over the phone. I
intentionally decided not to have a set script for each interview so that interviewees would
express a wide range of opinions about the DEC 4 and the IEP development process instead
of only answering my questions. However, I did ask similar questions in each interview,
such as “Do you believe the DEC 4 form is easily understood?” and “What changes do you
think need to be made to the DEC 4 form?” Using this interview method ensured that I
received varied feedback about the IEP process while still covering similar issues in each
interview.

As another form of qualitative research, I developed an online survey that I sent to
individuals and associations representing various groups of people across the state. The
survey was anonymous, so I did not collect any identifying data other than information
about the person’s role in the IEP process and whether the person was in North Carolina.\(^\text{24}\)
Although my project is concerned with low-income individuals, I decided not to include
information about income status in the survey, as I thought it might reduce the number of
responses I received. The survey questions were focused on the wording of the IEP form
and whether there were ways that the items on the DEC 4 could be reworded to make the
form more easily understood.\(^\text{25}\)

To distribute the survey, I emailed various organizations and individuals throughout the
state and encouraged them to pass it on to others. I focused on associations with members
from four categories of interest that ACS identified for this project: (1) school
psychologists; (2) teachers; (3) parents; and (4) directors of special education, I
particularly focused on associations with members from those categories.\(^\text{26}\) I also
encouraged people to use social media tools such as Facebook and Twitter to reach a large
audience, but I did not track all of the times that the survey was posted on a social
networking site. The survey was also featured on the Charlotte Observer Education Blog
written by Ann Doss Helms, which has a large readership throughout the state.\(^\text{27}\)

\(^{22}\) See Appendix C for information about where to find these forms. For each of these states, I checked to see
whether their laws were dramatically different from the laws in North Carolina.


\(^{24}\) I added this question after four people had completed the survey without that question included, so I am
assuming that those four people are from the state of North Carolina.

\(^{25}\) See Appendix C for the actual survey questions.

\(^{26}\) See Appendix D for a list of the places that I sent the survey.

\(^{27}\) See Ann Doss Helms, Your Schools, CHARLOTTE OBSERVER, http://obsyourschools.blogspot.com/.
Due to the electronic nature of my survey and the fact that the survey was distributed primarily through electronic methods, the participants in the survey may have come from a higher income background. However, approximately 73.7% of Americans use email, so it is likely that most North Carolinians also use email and would have access to a survey distributed electronically.\(^{28}\) However, people unable to read or write would have had difficulty completing my survey, as it was available only in written format.\(^{29}\)

**Problem Description**

This section outlines the key problems that were highlighted by ACS and reiterated in discussions with individuals throughout the state. First, this section outlines difficulties with the form itself, including its readability and compliance with the law. Second, this section explains the constraints of DPI, the organization that controls the DEC 4, and ACS. The recommendations that address these problems are located in the section from pages 16 - 27.

*Problems with the IEP Form.* Even though each LEA receives guidance from DPI about how to fill out an IEP form, the statements on the DEC 4 could be improved to make the IEP process more accessible to parents. The North Carolina policies do include a section on parent participation that requires each LEA to notify the parent that an IEP team meeting will be taking place and inform the parent about which individuals will attend.\(^{30}\) This provision does not, however, require or suggest that LEAs should provide the DEC 4 to parents before they arrive at the IEP meeting. Therefore, most parents first look at the DEC 4 at the initial IEP meeting. Such limited access to the form in advance of the meeting means that many parents are unable to meaningfully contribute to the development of their child’s IEP, as they are confused or unsure about how to participate.

Parents and parent educators throughout the state also indicate that the language on the form is difficult for parents to understand.\(^{31}\) As a former special education teacher explained, “This form is intimidating to a lot of parents . . . [it] scares them because they can’t read it.”\(^{32}\) Words and phrases like “continuum,” “least restrictive environment,” and “functional performance” are not defined on the DEC 4, making it difficult for parents with limited educational background to understand what the form is asking. Furthermore, definitions of these terms are not easily available on the DPI website, so it is difficult for

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\(^{28}\) As of December 2012, according to the Pew Internet and American Life Project, 81% of adult Americans use the internet. As of August 2011, 91% of adult internet users "send or read email online." Multiplying these two percentages results in my approximation of the number of people who use email. See Trend Data: Adults, Pew Internet and American Life Project, http://pewinternet.org/Static-Pages/Trend-Data-(Adults)/Whois-Online.aspx and Trend Data: Adults, Pew Internet and American Life Project, http://pewinternet.org/Trend-Data-(Adults)/Online-Activities-Total.aspx.

\(^{29}\) I did give people the option to request a paper copy or talk with me over the phone instead of completing a survey, but no one took me up on that option. Moreover, someone unable to read may not have known that the survey could be taken over the phone, unless they were informed of that option verbally.

\(^{30}\) Public Schools of North Carolina, Guiding Practices, *supra* note 10, at 121.

\(^{31}\) See, *e.g.*, interview with Judi Archer, Exceptional Children’s Assistance Center, in Greensboro, N.C. (Nov. 15, 2012) and telephone interviews with North Carolina parents (Dec. 10, 2012) (names confidential).

\(^{32}\) Telephone interview with former North Carolina teacher (Dec. 10, 2012) (name confidential).
parents to find information even if they are looking for additional resources to help them comprehend.

Often, parents are also unaware of the potential responses to the form’s statements. For example, the DEC 4 includes a section for related services: “The IEP Team determined the following related services are required to assist the student to benefit from special education.”

Since there is no list of “related services” provided to parents, parents are often unaware of the options that they could suggest for their child. In particular, one of the enumerated related services in IDEA, “parent counseling and training,” directly affects parents, but parents are often unaware of this service.

Even though students are entitled to receive services that would best assist them, regardless of whether the school typically provides such services or can afford to provide them, parents who are unaware of the options available do not always understand the services that they can request.

Parents may also be unaware of the services that a child is actually receiving from their school. One part of the DEC 4 includes a chart where the special education, related services, and nonacademic activities are supposed to be listed, as shown in Image 3.

**Image 2: North Carolina Form Guidelines for “Statement” Section**

V. Specially Designed Instruction, Related Services, and Nonacademic Services and Activities

A. Anticipated Frequency, Duration, and Location of Specially Designed Instruction

<table>
<thead>
<tr>
<th>Special Education:</th>
<th>Sessions Per:</th>
<th>Reporting Period:</th>
<th>Session Length:</th>
<th>Location:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Week</td>
<td>Year</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Month</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>1st Semester</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>2nd Semester</td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td>1st Semester</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>2nd Semester</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>1st Semester</td>
<td>2nd Semester</td>
<td></td>
</tr>
</tbody>
</table>

Since the DEC 4 only provides only a small line under “Special Education,” the structure of the form implies that this section can be filled out only by writing brief bits of information on the blanks, but not full statements. Therefore, the services received are frequently only described with minimal details such as “writing help” instead of providing more detail about the services that will be provided. As an attorney at Disability Rights North Carolina

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33 DEC 4, supra note 17, at 8.
34 34 C.F.R. § 300.34 (2012).
35 Public Schools of North Carolina, Guiding Practices, supra note 10, at 121.
explains this problem, “The IEP only identifies the amount, duration, and location of services, but there is no statement describing the services that the child receives so that everyone (parent/teachers/IEP team) knows what the child is receiving based on his needs.” Instead, parent advocates end up attempting to ensure that the statement is written in a different part of the DEC 4, such as the annual goals section or the Least Restrictive Environment section.

Based on my research, it appears that this format of the DEC 4 confuses parents, instead of providing clarity. Moreover, federal law requires more information than this part of the DEC 4 implies will be sufficient. In particular, the law requires each IEP to have 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 child, 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.

Unlike the DEC 4, on the model IEP form provided by the federal Office of Special Education Programs (OSEP), there is a large text box where the IEP team would presumably write the special education, related services, and supplementary aids and services to be provided, as well as the program modifications or supports. This text and text box is shown in Image 3.

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36 Email from Christine Trottier, Attorney, Disability Rights North Carolina, to Elizabeth Ireland (March 4, 2013) (on file with author. See also Interview with Jane Wettach, Attorney, Duke Children’s Law Clinic (Oct. 10, 2012) (mentioning this problem with the DEC 4).

37 Email from Jen Story, Attorney, Advocates for Children’s Services, to Elizabeth Ireland (March 10, 2013) (on file with author). See also Telephone Interview with Christine Trottier, Attorney, Disability Rights North Carolina (March 11, 2013).

Image 3: OSEP Form Guidelines for “Statement” Section

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 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:

- To advance appropriately toward attaining the annual goals.  
  [34 CFR §300.320(a)(4)(i)]

- To be involved in and make progress in the general education curriculum and to participate in extracurricular and other nonacademic activities.  
  [34 CFR §300.320(a)(4)(ii)]

- To be educated and participate with other children with disabilities and nondisabled children in extracurricular and other nonacademic activities.  
  [34 CFR §300.320(a)(4)(iii)]

Constraints on DPI. As the state monitoring organization, DPI provides technical assistance to parents and educators through its Exceptional Children Division, specifically through five individuals who serve in the role of “monitors.” These monitors are responsible for training educators about how to use the DEC 4 and for answering questions from parents and teachers about the entire IEP process.39

Because there are only five employees specifically devoted to technical assistance for special education services in North Carolina,40 it is difficult for DPI to devote resources to changing the DEC 4. Moreover, North Carolina schools face tight budgets, making it difficult for schools to take the time to educate parents and staff about the DEC 4 before an IEP meeting, as teachers are occupied with other priorities.41 Reporter Lucy Hood states that, “[i]n the past three years state funding for public schools has fallen by $690 million.”42 Many of these funding cuts have affected textbooks and supplies. However, as one guidebook for parents states, “[a]s spending for education decreases, many schools will have to cut back on educational programs and staff.”43 Improvements to the DEC 4 will lead to greater efficiencies for schools facing budgetary constraints, as the schools will be able to spend less time on parent education before meetings.

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39 Interview with Bobbie Grammer, Department of Public Instruction, in Raleigh, N.C. (Dec. 3, 2012).
40 Id.
41 Interview with Special Education Teacher (Jan. 21, 2013) (name confidential), Telephone Interview with Former Special Education Teacher (Dec. 10, 2013) (name confidential).
42 Lucy Hood, A Veritable Graveyard of Education Budget Cuts, NC POLICY WATCH (Nov. 15, 2012)  
DPI also has other priorities apart from the DEC 4. For example, following both the removal of the cap on charter schools in 2011 and the January 2013 legislative and gubernatorial leadership changes in the state government, DPI has acquired a larger pool of charter schools for which it must monitor adherence to special education law.44 This change has increased the workload of the five DPI monitors.45 Therefore, although DPI may want to focus on the DEC 4, it will be difficult for the organization to do so. As an example of this changed focus, although DPI did previously publish a handbook with guidance about the form on its website, the handbook has been removed, and there is no indication that DPI intends to publish it again in the near future.46 Therefore, encouraging DPI to prioritize changes to the DEC 4 will be a challenge for my client and other organizations interested in pursuing this topic.

Staff turnover is a constant challenge in governmental organizations such as DPI. However, the Exceptional Children (EC) Division is facing more turnover than usual right now. Mary Watson, the Director of the Exceptional Children (EC) Division, retired on February 28, 2013. Kate Neal, who handles parent training and inquiries about the special education process, will also be leaving DPI in the spring of 2013.47

**Constraints on ACS.** Advocates for Children’s Services also has limitations on the amount of work that they can do for this topic, due to ACS’s purpose as an organization and ACS’s current capacity. As a registered 501(c)(3) organization, ACS is limited in its ability to lobby the legislature on behalf of its clients. Therefore, although ACS will work “with other organizations and individuals working for education justice,” there are limitations to the extent of ACS’s direct advocacy.48

As a group of attorneys and legal representatives, ACS also acts in an adversarial role. As a child's attorney, ACS must act in the interest of the client to fulfill its professional obligations.49 Sometimes, the interest of the client will be to appeal a denial of special education services or the type of special education services that are provided in a school,
and by extension, ACS will work against DPI. Because of the admittedly adversarial nature of its work, then, ACS may not always be the proper organization that can advocate for change within DPI.\textsuperscript{50}

ACS is also limited in the amount of time that it can devote to this issue. ACS sees a large number of clients each calendar year, with only three full-time staff attorneys to handle cases. Although ACS has part-time staff attorneys, social work volunteers, and summer law clerks, currently there is not a staff person who could dedicate all of their time to pursuing this policy project.

**Criteria**

To determine how the DEC 4 could be improved, I considered the following four criteria:

1. support by multiple groups of stakeholders
2. responsiveness to parents’ concerns
3. legality
4. cost to DPI

These criteria satisfy considerations verbalized by ACS, such as the importance of parents’ understanding the DEC 4, as well as considerations about selecting recommendations that do not require major changes to state or federal law. These criteria also respond to some of the concerns verbalized by DPI, such as the cost of making changes to the form and the importance of satisfying other constituents such as teachers.

The first criterion, approval by multiple groups of stakeholders, relates to the assumption that DPI will be more open to changing the DEC 4 if multiple groups of people, not just parents, agree with the revisions to the form. To determine whether this criterion was met, I considered whether various groups of people – such as teachers and parents – agreed with the recommendation or whether there was disagreement among groups of people.

The second criterion I considered was responsiveness to parent concerns. Under this criterion, a recommendation was effective if it seemed to address parents’ concerns with readability and understandability of the form. Recommendations met this criterion if parents supported the recommendation through survey responses or conversations.

The third criterion, legality, addresses whether there will need to be changes in federal or state law in order to implement each recommendation. While changes to federal and state law are always possible, this criterion is intended to give ACS insight about whether legal changes will be required before changing the form in certain ways.

The final criterion, cost, relates to how many resources DPI will need to dedicate to making the change. Of course, any change to the DEC 4 requires some cost, as personnel need to approve the revision and work with other personnel to make the change. However, some changes will cost DPI more money than others. Moreover, although a LEA could make these changes without the recommendation from DPI, this project focuses on how the

\textsuperscript{50} Telephone Interview with Jen Story, Advocates for Children’s Services, Mar. 7, 2013.
model form provided by DPI could be changed, so I use the costs to DPI as a criterion.

Table 1 illustrates whether each recommendation presented in this report meets the four criteria described above. Then, each recommendation is analyzed in-depth below, in order of the recommendations that satisfy the most criteria.

**Table 1: Recommendation Analysis Matrix**

<table>
<thead>
<tr>
<th>Recommendation</th>
<th>Criteria</th>
<th>Consensus</th>
<th>Responds to parents</th>
<th>Legality</th>
<th>Low cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Add instructions</td>
<td></td>
<td>+</td>
<td>+</td>
<td></td>
<td>+</td>
</tr>
<tr>
<td>Add numbers for all items</td>
<td></td>
<td>~</td>
<td>+</td>
<td></td>
<td>+</td>
</tr>
<tr>
<td>Add citations to the law</td>
<td></td>
<td>~</td>
<td>+</td>
<td></td>
<td>~</td>
</tr>
<tr>
<td>Change page 7</td>
<td></td>
<td>+</td>
<td>+</td>
<td></td>
<td>~</td>
</tr>
<tr>
<td>Change all items to questions</td>
<td></td>
<td>~</td>
<td>+</td>
<td></td>
<td>-</td>
</tr>
</tbody>
</table>

Key: + Meets criterion - Does not meet criterion ~ Generally meets criterion

**Recommendations: Changes to the DEC 4**

The following recommendations relate to the changes that could be specifically made to the DEC 4 to help parents better understand the form. For each recommendation, this report details how the recommendation meets the four criteria, as well as the recommendation’s strengths and weaknesses.

**Recommendation 1: Add instructions to the DEC 4.**

There are currently no instructions or directions on the DEC 4, nor are there any publicly available directions on the DPI website about how to complete the form. This recommendation suggests the addition of instructions at the top of the DEC 4 to help parents understand the purpose of an IEP meeting and the DEC 4 form. This recommendation is supported by research about survey design, which demonstrates that the inclusion of “introductory material” such as titles or introductory paragraphs can “increase message recall” and “the cognitive effort” that respondents engage in when completing a survey.51

This recommendation also addresses the reality of the IEP development process: many parents are unable to do research about the process before they step into the room for an IEP meeting. All four criteria are also met with this recommendation, as Table 2 shows.

**Table 2: Analysis of Recommendation 1**

<table>
<thead>
<tr>
<th>Add instructions or annotations</th>
<th>Consensus</th>
<th>Responds to parents</th>
<th>Legality</th>
<th>Low cost</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>+</td>
<td>+</td>
<td>+</td>
<td>+</td>
</tr>
</tbody>
</table>

**Strengths of this Recommendation**

All categories of survey respondents also indicated that they would like to see instructions or guidance about the DEC 4. Question 21 asked respondents “Do you think instructions or an introduction on the top of the IEP form would be helpful?” Nearly 60% of the 234 people who answered this survey question indicated that such information would be helpful.

Moreover, an even higher percentage of parents indicated that such information would be helpful – 75% of parents whose children have IEPs and 70% of parents whose children do not have IEPs indicated that they would like to see instructions or an introduction on the top of the IEP form, as is illustrated in Table 3.

<table>
<thead>
<tr>
<th>Table 3: Parent Responses to Question 21 of Survey</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Response</strong></td>
</tr>
<tr>
<td>Count</td>
</tr>
<tr>
<td>---</td>
</tr>
<tr>
<td>Yes</td>
</tr>
<tr>
<td>No</td>
</tr>
<tr>
<td>Unsure</td>
</tr>
<tr>
<td></td>
</tr>
</tbody>
</table>

On a previous version of the DEC 4, from 2008, DPI published annotations that explained how the form should be filled out. This “annotated” version of the form was available on the DPI website.52 Throughout the DEC 4, there were explanations of how each part of the form should be filled in. For example, on the third page of the DEC 4, where the item asks for Present Level(s) of Academic and Functional Performance, there was a five-paragraph explanation preceding the item on the form, as displayed in Image 4.
Currently, there are directions available online about how to complete other DPI forms, but there are no directions for the DEC 4. In the fall of 2012, I specifically asked DPI about this previous form – the annotated IEP – and whether the organization might again provide instructions or annotations in the future. Kate Neale, the Consultant for Dispute Resolution, indicated that there were no problems from a cost perspective at DPI, but there were other priorities that DPI would address before working on this issue. Therefore, I conclude that this option would be low cost for DPI. In reviewing federal and state laws, there are also no legal problems with this approach.

**Recommendation 2: Add numbers or letters before all items on the DEC 4.**
At a minimum, there are 34 items on every DEC 4 filled out by an IEP team. However, every item will not be completed for every student, as some items depend on the student’s characteristics, such as age. For this reason, some IEPs have over 50 items that must be filled out. Some of the items on a DEC 4 have Roman numerals and letters preceding the statements or questions, but the numbering or lettering does not begin until page 5, where there is a Roman numeral I before “General Education Program Participation.” Instead of this organizational system, I recommend that the form have a number or letter before each item on the form. If this recommendation were to be implemented, the first page of the DEC 4 would look like Image 5.

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53 See Statewide Forms, Public Schools of North Carolina, [http://ec.nccpublicschools.gov/policies/forms/statewide-forms](http://ec.nccpublicschools.gov/policies/forms/statewide-forms) (making directions available for some forms, as indicated by the second column to the right of “Description”).
54 Interview with Kate Neale, Department of Public Instruction, in Raleigh, N.C. (Nov. 21, 2012).
55 This number was calculated just by counting all of the items on the form that ask for responses.
As shown in Table 4, this recommendation generally meets all four criteria considered in this project and strongly meets three of the four criteria.

**Table 4: Analysis of Recommendation 2**

<table>
<thead>
<tr>
<th>Add numbers for all items</th>
<th>Consensus</th>
<th>Responds to parents</th>
<th>Legality</th>
<th>Low cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>~</td>
<td>+</td>
<td>+</td>
<td>+</td>
<td>+</td>
</tr>
</tbody>
</table>

**Strengths of this Recommendation**

Responses to the survey question about this recommendation convey that there is general consensus that numbers or letters before the items would help the DEC 4. On the survey, there was a specific question that addressed this issue. Question 29 read: “Do you think that adding numbers or letters to the items on the IEP form would be helpful?” Survey respondents could answer “Yes,” “No,” or “Unsure,” and they could then add comments. 102 of the 231 respondents who answered this question, or 44% of respondents, answered this question in the affirmative. As the image below indicates, this number represents consensus on the topic, as compared with the 25% of respondents who answered “No.”
Image 6: Questions and Answers from Survey about Numbers or Letters on DEC 4

Do you think that adding numbers or letters to the items on the IEP form would be helpful?

Answered: 231  Skipped: 7

<table>
<thead>
<tr>
<th>Yes.</th>
<th>No.</th>
<th>Unsure.</th>
</tr>
</thead>
<tbody>
<tr>
<td>40%</td>
<td>20%</td>
<td>40%</td>
</tr>
</tbody>
</table>

Comments on the survey also affirm the recommendation to have numbers or letters before all the items on the DEC 4. One school psychologist noted that “[i]t would be helpful during the meeting as a guide for referring to the items.”56 A special education teacher also affirmed this sentiment, stating that “If you number each item, then you can quickly check that each section has been filled out completely and nothing is being left off. Sometimes you skip an item and forget to return to it before the meeting ends.”57 In even stronger words, one respondent wrote, “THIS SHOULD BE THE FIRST CHANGE MADE. Wow. Just, wow. Just by giving an appearance of organization should boost the parent/guardian's faith in the paper itself and the people behind it.”58

This recommendation is also supported by parents. For example, 85% of parents who responded to this question stated that they were either in support of adding numbers or letters, or that they were unsure. Parent comments also indicate their support of adding numbers or letters. One parent commented, “Adding numbers and letters to items in IEP will make it easy to communicate.”59 Another noted that this change “[h]elps organize and identify separate thoughts.”60

There are also no legal problems with this recommendation; no federal or state law forbids people from adding numbers or letters to the IEP form. Like other recommendations for improvement, this recommendation would require DPI to spend time and money changing the way the DEC 4 is written. However, DPI staff indicated that small changes to the DEC 4 do not need to be approved by an entity above the staff themselves. Changes only need to

56 Comment by person identified as "School psychologist" on Feb. 15, 2013 at 2:30 PM.
57 Comment by person identified as "Special education teacher" on Feb. 12, 2013 at 8:18 AM.
58 Comment by person identified as "Other" on Feb. 16, 2013 at 1:11 PM.
59 Comment by person identified as “Parent/guardian of a child with an IEP” on Feb. 19, 2013 at 2:32 PM.
60 Comment by person identified as “Parent/guardian of a child with an IEP” on Feb. 11, 2013 at 11:06 AM.
be communicated to the IT division, who will make the changes in the software. Since this change is not too complicated but would only require someone to sit down and number the items on the survey, it seems like it will be a low cost solution for DPI.

**Weaknesses of this Recommendation**
The only negative feedback expressed about this option related to the way the meetings are held. This sentiment was explained in one special education teacher’s comment on the survey. The teacher stated, “We don’t use all parts of the form for all students. Putting numbers may confuse parents and teachers because some numbers may be skipped.”

Furthermore, the OSEP form does not include numbers or letters, nor do any of the other state model forms that I considered. This lack of itemization may be due to the fact that most states follow the OSEP form, and OSEP just didn’t think about how helpful such a number or letter system would be. Another possibility would be that OSEP intentionally left numbers or letters off the form so that IEP team participants would not conclude that the process is ordered so linearly, as the special education teacher’s response to my survey also conveys.

**Recommendation 3: Add legal citations to the DEC 4.**
Even though the DEC 4 is mostly in compliance with federal and state requirements for IEPs, there are currently no references to applicable laws on the DEC 4. This is in contrast to other IEP forms, such as the form provided by OSEP or the state of Colorado. On both of those forms, there is a specific reference to the federal law or code after an item is listed. For example, the fourth page of Colorado’s IEP form shows the following, as depicted in Image 7, where each federal law is cited below the item asked.

**Image 7: Colorado IEP with Legal Citations**

<table>
<thead>
<tr>
<th>Section 6: Present Levels of Academic Achievement and Functional Performance Including Input from Parent &amp; Student</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Student Strengths, Preferences, Interests</strong></td>
</tr>
<tr>
<td>What are the student’s educational/developmental strengths, interests, significant personal attributes and personal accomplishments as indicated by formal or informal assessment(s)? Be sure to include specific feedback from the student.</td>
</tr>
<tr>
<td>IDEA 300.234(a)(1) strengths of the child</td>
</tr>
<tr>
<td>IDEA 300.331(b) preferences and interests</td>
</tr>
<tr>
<td>IDEA 300.44(a)(2) secondary transition</td>
</tr>
</tbody>
</table>

**Present Levels of Educational Performance Summary**
Include results of initial or most recent evaluation, including, if appropriate, the results of any interventions, progress monitoring, and gap analyses. |
| IDEA 300.345(a)(3) present levels of academic achievement and functional performance |
| IDEA 300.345(a)(4) Results of initial or recent evaluation |

This recommendation generally meets all four of the criteria considered in this project, as depicted in Table 5.

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61 Interview with Bobbie Grammer, Department of Public Instruction, in Raleigh, N.C. (Dec. 3, 2012).
62 Comment by person identified as “Special education teacher” on Feb. 16, 2013 at 8:26 AM.
63 The only place that the DEC 4 does not comply with the law has been detailed on page 9 of this project.
64 However, there is a note on the DEC 4 that refers to a publication titled “Testing Students with Disabilities.” See DEC 4, supra note 17, at 6.
Table 5: Analysis of Recommendation 3

<table>
<thead>
<tr>
<th>Add citations to the law</th>
<th>Consensus</th>
<th>Responds to parents</th>
<th>Legality</th>
<th>Low cost</th>
</tr>
</thead>
</table>

*Strengths of this Recommendation*
Throughout this project, attorneys, teachers, parents, and school administrators throughout the state have all asked me where the items on the DEC 4 come from. Representatives from DPI indicated the same sense of confusion about the items on the form. One DPI representative stated that parents who call with questions often ask why they have included specific items on the DEC 4, and although teachers understand the form, they do not know why the items are included on it. If asked, I believe all of these people would support a recommendation to include legal citations on the form.

I also found that parents wanted to know where items on the DEC 4 came from. At least two parents mentioned to me that they appreciated resources such as the “Wrightslaw book” which told them about the relevant laws that guided the form. There was also one parent of a child with an IEP who noted on the survey that the DEC 4 should include a “list of applicable laws.”

These anecdotes also comport with research about how to increase parental participation in IEP meetings. In the 1980s, Brinckerhoff and Vincent conducted a study to see whether parents would participate more in IEP meetings if they had a better understanding before convening about how the meeting would go. The experimental group “completed a developmental assessment on their child’s present performance, recorded their family profile, and had a meeting with a school/community liaison person prior to their child’s IEP meeting.” The other parents in the control group received treatment similar to the treatment provided to parents now: “a letter stating the purpose of the IEP meeting prior to their child’s IEP conference.” The results of their study indicated that parents in the experimental group who knew how their information would be used made a “significantly greater proportion of contributions ... at IEP meetings.” Brinckerhoff and Vincent also noted that “researchers have equated parental knowledge of how information will be used with increased parental participation.” In this same way, parents who knew about these laws would presumably have a greater understanding of the IEP meeting process and how to create strong IEPs for their children.

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65 Interview with Bobbie Grammer, Department of Public Instruction, in Raleigh, N.C. (Dec. 3, 2012.)
67 Comment by person identified as “Parent/guardian of a child with an IEP” on Feb. 15, 2013 at 7:32 AM.
69 *Id.*
70 *Id.* at 57.
71 *Id.*
Weaknesses of this Recommendation
This recommendation, which responds to parental concerns and will likely increase parental knowledge about how information will be used, would require DPI to add additional information for most of the items on the DEC 4, since nearly all of the items on the form are directly related to federal or state law. Changing most of the items on the form will take staff time, which costs money. However, DPI would not need to create new questions or reformulate things – they would only need to add information about what laws are relevant for what questions, and DPI already knows this information.⁷²

Recommendation 4: Add a text box and change the wording of the item on page 7.
Page 7 of the DEC 4 currently states “Specially Designed Instruction, Related Services, and Nonacademic Services and Activities: Anticipated Frequency and Location of Related Services.” Following these words, checkboxes are marked on the DEC 4 to indicate whether the team decided related services were required, as well as the type of service and frequency of the service that has been selected. As detailed in the Problem Statement, this portion of the form does not seem to meet the requirement of a “statement” in federal law.

Therefore, I recommend that this item be changed to read, “What are the specially designed instruction, related services and activities to be provided by the school? How frequently will these activities take place, and where will they be located?” There should also be a text box between these questions, making the form look like Image 8.

⁷² Furthermore, the OSEP Model IEP has references to law, and I’ve included such references in the “Model DEC 4” in the Appendix, so they will not need to invest staff time in researching the laws that apply, just in actually writing them into the software and the documents that are dispersed on their website.
An article on survey design confirms that this change should also lead respondents to give more precise answers. In an article about differences in questionnaire format, Tom Smith from the National Opinion Research Center explains that “[a]llowing more space for recording open-ended answers apparently produces longer recorded responses and perhaps responses closer to actual verbatims.”

As shown in Table 6, three of the four criteria are generally or fully met with this recommendation, although the final criterion of cost is not met.

Table 6: Analysis of Recommendation 4

<table>
<thead>
<tr>
<th>Change the item on page 7</th>
<th>Consensus</th>
<th>Responds to parents</th>
<th>Legality</th>
<th>Low cost</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>~</td>
<td>+</td>
<td>+</td>
<td>~</td>
</tr>
</tbody>
</table>

Strengths of this Recommendation
This change will make the DEC 4 more consistent with the law, as such a text box indicates that the DEC 4 requires a statement of the specially designed instruction, related services and activities.

Parents also support this change. Although I did not ask parents specifically about the addition of a text box when I gave them the survey, I did include a question about whether it would be better to state the item as “What are the specially designed instruction, related services and activities to be provided by the school? How frequently will these activities take place, and where will they be located?” 57% of parents whose children have IEPs and 61% of parents whose children do not have IEPs supported this rephrasing.

In the question about what could be added to the DEC 4, another parent commented, “A summary statement that is drafted at the end of the IEP detailing WHAT exactly is in the IEP. It should clearly state placement (inclusion, resource, self contained, etc), specific modifications and accommodations are required for the student (to include modified day, 1 on 1 aide, or specialized equipment like [an] Augmentive Communication Device or Adaptive/Restraint seating), Related Services, and a reference to any Behavior Plan that is in place for the student.”74 Even though I did not specifically ask about this issue, this comment conveys that parents find that a statement should be added to the IEP.

Weaknesses of this Recommendation
Interestingly, although parents support this change to the DEC 4, there was not such widespread agreement among the other categories of people that I surveyed. For example, only 23% of special education teachers supported this new language on page 7 of the DEC 4; 37% of special education teachers wanted to keep the language the same.

Another drawback to this recommendation is that many individuals express resistance toward adding any more information to the form. In talking with people about the DEC 4, most express the desire to shorten the form.75 Comments on the survey indicate the same. Specifically, when asked whether questions should be added, one person wrote, “There is plenty of information currently on the IEP form. I’ve seen forms from other states and they seem to cover the same information with ‘less paperwork’.”76 Another stated: “Good lord, no! It’s way too long as it is!”77 Another person stated: “It is already a cumbersome albatross.”78

Despite the desire some indicate to shorten the DEC 4, however, when asked about what questions should be removed, only 20 of the 238 survey respondents made comments.

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74 Comment by person identified as “Parent/guardian of a child with an IEP” on Feb. 12, 2013 at 10:12 PM.
75 Telephone Interview with Director of Special Education (March 7, 2013) (name confidential) (after asking whether the Director would like to make changes to the form, the Director stated: “Of course! We all want it to be shorter.”).
76 Comment by person identified as “School psychologist” on Feb. 15, 2013 at 10:32 AM.
77 Comment by person identified as “Special education teacher” on Feb. 7, 2013 at 11:56 PM.
78 Comment by person identified as “Parent/guardian of a child without an IEP” on Feb. 13, 2013 at 10:39 PM.
Furthermore, none of these 20 people noted that this item on page 7 should be removed or changed; instead, the individuals made comments about other parts of the form such as signature pages, the student’s vision for the future, and negative terms such as “disabled.”

This recommendation will not be without cost to DPI, as they will need to change both the formatting and the wording of the item on page 7. However, the costs should not be too high, as they would only be changing one page of the ten-page survey.

**Recommendation 5: Change the wording of all items on the DEC 4 so they are worded as questions, not statements.**

The final recommendation in this report relates to the way items on the DEC 4 are worded. Currently, some of the items on the DEC 4 are worded as questions, such as the following on page 2: “Does the student have behavior(s) that impede his/her learning or that of others?” and “Does the student have any special communication needs?” However, the majority of the items on the DEC 4 are worded as statements instead of questions. For example, on the first page of the DEC 4, there are statements such as “Student’s overall strengths” and “Summarize assessment information (e.g. from early intervention providers, child outcome measures, curriculum based measures, state and district assessments results, etc.), and review of progress on current IEP/IFSP goals”. This recommendation suggests that all of the items on the form should be changed into a question format.

Research on interview techniques supports this recommendation. “In general, statements set forth issues, positions, or views, whereas questions call forth issues, positions, or views. In other words, questions tend to call for answers and statements tend to provide them.”

Therefore, if a form or survey wants to elicit participation by a range of people, it should include more questions than statements. Furthermore, experts on survey methods state that “there is consensus on the broader view that questions should be in straightforward language.”

As shown in Table 7, three of the criteria are fully or generally met with this recommendation, but the final criterion of cost is not met.

<table>
<thead>
<tr>
<th>Table 7: Analysis of Recommendation 5</th>
</tr>
</thead>
<tbody>
<tr>
<td>Change all items to questions</td>
</tr>
<tr>
<td>--------------------------------------</td>
</tr>
<tr>
<td></td>
</tr>
</tbody>
</table>

In my survey, I did not specifically ask whether respondents thought that all the questions on the DEC 4 should be reworded as questions. I did, however, include an option on the survey for each item of the DEC 4 that reworded the item in question format.

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Strengths of this Recommendation

Generally, in reviewing the survey results, it seems that respondents liked the answers that rephrased the items in the form of a question. For example, Question 17 on the survey read: "The next item states, 'Nonacademic Services & Activities (Refer to Section I: General Education Program Participation): List the nonacademic services and activities in which the student will not participate with nondisabled peers. This time must be factored into the determination of continuum of alternative educational placement below.' Would it be better if the form read one of the following?" There were three options given,\(^81\) one of which reworded the item on the form to phrase it as a question instead of a statement. Over half of the people who responded to this question on the survey wanted the item to be phrased as a question. Furthermore, one of the comments suggests an alternative wording – also phrased as a question.\(^82\)

There is also nothing in federal or state law to indicate that it would be problematic to phrase the items on the DEC 4 as questions. As I reviewed other states’ IEP forms, I found that Massachusetts does use this method. Even though there are some parts of the IEP form that include statements, the form also lists questions. For example, under “Student Strengths and Key Evaluation Results Summary,” the form lists the following questions: “What are the student’s educational strengths, interest areas, significant personal attributes and personal accomplishments?” “What is the student’s type of disability(ies), general education performance including MCAS/district test results, and achievement towards goals and lack of expected progress, if any?”\(^83\) Adding questions to the DEC 4, like Massachusetts does, would be legally permissible for DPI.

Weaknesses of this Recommendation

Such a broad change to the DEC 4 – which would result in rewording a majority of the items on the form – would be more expensive for DPI. The agency would have to not only create the rephrased items but also communicate the changes to the technology department so that the changes could be made on the electronic software. Considering that limitation, the cost of these changes should not be so prohibitive as to make the recommendation impossible for DPI to implement.

Recommendations: Strategy for Changing the DEC 4

To ensure that changes are made in the form, ACS will need to develop a strategy to distribute the findings from this report and the conclusions about how the DEC 4 could be

\(^{81}\) The three options were: (1) “What are the nonacademic services and activities during which the student will be removed from his/her nondisabled peers? How much time do these activities take each week?”; (2) “State how frequently the child will not participate with nondisabled children in nonacademic services and activities.”; or (3) to keep the question worded the same way, as “List the nonacademic services and activities in which the student will not participate with nondisabled peers. This time must be factored into the determination of continuum of alternative educational placement below.”.

\(^{82}\) The suggested alternative is “How often will the child not be able to participate with nondisabled children in nonacademic services and activities?”.

\(^{83}\) See IEP Forms and Notices, MASSACHUSETTS DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION, http://www.doe.mass.edu/sped/iep/eng_toc.html (Click on checkmark next to “Individualized Education Program”), 1.
crafted to better assist parents. Since ACS does not directly control the form, I considered contextual issues pertaining to the strategy, such as messaging, timing, and consensus building. All of these factors must be considered in order to successfully implement changes to the DEC 4. In this section, I discuss my recommendations for ACS’s approach so that they can ensure that the project gains momentum going forward.

When crafting these recommendations, I acted under the assumption that ACS will want to find commonality with supporters despite the strong beliefs and assumptions on every side of this issue. To clarify this divisiveness, I note that every type of individual with whom I have spoken – teachers, parents, attorneys, government officials, and school administrators – has expressed the feeling that someone on the other side of this IEP dialogue does not understand their point of view. For example, a director of special education told me: “Despite the vast experience of individuals at DPI, many of them have never been directors, so they can only understand so much.”84 If asked, I believe this individual would say the same thing about attorneys or parent advocates, because there is a sentiment within this community that each player understands his or her situation uniquely and will never be able to relate entirely to another side.

Although each party that uses the IEP form must serve its own unique interest, more can be done to try to bridge barriers between the schools and parents to make changes to the DEC 4. Therefore, my suggestions try to encourage ACS to look outside their typical partners and instead to find people who would support a collaborative vision of change for the DEC 4.85 Some of these partners have already expressed interest in working on this project; others may be unaware that there is any discussion about this topic at all.

**Recommendation 1: ACS should identify the best lead actor for this project.**

Although this project will ideally be supported by a collaborative group of individuals, it will be necessary to ensure that there is one organization or person who can lead the momentum behind this project, as well as keep track of all the various stakeholders who are invested in the issue. With luck, this person will have a good understanding of federal and state special education law and policy but act as a neutral party who does not routinely sue schools or defend schools from lawsuits. The ideal actor for ACS would have a good understanding of parental concerns about IEP development and the DEC 4, but also appreciate the importance of building consensus around this issue.

Mecklenburg ACTS is one organization that may be able to fulfill this role. The group, known as Mecklenburg Area Coming Together for Schools, is a “grassroots coalition of parents and citizens working to build community commitment to equity and excellence in ALL schools.”86 Although the coalition is based in Charlotte, Pam Grundy, the head of Mecklenburg ACTS, has a good understanding of educational issues, as well as a broad network of parents that she works with via social network and meetings. She is also a part of the national organization Parents Across America, which is an advocacy organization.

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84 Telephone Interview with Director of Special Education (March 7, 2013) (name confidential).
85 I have attached a list of potential partners in Appendix F.
that inspires parents to push for change in public schools. Moms Rising may also be a good place to turn for some parent contacts that could lead this project. The organization uses grassroots efforts to mobilize members to address issues that affect women, mothers, and children. Some of their efforts focus on educational issues, and they have an active chapter in Raleigh.

After the lead actor is identified, the person or organization should act on the next two recommendations simultaneously. Ideally, one designee from ACS will work with the lead actor to receive updates about the project and lend support as needed.

This strategy does rely heavily on the lead actor, but, as explained earlier, ACS has constraints that make it nearly impossible for ACS to take the lead on this project. Furthermore, before the lead actor is identified, ACS could take some actions, such as networking with other organizations supporting children’s rights, to sustain momentum behind this project.

**Recommendation 2: The lead actor should reach out to three specific children’s rights organizations and DPI to garner support.**

There are a number of other organizations in North Carolina with whom the lead actor should begin sharing information about this project. Specifically, I recommend that the lead actor work with Special Education Law Roundtable, Exceptional Children’s Assistance Center, Duke Children’s Law Clinic, and the Department of Public Instruction. I selected these organizations based on conversations with attorneys and policy-makers who are either knowledgeable about these groups or have worked with these groups in the past. For a full list of the organizations with whom the lead actor should network or communicate about this project, see Appendix G.

**Special Education Law Roundtable**

Each year, a group of professionals from around North Carolina gather to discuss issues in special education law. This group, known as the Special Education Law Roundtable, primarily includes attorneys who represent parents and children in disputes against the school. Throughout the year, the Roundtable has subcommittees that meet, and the group communicates via an electronic listserv about issues of interest to the committee, including matters relating to IEPs.

The Special Education Law Roundtable has attempted to bring issues to DPI in the past. In particular, in July 2012, Jane Wettach prepared a letter to DPI expressing concerns of the Roundtable members. The letter specifically included a section on revision of the IEP form and asked that DPI invite members of the Roundtable to work with DPI on making changes. The letter was sent to Mary Watson, then state director of Exceptional Children’s Programs, and signed by the Special Education Roundtable. Nothing resulted from the letter.

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87 *See Who We Are, Parents Across America,* http://parentsacrossamerica.org/who-we-are/ (last visited Apr. 16, 2013).
however. While Ms. Watson acknowledged the letter, and stated that the “concerns are being forwarded to leadership at the Department of Public Instruction for review and consideration,” there was no other follow-up from the letter. The only action following up on the letter was a formulaic email which did not mention the suggestions that the roundtable had provided.

When approaching the Special Education Law Roundtable about the DEC 4, these past attempts should not be forgotten. Instead, the group should discuss how a letter or statement can be handled differently when presenting recommendations to DPI. For example, the letter may need to be signed by parent advocates, instead of the Special Education Law Roundtable. The following suggestions provide some ideas for how to improve the strategy in the future.

Exceptional Children’s Assistance Center
The Exceptional Children’s Assistance Center (ECAC) is an organization focused on “providing information, education, outreach, and support to and for families with children across the state of North Carolina.” As part of this mission, ECAC directly trains families on the IEP development process and gives insight about how families can most effectively work with schools to ensure that their children’s educational needs have been met. The organization also employs eight parent educators who specifically reach out to parents throughout the state.

One way that ECAC educates parents is through the distribution of an IEP Checklist, which it distributes in paper format and makes available online. The checklist encourages parents to download “blank IEP documents and other worksheets or forms” in advance of the meeting so that they will be familiar with the process before they arrive. In this way, ECAC is engaging in similar work and should be engaged as a partner so as to avoid duplication of efforts to improve the DEC 4.

ECAC also has a contract with OSEP to provide parent education throughout the state. As part of this contract, they are working on a guidebook that helps parents understand the DEC 4 form. Working with ECAC, it may be easier to formulate a strategy for taking suggestions to DPI and ensuring that the proposed revisions to the DEC 4 are both received and implemented.

Duke Children’s Law Clinic
One way to ensure that the future team’s work on the DEC 4 is complemented by other organizations is to reach out to the Children’s Law Clinic at Duke University. This

90 Id.
91 Id.
93 Interview with Judi Archer, Exceptional Children’s Assistance Center, in Greensboro, N.C. (Nov. 15, 2012).
organization, headed by Jane Wettach, has identified problems with parent education regarding the IEP process. As a response to this problem, the Clinic began working with ECAC in the fall of 2012 to make a guidebook for parents to use in preparing for and attending IEP meetings. For the purposes of DEC 4 revision, one particularly relevant part of the binder is an “annotated IEP” that instructs parents about how to complete each section of the DEC 4. ²⁶ This annotated IEP is similar to the annotated IEP that DPI made available on its website in 2008,²⁷ but there is even more information for parents about each part of the form. For example, page 3 of this annotated DEC 4 shows the following instructions, as illustrated in Image 8.

**Image 9: Page 3 of annotated DEC 4 being developed by Children’s Law Clinic**

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²⁷ See page 17 of this report for information about the annotated IEP previously published by DPI.
If the lead actor successfully encourages DPI to make the recommended revisions to the DEC 4, it will be critical to ensure that the Parents’ Guide that ECAC and the Children’s Law Clinic produce works with the revised version of the DEC 4.

Department of Public Instruction
In early 2013, at least two personnel in the Exceptional Children’s Division of DPI have left the organization or will be leaving. While such turnover will make it difficult for people who have already developed connections with DPI staff, there is also a potential opportunity to reach out to the new DPI personnel and begin making connections early.

As the lead actor takes the helm of this project, I recommend that they share the findings of the survey and this report with DPI and encourage DPI to implement changes swiftly. If the lead actor is met with resistance from DPI, then I encourage the actor to discuss the challenges with ACS, the Special Education Law Roundtable, and other stakeholders to decide how to raise the issue again. If, on the other hand, DPI responds positively to these changes, the lead actor should make sure that the work of other organizations complements the work done on the DEC 4.

Recommendation 3: Consider using one LEA as a pilot.
Ideally, DPI will make broad changes to the DEC 4 that will be implemented throughout North Carolina. If that strategy does not work, however, the lead actor and team working on the DEC 4 should consider reaching out to one LEA in the state that can serve as a pilot LEA for changing the revised form. Since there is no requirement that all LEAs follow the DPI form (apart from the legal necessities of the form), it would be feasible for a LEA to deviate from the DPI version and adopt the recommendations of this report.

Then, after adopting the model DEC 4, the LEA could ask for feedback about how the process has improved. Specifically, the LEA could ask parents and teachers who were familiar with the old DEC 4 about whether the process became easier with the new form.

This strategy would cause an LEA to incur the costs for revising their DEC 4. However, if the LEA later conducts an evaluation of the costs and benefits of the project, and the benefits outweigh the costs, the pilot project could be a model for other LEAs in the state seeking to improve IEPs.

Recommendation 4: Work next on the DEC 5.
At the beginning of this project, ACS expressed concerns with a number of forms – not just the DEC 4 – that are used in meetings with parents. While I believe that all of these forms could use revision, it is worth noting that the DEC 5 form for prior written notice has come up in a number of my conversations with individuals throughout the state.

Moreover, one parent of a child with an IEP noted on my survey that the DEC 5 should be

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98 The DEC 5 is available at Statewide Forms, Public Schools of North Carolina, http://ec.ncpublicschools.gov/policies/forms/statewide-forms (click on “Forms” hyperlink next to DEC 5 Prior Written Notice about halfway down the page).
99 Telephone Interview with Director of Special Education (March 7, 2013) (name confidential).
included in the IEP.\textsuperscript{100} The IEP team fills out the DEC 5, concerning prior written notice, if parents disagree with a recommendation from the school about the placement or services that will be provided to the child.\textsuperscript{101}

There seem to be two main challenges with the DEC 5 form used in North Carolina. First, the form is filled out after the entire IEP meeting has concluded. As these meetings often last for 3 to 4 hours,\textsuperscript{102} the IEP team can be exhausted when they begin the DEC 5, which often leads to a lower quality product than would be desired. Second, the DEC 5 requires team members to go back through the form, discuss all the things that were not provided, and then discuss why parents are not happy with what was not happening. One Director of Special Education noted that it’s like thinking in double negatives, which is incredibly difficult for both parents and teachers.\textsuperscript{103} Revising this form would help both parents and teachers understand how the prior written notice process works.

**Conclusion**

Problems abound concerning the development of an individualized education program for a student with special needs, ranging from proper training of educators to proper inclusion of parents in the meetings. This project does not attempt to solve all the problems, but it does provide recommendations for how the driver behind IEP meetings – the DEC 4 – could be changed to make the form more readable and understandable for parents. Improving this form for parents, as the advocate for their children’s needs and services, will then improve outcomes for children in the state of North Carolina, as they will have better IEPs to guide their special education in North Carolina schools.

To change the DEC 4, I recommend five action items:

1. Add numbers or letters before all items on the DEC 4
2. Add legal citations
3. Add instructions
4. Add a text box and change the wording on page 7 of the DEC 4
5. Change the wording of all items on the DEC 4 so they are questions, not statements.

As ACS does not have the capability to make these changes to the DEC 4 without support from others, I also propose the following strategies to change the form:

1. ACS should identify the best lead actor for this project
2. The lead actor should reach out to three specific children’s rights organizations and DPI to garner support
3. Consider using one LEA as a pilot
4. Work next on the DEC 5

\textsuperscript{100} Comment by person identified as “Parent/guardian of a child with an IEP” on Feb. 6, 2013 at 8:09 AM.
\textsuperscript{102} Telephone Interview with Director of Special Education (March 7, 2013) (name confidential).
\textsuperscript{103} *Id.*
Appendix A: List of Acronyms

This appendix lists the acronyms referenced in this project and provides a brief definition for each.

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Full Title</th>
<th>Brief Definition</th>
<th>Source</th>
</tr>
</thead>
<tbody>
<tr>
<td>ACS</td>
<td>Advocates for Children’s Services</td>
<td>Branch of Legal Aid of North Carolina that provides legal advice and representation to children</td>
<td><a href="http://www.legalaidnc.org/a">http://www.legalaidnc.org/a</a></td>
</tr>
<tr>
<td>DEC 4</td>
<td>Division of Exceptional Children – Form 4</td>
<td>Name given to IEP Form in NC.</td>
<td><a href="http://ec.ncpublicschools.gov/statewide-forms">http://ec.ncpublicschools.gov/statewide-forms</a></td>
</tr>
<tr>
<td>DPI</td>
<td>North Carolina Department of Public Instruction</td>
<td>Statewide agency charged with implementing North Carolina’s public school laws and the State Board of Education’s policies and procedures on public education.</td>
<td><a href="http://www.dpi.state.nc.us/c">http://www.dpi.state.nc.us/c</a></td>
</tr>
<tr>
<td>EC</td>
<td>Exceptional Children</td>
<td>Students with disabilities.</td>
<td><a href="http://ec.ncpublicschools.gov">http://ec.ncpublicschools.gov</a></td>
</tr>
<tr>
<td>ECAC</td>
<td>Exceptional Children’s Assistance Center</td>
<td>Private non-profit organization engaged in parent education and outreach about issues surrounding children, particularly children with disabilities</td>
<td><a href="http://www.ecac-parentcent">http://www.ecac-parentcent</a></td>
</tr>
<tr>
<td>FAPE</td>
<td>Free Appropriate Public Education</td>
<td>The right of any child with a disability, as explained in IDEA. FAPE is most frequently defined through legal case law.</td>
<td><a href="http://idea.ed.gov/explore/v">http://idea.ed.gov/explore/v</a> 300,A,300%252E17,</td>
</tr>
<tr>
<td>IEP</td>
<td>Individualized Education Program</td>
<td>Plan of school-related services provided for children with disabilities</td>
<td><a href="http://idea.ed.gov/explore/v">http://idea.ed.gov/explore/v</a> %2Cdynamic%2CTopicalBrie</td>
</tr>
<tr>
<td>LANC</td>
<td>Legal Aid of North Carolina</td>
<td>Nonprofit law firm that provides free legal services in civil matters to low-income people</td>
<td><a href="http://www.legalaidnc.org/p">http://www.legalaidnc.org/p</a> t%5Fus/</td>
</tr>
<tr>
<td>LEA</td>
<td>Local Education Agency</td>
<td>School system or district.</td>
<td>The list of North Carolina LEA <a href="http://amtr.dpi.state.nc.us/ai">http://amtr.dpi.state.nc.us/ai</a> List.asp</td>
</tr>
<tr>
<td>LRE</td>
<td>Least Restrictive Environment</td>
<td>A description of the environment where a student with a disability should be placed so as to prevent removal from the regular classroom setting.</td>
<td><a href="http://idea.ed.gov/explore/v">http://idea.ed.gov/explore/v</a> te,l,B,612,a,5,</td>
</tr>
<tr>
<td>OSEP</td>
<td>Office of Special Education Programs</td>
<td>Branch of federal Department of Education that provides guidance regarding special education.</td>
<td><a href="http://www2.ed.gov/about/t">http://www2.ed.gov/about/t</a> osep/index.html</td>
</tr>
</tbody>
</table>
Appendix B: Literature Review

This appendix provides a review of the literature consulted for this project.

For this project, I conducted two main types of research: (1) research on IEP development and parental participation in IEP meetings and (2) research about survey design and how to craft questions so that they receive the highest response rates.

There are two distinct gaps in this research. First, there is a dearth of information about how the IEP form itself affects parental participation. Instead, the majority of the research in this field concerns issues regarding the IEP process, such as strategies to help parents feel like they are part of the IEP team. There are only a few studies specifically related to the model IEP forms used by each state. Second, research is lacking about how words on forms – not on web-based surveys, telephone interviews, or mailed questionnaires – make an impact on the person whose input is being solicited.

Research on IEP Forms

The only document related to the differences between IEP across the 50 United States was published by the National Center on Educational Outcomes in 2001. This review considers how forms from different states addressed standards and assessments and an appendix that lists the model IEP forms from the states. However, this publication does not provide information about how the model forms are formatted or the questions were worded.104

An article addressing the IEP form itself was published in 2000. This article provides an overview of how the changes in IDEA affected the forms and requirements for teachers. This article concludes that IDEA is challenging for teachers to follow because it increases the amount of paperwork, but the article does not give suggestions for how to improve the IEP forms.105 Another report from 1997 shares the results of 141 phone interviews with West Virginia teachers and administrators in West Virginia to conclude that more training of teachers on how to fill out the IEP form would be helpful in school discipline matters.106

There are also a few social science articles that discuss how to determine whether IEPs appropriately address specific disabilities, such as autism,107 and how to make IEPs more compatible with the required academic components of the curriculum.108 While helpful for these specific issues, the articles do not address how to improve the IEP forms itself to ensure that the proper information is collected.

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Research on IEP Development

Two law review articles by Cynthia L. Kelly\textsuperscript{109} and Michael T. McCarthy\textsuperscript{110} provide a good overview of relevant special education law and policy issues that arise as a result of the IDEA; these sources can be consulted for information on the history and development of IEPs and the way that they are based on the law. A law review article by Zael Zakai Cannon also illustrates the legal process for developing IEPs and mentions the issue of parental involvement in the special education process.\textsuperscript{111}

Lytle and Bordin conclude that parents can feel more included in the IEP meeting group if they have “clearly defined roles, social support, proximity, fairness, distinctiveness, similarity, and effective communication.”\textsuperscript{112} They then provide strategies for how to effectively ensure these principles are met in the IEP development process.\textsuperscript{113} A similar analysis of student participation in IEP meetings was conducted by Peter L Kozik in his dissertation, which concludes that the use of appreciative inquiry, or the setting of future goals based on past success, did affect IEP meeting interactions positively.\textsuperscript{114} Other studies focus on how to increase the typically small amount of student participation in IEP meetings,\textsuperscript{115} such as through the use of field-tested curriculum and meeting scripts.\textsuperscript{116}

Guidebooks for parents also provide insight into how parents should prepare for IEP team meetings and the process that will be followed by the IEP team. One, by Lawrence M. Siegel,\textsuperscript{117} illustrates how parents should prepare for team meetings. Siegel’s book also includes a model IEP from Marin County, California, but it does not detail the history behind all the items on the form or advocate for ways to improve the form. One of the most popular guidebooks, frequently mentioned during my interviews, is the Wrightslaw guide.\textsuperscript{118} The book instructs parents how to set up an IEP and includes an IEP Review Checklist,\textsuperscript{119} but it also lacks an analysis of how the form should be changed to better assist


\textsuperscript{113} Id.

\textsuperscript{114} Peter L. Kozik, Examining the Effects of Appreciative Inquiry on IEP meetings and Transition Planning (June 2008) (unpublished Ph.D. dissertation, Syracuse University) (available through ProQuest).

\textsuperscript{115} Christine Mason, Sharon Field & Shlomo Sawilowsky, *Implementation of Self-Determination Activities and Student Participation in IEPs*, 70 Exceptional Children 441 (2004); David Test, Christine Mason, Carolyn Hughes, Moira Konrad et al., *Student Involvement in Individualized Education Program Meetings*, 70 Exceptional Children 391 (2004).


\textsuperscript{119} This checklist is also available at http://www.fetaweb.com/03/iep.chklist.review.htm.
parents’ understanding. Diane Twachtman-Cullen & Jennifer Twachtman-Bassett’s guidebook\textsuperscript{120} also helps parents and teachers understand how to fill out the IEP form to ensure that there are measurable goals in the IEP. This guidebook also includes a checklist of the essential elements of an IEP.

Ruth Colker & Julie K. Waterstone’s \textit{Special Education Advocacy} gives a good breakdown of various issues with IEPs and IDEA and summaries of how cases have been decided, but this book provides more information about how to advocate about the IEP than about how to fill out the IEP form.\textsuperscript{121} If the IEP is not developed to the satisfaction of parents, another guide sets out the steps for proceed with a due process hearing when contesting an IEP.\textsuperscript{122} A law review article also addresses what happens once someone contends that an IEP is not adequate – some courts assign the burden to parents in order to prove that it is lacking; other courts assign that burden to the school system.\textsuperscript{123} This article argues that the initial burden should be given to the school to prove whether the IEP is inadequate.

\textbf{Research on Survey Design/Questionnaire Technique}

Most early research on survey design focuses on written surveys or telephone interviews. Jean Converse and Stanley Presser’s guidebook advises survey designers to comply with the most important principle, simplicity, through the use of clear language, common concepts, manageable tasks, and widespread information.\textsuperscript{124}

Studies also show that formatting of surveys can make a difference for the type of information that is received. Increasing the size of the answer-box in surveys led to longer responses,\textsuperscript{125} and adding instructions to interviews can lead to an increased amount of information provided to interviewers.\textsuperscript{126}

More recently, the focus in survey design research has been scholarship on internet survey techniques and methodology. For example, Jolene Smyth, Don Dillman, Leah Melani Christian and Mallory McBride’s analysis of a web-based survey for undergraduates in Washington show that changes such as increasing the size of an answer box and including an explanation or introduction for the questions asked can improve the quality of survey responses.\textsuperscript{127}

\textsuperscript{120} \textsc{Diane Twachtman-Cullen} \& \textsc{Jennifer Twachtman-Bassett}, \textit{The IEP from A to Z: How To Create Meaningful and Measurable Goals and Objectives} (2011).
\textsuperscript{121} \textsc{Ruth Colker} \& \textsc{Julie K. Waterstone}, \textit{Special Education Advocacy} (2011).
\textsuperscript{122} \textsc{Fagen Friedman} \& \textsc{FulFrost, LLP}, \textit{IDEA Due Process Survival Guide: A Step-by-Step Companion for Administrators and Attorneys} (2008).
\textsuperscript{123} \textit{Follow the Teacher’s Advice: Resolving Weast v. Schaffer: Burden Should Shift from School System to Parent to Prove the Inadequacy of Disabled Child’s IEP}, 50 \textit{St. Louis U. L. J.} 223 (2005).
\textsuperscript{124} \textsc{Jean M. Converse} \& \textsc{Stanley Presser}, \textit{Survey Questions: Handcrafting the Standardized Questionnaire: Series: Quantitative Applications in the Social Sciences} (Sage Publications: 1986).
\textsuperscript{125} \textsc{Tom W. Smith}, \textit{National Opinion Research Center}, \textit{Little Things Matter: A Sampler of How Differences in Questionnaire Format Can Affect Survey Responses} 1048 (1993).
\textsuperscript{126} \textsc{Peter V. Miller} \& \textsc{Charles F. Cannell}, \textit{A Study of Experimental Techniques for Telephone Interviewing}, 46 \textit{Public Opinion Quarterly} 250 (1982).
Appendix C: Other Model IEP Forms
This appendix lists the model IEP forms from around the country that were consulted for this project.

<table>
<thead>
<tr>
<th>Model Forms</th>
<th>Source</th>
</tr>
</thead>
<tbody>
<tr>
<td>Office of Special Education Programs</td>
<td><a href="http://idea.ed.gov/download/modelform1_IEP.pdf">http://idea.ed.gov/download/modelform1_IEP.pdf</a></td>
</tr>
<tr>
<td>Colorado</td>
<td><a href="http://www.cde.state.co.us/cdesped/IEP_Forms.asp">http://www.cde.state.co.us/cdesped/IEP_Forms.asp</a> (click on “IEP Review” about halfway down the page)</td>
</tr>
<tr>
<td>Connecticut</td>
<td><a href="http://www.sde.ct.gov/sde/cwp/view.asp?a=2626&amp;q=322680#IEP">http://www.sde.ct.gov/sde/cwp/view.asp?a=2626&amp;q=322680#IEP</a> (click on “PDF” or “DOC” next to “IEP Form”)</td>
</tr>
<tr>
<td>Massachusetts</td>
<td><a href="http://www.doe.mass.edu/sped/iep/eng_toc.html">http://www.doe.mass.edu/sped/iep/eng_toc.html</a> (click on checkmark next to “Individualized Education Program”)</td>
</tr>
<tr>
<td>Missouri</td>
<td><a href="http://dese.mo.gov/se/compliance/IEP/Index.html">http://dese.mo.gov/se/compliance/IEP/Index.html</a> (click on “IEP Form w/ all Attachments”)</td>
</tr>
<tr>
<td>New Jersey</td>
<td><a href="http://www.state.nj.us/education/specialed/form/">http://www.state.nj.us/education/specialed/form/</a> (click on “Word” next to “Unannotated Model IEP Form”)</td>
</tr>
<tr>
<td>Ohio</td>
<td><a href="http://www.edresourcesohio.org/index.php?slug=ohio-required-forms">http://www.edresourcesohio.org/index.php?slug=ohio-required-forms</a> (click on “Form PR-07: Individualized Education Program (IEP) - static” toward the bottom of the page)</td>
</tr>
<tr>
<td>Pennsylvania</td>
<td><a href="http://www.pattan.net/category/Legal/Forms/Browse/Single/?id=506adf760c1c448747000021&amp;bor=ag=School%20Age**l=English">http://www.pattan.net/category/Legal/Forms/Browse/Single/?id=506adf760c1c448747000021&amp;bor=ag=School%20Age**l=English</a></td>
</tr>
<tr>
<td>Virginia</td>
<td><a href="http://www.doe.virginia.gov/special_ed/iep_instruct_svcs/iep/index.xhtml">http://www.doe.virginia.gov/special_ed/iep_instruct_svcs/iep/index.xhtml</a> (click on “Sample Elementary IEP Form” under “Resources” about halfway down the page)</td>
</tr>
</tbody>
</table>

Appendix D: Survey Questions

This appendix shows the text of the survey distributed electronically throughout the state of North Carolina.

This survey is part of a master’s project for the Sanford School of Public Policy at Duke University and Advocates for Children’s Services, a non-profit in Durham, North Carolina. I have based the survey questions on the current form used by public schools in creating an individualized education program, or IEP, for students with disabilities.

There are two parts to this survey after the first two preliminary questions. Part One (18 questions) focuses on some of the particular questions on the IEP form. Part Two (11 questions) asks more questions about the form. For each question, please mark the best answer. You may also add comments in the space underneath each question. Depending upon one’s prior knowledge of the IEP process, the entire survey should take between 10 and 30 minutes to complete.

For the purposes of this survey, the following acronyms apply:

- IEP: Individualized Education Program
- IFSP: Individual Family Service Plan
- RECP: Regular Early Childhood Program

This survey is completely optional; you may choose to complete some, all, or none of the questions. The survey is also anonymous; I will not be sharing any personal information from this survey with others. I will, however, use the responses from this survey to analyze whether changes to the IEP form may be appropriate. I will share my analysis with Advocates for Children’s Services, Duke University, and the North Carolina Department of Public Instruction. A copy of my final research paper will also be available online.

If you would prefer to complete this survey by hand, please call Elizabeth Ireland at (704) 609-7211 or e-mail Elizabeth Ireland at elireland@gmail.com to request a paper copy.

1. PRELIMINARY QUESTION
How would you identify yourself? (If you fall into more than one category, please select one of the categories, then write the other category on the line at the bottom.)

- School psychologist
- Parent/guardian of a child with an IEP
- Parent/guardian of a child without an IEP
- General education teacher
- Special education teacher
- Director of special education
- Other (professor, policy maker, etc.)

2. Do you reside in North Carolina?
- Yes.
- No.
Part I: In this section, I provide you with the items that are currently on the form and ask you to decide whether there would be a better way to rephrase the item on the form. You may also provide your own rephrased version of the item in the “comments” section. If you like how the item is currently worded, please select the last answer.

3. The first item states, “Student’s overall strengths.”
Would it be better if the form read one of the following:
• What are the student’s overall strengths?
• Please make a list of at least three of the student’s strengths.
• What are the student’s educational/developmental strengths, interest areas, significant personal attributes and personal accomplishments as indicated by formal or informal assessment? Be sure to include specific feedback from the student.
• I like how the item is currently worded.
Comments:

4. The next item states, “Summarize assessment information (e.g. from early intervention providers, child outcome measures, curriculum based measures, state and district assessments results, etc.), and review of progress on current IEP/IFSP goals.”
Would it be better if the form read one of the following:
• For this student, what assessment information (e.g. from early intervention providers, child outcome measures, curriculum based measures, state and district assessments results, etc.) and progress on current IEP/IFSP goals is currently known?
• There are a number of assessments that help schools and parents determine how a student is currently doing in school. These include results of assessments from the district, measures based on the curriculum, and other methods of measuring progress. Please summarize the information from these assessments. Please also summarize how the student is doing with any goals from the current Individualized Education Program or Individual Family Service Plan.
• Based on assessments and the current goals of the IEP or IFSP, how is the student doing?
• I like how the item is currently worded.
Comments:

5. The next item states, “Parent’s concerns, if any, for enhancing the student’s education.”
Would it be better if the form read one of the following:
• What are the parent or guardian’s concerns about the student’s education?
• What are the parent or guardian’s concerns about enhancing the student’s education?
• Does the parent or guardian have any concerns about the student’s education?
• I like how the item is currently worded.
Comments:

6. The next item states, “Parent’s/Student’s vision for student’s future.”
Would it be better if the form read one of the following:
• What is the parent or guardian’s vision for the student’s future? What is the student’s
vision for the student’s future?
• Please state the parent or guardian’s vision for the student’s future and the student’s vision for the student’s future.
• Does the parent or guardian have a vision for the student’s future? If so, what is it? Does the student have a vision for the student’s future? If so, what is it?
• I like how the item is currently worded.
Comments:

7. Do you think that the item stated in Question 6 should be broken into two separate questions on the form?
• Yes.
• No.
Comments:

8. The next item states, “If a transition (e.g. new school, family circumstances, etc.) is anticipated during the life of this IEP/IFSP what information is known about the student that will assist in facilitating a smooth process?” Would it be better if the form read one of the following:
• Do you know whether the student will be transitioning to a new school or whether the student will experience new family circumstances within the next 12 months? If so, what information is known about the student that will help the school facilitate a smooth transition?
• Do you know whether there will be changes in the student’s home life or school life within the next 12 months? If so, what information will help make sure the student experiences those changes smoothly?
• Is a transition (e.g. new school, family circumstances, etc.) anticipated during the life of this Individualized Education Program/Individual Family Service Plan? If so, what information is known about the student that will assist in facilitating a smooth process?
• I like how the item is currently worded.
Comments:

9. The next item states “Present Level(s) of Academic and Functional Performance: Include specific descriptions of what the student can and cannot do in relationship to this area. Include current academic and functional performance, behaviors, social/emotional development, other relevant information, and how the student’s disability affects his/her involvement and progress in the general curriculum.” Would it be better if the form read one of the following?
• Describe how the student is currently doing in terms of academic and functional performance. (Functional performance means the routine activities of everyday living that are not considered academic.) Include specific descriptions of what the student can and cannot do in relationship to this area. Include current academic and functional performance, behaviors, social/emotional development, other relevant information, and how the student’s disability affects his/her involvement and progress in the general curriculum.
• Describe the present levels of academic achievement and functional performance
including how the student’s disability affects his or her involvement and progress in the general education curriculum. Also list the relevant data considered.

• State how the student is doing in terms of academic and functional performance. (Functional performance means the routine activities of everyday living that are not considered academic.)
• I like how the item is currently worded.

Comments:

10. The next item states “(Address after determination of related services.) Is this goal integrated with related service(s)?” Would it be better if the form read one of the following?
• The annual goal should relate to the services that will be provided for the child. After the team fills out the section of this form for related services, does it seem now like this goal is properly related to the services that should be provided?
• The annual goal should relate to the services that will be provided for the child. After the team fills out the section of this form for related services, does it now seem like this goal is properly related to the services that should be provided? How is this goal related to the services?
• Is this goal integrated with related services? (This question should be answered after determination of related services.)
• I like how the item is currently worded.

Comments:

11. The next item states “Benchmarks or Short Term Objectives (if applicable) (Required for students participating in state alternate assessments aligned to alternate achievement standards).”
• If this student is participating in an alternate form of testing or assessment, please state the benchmarks or short-term objectives that will help the student achieve their goal.
• Is this student participating in an alternate form of testing or assessment? If so, please state the benchmarks or short-term objectives that will help the student achieve their goal.
• What are the benchmarks or short-term objectives for this student? (This is only required for students participating in state alternate assessments aligned to alternate achievement standards).
• I like how the item is currently worded.

Comments:

12. The next item states “Describe how progress toward the annual goal will be measured.” Would it be better if the form read one of the following?
• Data should be collected by the school and made available to the family in order to support the child’s ongoing progress. Describe how progress toward the annual goal will be measured.
• Data should be collected and available to support the child’s ongoing progress. Describe how progress toward the annual goal will be measured and how the progress will be reported. At a minimum, progress toward annual goals should be reported when report cards are distributed.
• How will the school and family measure the child’s progress toward the annual goal?
• I like how the item is currently worded.
Comments:

13. The next item states “Specify the technical assistance, if any, that will be provided to the
general education teacher(s) and/or other school personnel for implementation of the
IEP.”
Would it be better if the form read one of the following?
• State the supports for school personnel that will be provided.
• What additional technical assistance will be given to the general education teacher and
other school personnel so that they know how to implement this IEP?
• Does the teacher need additional technical assistance to implement this IEP? If so, what
type of assistance is needed?
• I like how the item is currently worded.
Comments:

14. The next item states “District-Wide Assessment Program: In the space provided, list the
district-wide assessments, if any, and any accommodations or alternate assessments to be
used by the student.”
Would it be better if the form read one of the following?
• District-Wide Assessment Program: Will the student be taking any district-wide tests or
assessments? If so, what accommodations or alternative assessments will be used by
the student?
• District-Wide Assessment Program: List the district-wide assessments, if any, and any
accommodations or alternate assessments to be used by the student.
• District-Wide Assessment Program: What are the assessments that the student will
take, and how will these assessments be modified for the student?
• I like how the item is currently worded.
Comments:

15. The next item states “Alternate Assessment Justification: If the student is participating
in any alternate assessment(s), explain why the regular testing program, with or without
accommodations, is not appropriate and why the selected assessment is appropriate.”
Would it be better if the form read one of the following?
• If the student is participating in different assessments than would typically be provided,
explain why the regular testing program would not be appropriate. Also explain why
the selected assessment would be appropriate.
• If the student is participating in different assessments than would typically be provided,
explain why the student is participating in a different assessment. Also explain why the
selected assessment would be appropriate.
• Is the student participating in a different assessment than would typically be provided?
If so, why?
• I like how the item is currently worded.
Comments:
16. The next item states “Specially Designed Instruction, Related Services, and Nonacademic Services and Activities: Anticipated Frequency and Location of Related Services.” Following these words, there are checkboxes about whether the team determined that related services were required, as well as spaces in which to write the type of service and its frequency. Would it be better if the form read one of the following?

- Please state the special education and related services and supplemental aids and services, based on peer-reviewed research to the extent practicable, to be provided to the child, or on behalf of the child. Please also state the program modifications or supports for school personnel that will be provided for the child.
- Please state the types and anticipated location of all special education services to be provided to and on behalf of the student.
- What are the specially designed instruction, related services and activities to be provided by the school? How frequently will these activities take place, and where will they be located?
- I like how the item is currently worded.

Comments:

17. The next item states, “Nonacademic Services & Activities (Refer to Section I: General Education Program Participation): List the nonacademic services and activities in which the student will not participate with nondisabled peers. This time must be factored into the determination of continuum of alternative educational placement below.” Would it be better if the form read one of the following?

- What are the nonacademic services and activities during which the student will be removed from his/her nondisabled peers? How much time do these activities take each week?
- State how frequently the child will not participate with nondisabled children in nonacademic services and activities.
- I like how the item is currently worded.

Comments:

18. The next item states, “Continuum of Alternative Educational Placements: Check all alternative placements considered by the team and circle the decision reached. Educational placement is determined by calculating the amount of time the student is with nondisabled peers. Regular Early Childhood Program (RECP) is at least 50% of children enrolled in a class are nondisabled and do not have an IEP. A Special Education Program (Separate) class includes less than 50 percent nondisabled children.” Following this statement, there are a series of checkboxes for the team to discuss. Would it be better if the form stated one of the following?

- Check all alternative placements considered by the team and circle the decision reached.
- Continuum of Alternative Educational Placements: Check all alternative placements considered by the team and circle the decision reached.
- Check all alternative placements considered by the team and circle the decision reached. (Educational placement is determined by calculating the amount of time the student is with nondisabled peers. Regular Early Childhood Program (RECP) is at least
50% of children enrolled in a class are nondisabled and do not have an IEP. A Special Education Program (Separate) class includes less than 50 percent nondisabled children.

- I like how the item is currently worded.

Comments:

19. The next item states, “Least Restrictive Environment Justification Statement: If the student will be removed from nondisabled peers for any part of the day (general education classroom, nonacademic services and activities), explain why the services cannot be delivered with nondisabled peers with the use of supplemental aids and services.” Would it be better if the form read one of the following?

- Least Restrictive Environment Justification Statement: Will the student be removed from nondisabled peers for any part of the day? If so, explain why the services cannot be delivered in the presence of nondisabled peers with the use of supplemental aids and services.
- Least Restrictive Environment Justification Statement: Will the student be removed from nondisabled peers for any part of the day? If so, explain why the services cannot be delivered with nondisabled peers with the use of supplemental aids and services. Please also summarize the possible advantages to the student, possible disadvantages or harmful effects on the student, and the modifications and aids considered to reduce possible disadvantage to the student.
- Least Restrictive Environment Justification Statement: To the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children without disabilities; and separate schooling or other removal of children with disabilities from the regular education environment occurs only if the nature or severity of the disability is such that education in regular classes, with the use of supplementary aids and services, cannot be achieved satisfactorily. If the student will be removed from nondisabled peers for any part of the day (general education classroom, nonacademic services and activities), explain why the services cannot be delivered with nondisabled peers with the use of supplemental aids and services. Please also summarize the possible advantages to the student, possible disadvantages or harmful effects on the student, and the modifications and aids considered to reduce possible disadvantage to the student.

- I like how the item is currently worded.

Comments:

20. The next item states, “Progress toward annual goals will be reported with the issuance of report cards unless otherwise specified below.” Would it be better if the form read one of the following?

- The school will report on the student’s progress by sending home a report card unless otherwise explained below.
- How will the school let the parents know whether progress that has been made toward the student’s annual goals?
- Describe how parents will be informed of the student’s progress toward goals and how frequently this will occur.
• I like how the item is currently worded.
Comments:

**Part II:** This section of the survey deals with the general structure and format of the IEP form. Please select the answer that you believe is the best answer. You may write comments under each question.

21. Do you think instructions or an introduction on the top of the IEP form would be helpful?
   • Yes.
   • No.
   • Unsure.
Comments:

22. Do you think a free, publicly available guidebook with information about how to fill out the specific questions on this form would help you?
   • Yes.
   • No.
   • Unsure.
Comments:

23. Currently, the items on the form are in the same order as the questions from Part I of this survey. Do you think that there are changes that should be made to the order of the items?
   • Yes.
   • No.
   • Unsure.
Comments:

24. If you marked yes to Question 23, please explain what changes you think should be made.

25. Are there any items that you think should be added to the IEP form?
   • Yes.
   • No.
   • Unsure.
Comments:

26. If you answered Yes to Question 25, what items would you add?

27. Are there items that you think should be removed from the IEP form?
   • Yes.
   • No.
   • Unsure.
Comments:
28. If you answered yes to Question 27, which items do you think should be removed?

29. Do you think that adding numbers or letters to the items on the IEP form would be helpful?
   • Yes.
   • No.
   • Unsure.
   Comments:

30. One part of the form includes special factors. The special factors written are: behavior that impedes learning; Limited English Proficiency; blindness or partial sight that requires instruction in or the use of Braille; special communication needs; deafness or inability to hear, and specially designed physical education.
   Do you think there are other factors that should be listed?
   • Yes.
   • No.
   • Unsure.
   Comments:

31. If you answered yes to Question 30, which special factors do you think should be added?

32. Please share any additional comments or questions about the IEP form or this survey in the box below.
Appendix E: Survey Distribution Information

The purpose of this appendix is to provide information about where the survey used in this project was sent directly. The appendix is ordered alphabetically and includes a list of the counties where the survey was specifically sent.

1. Attorneys (Mecklenburg, Durham)
2. Directors of Special Education
   a. Professional Director Contacts (Alamance, Columbus)
3. Education/Children’s Policy Professionals (Wake)
4. Parents
   a. Exceptional Children’s Advocacy Center
   b. The Hill Center
   c. Mecklenburg Acts
   d. Moms Rising
   e. North Carolina Council for Exceptional Children
   f. North Carolina Parent Teacher Associations
   g. Parents as Law Students (Student Organization at UNC Law)
   h. Professional Parent Contacts (Mecklenburg, Wake, Forsyth, Orange, Durham)
5. Professors (Mecklenburg, Durham, Orange)
6. School Psychologists
   b. Professional School Psychologist Contacts (Durham)
7. Social Networking (Facebook, Twitter)
8. Teachers
   a. North Carolina Association of Educators
   b. Pastors (Yadkin, Mecklenburg)
   c. Professional School Administrator Contacts (Wake, Durham)
   d. Professional Teacher Contacts (Wilkes, Randolph, Shelby, Alexander, Wake, Durham, Forsyth, Warren, Mecklenburg)
Appendix F: List of Potential Partner Organizations and Recommended Contacts

This appendix provides a starting list of contacts (in alphabetical order) for ACS and the lead actor to use when gathering support for DEC 4 revisions.

- Covenant with North Carolina’s Children (Rob Thompson)
- Disability Rights North Carolina (Chris Trottier)
- Duke University Children’s Law Clinic (Jane Wettach)
- Duke University Center for Child and Family Policy (Jenni Owen)
- Exceptional Children’s Assistance Center
- Federation for Children with Special Needs
- Mecklenburg County ACTS (Pam Grundy)
- National Council of Administrators of Special Education
- National Council of Administrators of Special Education (North Carolina chapter)
- North Carolina Council for Exceptional Children
- North Carolina School Psychology Association (Chris Hamm)
- Parents Across America (Pam Grundy)
- Special Education Parent and Teachers’ Associations (throughout North Carolina)
- Special Education Law Roundtable
- Parent and Teachers’ Associations (throughout North Carolina)
- The Hill Center (Bryan Brander)
- University of North Carolina Juvenile Justice Clinic (Tamar Birckhead & Barb Fedders)
**INDIVIDUALIZED EDUCATION PROGRAM (IEP)**

Duration of Special Education and Related Services: From: _____ To: _____

Student: __________________________ DOB: _____

School: __________________________ Grade: _____

Primary Area of Eligibility* ______________ Secondary Area(s) of Eligibility: (if applicable) ______________

(*/Reported on Child Count)

**Student Profile**

- **Student’s overall strengths:**

- Summarize assessment information (e.g. from early intervention providers, child outcome measures, curriculum based measures, state and district assessments results, etc.), and review of progress on current IEP/IFSP goals:

- Parent’s concerns, if any, for enhancing the student’s education:

- Parent’s/Student’s vision for student’s future:

**Consideration of Transitions**

- If a transition (e.g. new school, family circumstances, etc.) is anticipated during the life of this IEP/IFSP what information is known about the student that will assist in facilitating a smooth process? [ ] N/A

- The student is age 14 or older or will be during the duration of the IEP. [ ] Yes [ ] No

---

Comment: 20 U.S.C § 1414(d)(1)(A)(i): “In general the term "individualized education program" or "IEP" means a written statement for each child with a disability that is developed, reviewed, and revised in accordance with this section and that includes” (list of items to be included follows, is detailed throughout this document).
INDIVIDUALIZED EDUCATION PROGRAM (IEP)

Duration of Special Education and Related Services: From: _____ To: _____

Student: ___________________________________________ DOB: ______

School: ______________________________________________ Grade: _____

Consideration of Special Factors (Note: If you check yes, you must address in the IEP.)

<table>
<thead>
<tr>
<th>Question</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Does the student have behavior(s) that impede his/her learning or that of others?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Does the student have Limited English Proficiency?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>If the student is blind or partially sighted, will the instruction in or use of Braille be needed?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Does the student have any special communication needs?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Is the student deaf or hard of hearing?</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

- The child’s language and communication needs;
- Opportunities for direct communications with peers and professional personnel in the child’s language and communication mode;
- Academic level;
- Full range of needs, including opportunities for direct instruction in the child’s language; and
- Communication mode.

(Communication Plan Worksheet available at www.ncpublicschools.org/ec/policy/forms.)

Does the student require specially designed physical education? | Yes | No

Comment: 34 CFR 300.324(2): “The IEP Team must-- (i) In the case of a child whose behavior impedes the child’s learning or that of others, consider the use of positive behavioral interventions and supports, and other strategies, to address that behavior.”

Comment: 34 CFR 300.324(2): “The IEP Team must-- (ii) In the case of a child with limited English proficiency, consider the language needs of the child” as those needs relate to the child’s IEP.”

Comment: 34 CFR 300.324(2): “The IEP Team must -- (iii) In the case of a child who is blind or visually impaired, provide for instruction in Braille unless the IEP Team determines, after an evaluation of the child’s reading and writing skills, needs, and appropriate reading and writing media (including an evaluation of the child’s future needs for instruction in Braille or the use of Braille), that instruction in Braille or the use of Braille is not appropriate for the child;”

Comment: 34 CFR 300.324(2): “The IEP Team must -- (iv) Consider the communication needs of the child, and in the case of a child who is deaf or hard of hearing, consider the child’s language and communication needs, opportunities for direct communications with peers and professional personnel in the child’s language and communication mode, academic level, and full range of needs, including opportunities for direct instruction in the child’s language and communication mode.”
INDIVIDUALIZED EDUCATION PROGRAM (IEP)

Student: __________________________ DOB: ________
School: __________________________ Grade: ________

Duration of Special Education and Related Services: From: ____ To: ______

Present Level(s) of Academic and Functional Performance
Include specific descriptions of what the student can and cannot do in relationship to this area. Include current academic and functional performance, behaviors, social/emotional development, other relevant information, and how the student’s disability affects his/her involvement and progress in the general curriculum.

Annual Goal
☐ Academic Goal ☐ Functional Goal

Does the student require assistive technology devices and/or services? ☐ Yes ☐ No
If yes, describe needs: _______

(Address after determination of related services.) Is this goal integrated with related service(s)? ☐ Yes* ☐ No
*If yes, list the related service area(s) of integration: _______
INDIVIDUALIZED EDUCATION PROGRAM (IEP)

Duration of Special Education and Related Services: From: _____ To: _____

Student: ___________________________________________ DOB: _____

School: ___________________________________________ Grade: _____

Competency Goal

Required for areas (if any) where student participates in state assessments using modified achievement standards.

Select Subject Area: [ ] Language Arts [ ] Mathematics [ ] Science

List Competency Goal from the NC Standard Course of Study:
(Standard must match the student’s assigned grade.)

Note: Selected Grade Standard Competency Goals listed are those identified for specially designed instruction. In addition to those listed, the student has access to grade level content standards through general education requirements.

Benchmarks or Short Term Objectives (if applicable)
(Required for students participating in state alternate assessments aligned to alternate achievement standards)

Describe how progress toward the annual goal will be measured
INDIVIDUALIZED EDUCATION PROGRAM (IEP)

Duration of Special Education and Related Services: From: ____ To: ____

Student: ____________________________________________ DOB: ____

School: ____________________________________________ Grade: ____

Least Restrictive Environment

I. General Education Program Participation

In the space provided, list the general education classes, nonacademic services, and activities (ex: lunch, recess, assemblies, media center, field trips, etc.) in which the student will participate and the supplemental aids, supports, modifications, and/or accommodations required (if applicable) to access the general curriculum and make progress toward meeting annual goals. Discussion and documentation must include any test accommodations required for state and/or district-wide assessment. If supplemental aids/services, modifications/accommodations and/or assistive technology will be provided in special education classes include in the table below.

<table>
<thead>
<tr>
<th>GENERAL EDUCATION</th>
<th>SUPPLEMENTAL AIDS/SERVICES</th>
<th>IMPLEMENTATION SPECIFICATIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>NONACADEMIC SERVICES &amp; ACTIVITIES</td>
<td>MODIFICATIONS/ACCOMMODATIONS ASSISTIVE TECHNOLOGY</td>
<td>(If Applicable)</td>
</tr>
<tr>
<td>SPECIAL EDUCATION (If Applicable)</td>
<td>(If Applicable)</td>
<td>(Example: Who? What? When? Where?)</td>
</tr>
</tbody>
</table>

If the student is in preschool, describe how the student is involved in the general education program. □ N/A

Specify the technical assistance, if any, that will be provided to the general education teacher(s) and/or other school personnel for implementation of the IEP. □ None

Elizabeth Ireland 4/17/13 4:07 PM

Comment: 20 U.S.C. § 1414 (d)(1)(A)(i)(II)(aa): “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 1412 (a)(16)(A) of this title”
II. North Carolina Testing Program

Select the appropriate state assessment(s) that will allow the student to demonstrate his/her knowledge. Accommodations listed on the IEP must be used routinely in classroom instruction and on similar classroom assessments. Select testing accommodations that correlate to instructional accommodations used routinely throughout the academic year. For specifics regarding accommodation use and availability for specific tests, refer to the Testing Students with Disabilities publication, available at http://www.ncpublicschools.org/accountability/policies/tswd.

IEP Teams are instructed to select, for each assessment, only those accommodations that do not invalidate the score.

1. Student will participate in the Standard Test Administration with No Accommodations
2. Student will participate in the NC EXTENDI with No Accommodations
3. Student will participate in the NC EXTENDI with Accommodations
   If checked, complete IEP DEC4 (6a of 10)

**NC Testing Program Approved Accommodations**

**MUST BE COMPLETED**

<table>
<thead>
<tr>
<th>General Assessment</th>
<th>ELA</th>
<th>Mathematics</th>
<th>Science 1</th>
<th>English 1</th>
<th>English II</th>
<th>Integrated 1</th>
<th>Biology 1</th>
<th>Post-Assessment</th>
<th>CTE</th>
<th>Tests of English Language Proficiency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Student will participate in:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Grades K-12 W-APT® ACCESS for ELLs®</td>
</tr>
<tr>
<td>NC EXTEND</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

- Braille Edition
- Large Print Edition (not for online assessments)
- One Test Item Per Page Edition (not for online assessments)
- Assistive Technology Devices: Specify
- Braille Writer/Slate and Stylus (Braille Paper)
- Crammer Abacus
- Dictation to a Scribe
- Interpreter/Transliterator Signs/CAES Test
- Magnification Devices
- Word-to-Word Bilingual (English/Native Language)
- Dictionary/Electronic Translator (LEP only)
- Student Marks Answers in Test Book (not for online assessments)
- Student Reads Test Aloud to Self
- Test Administrator Reads Test Aloud (In English)
  - Read Everything
  - Read by Student Request
  - Other
- Computer Reads Test Aloud – Student Controlled (not for paper and pencil assessments)
  - More Frequent Breaks (Every ___ Min.)
  - Over Multiple Days (Number of Days ___)
  - Other
- Multiple Testing Sessions
  - Scheduled Extended Time
  - Approximately ____ minutes
  - Other
- Testing in a Separate Room
  - Small Group
  - One-on-One
- Other (specify)

*Dependent upon the platform used to provide the student the general assessment (online vs. paper and pencil), some accommodations may be non-applicable or unavailable.*
All NCEXTEND2 tests are designed to be administered online; therefore, some of the state-approved testing accommodations do not apply to these tests. If a paper and pencil version of the NCEXTEND2 test is needed as an accommodation, an Accommodation Notification Form (available from the school test coordinator) must be submitted to the LEA test coordinator.

Available only for students identified as Limited English proficient (LEP) who scored below Level 5.0 Bridging on the reading subtest of the W-APT™ or ACCESS for ELLs.

In order to be used on the state assessment this accommodation must be approved by the NCDPI. To request approval, an Accommodation Notification Form (available from the school test coordinator) must be submitted to the LEA test coordinator.
INDIVIDUALIZED EDUCATION PROGRAM (IEP)

Duration of Special Education and Related Services: From: ____ To: ____

Student: ___________________________________________ DOB: ____

School: _______________________________ Grade: ____

II. A. EXPLORE/PLAN/ACT/WorkKeys

<table>
<thead>
<tr>
<th>Grade</th>
<th>Accommodations</th>
<th>Implementation Specifications</th>
</tr>
</thead>
<tbody>
<tr>
<td>8th</td>
<td>Explore¹</td>
<td></td>
</tr>
<tr>
<td>10th</td>
<td>PLAN¹</td>
<td></td>
</tr>
<tr>
<td>11th</td>
<td>ACT²</td>
<td></td>
</tr>
<tr>
<td>12th</td>
<td>WorkKeys³</td>
<td></td>
</tr>
</tbody>
</table>

¹ EXPLORE, PLAN, and WorkKeys accommodations must meet accommodations guidelines specified in the Supervisor’s Manuals that correspond to each test.

² Accommodations for the ACT must be requested and reviewed by ACT via submission of an ACT-Approved Accommodations Application. ACT-approved accommodations result in scores that are college-reportable, while state-allowed accommodations result in scores that are not college-reportable but may be used for state accountability purposes.

³ WorkKeys accommodations are available through the ACT, but specific guidelines are not provided in the image.
INDIVIDUALIZED EDUCATION PROGRAM (IEP)

Duration of Special Education and Related Services: From: _____ To: _____

Student: ___________________________ DOB: __________

School: ___________________________ Grade: _____

III. District-Wide Assessment Program

In the space provided, list the district-wide assessments, if any, and any accommodations or alternate assessments to be used by the student.

<table>
<thead>
<tr>
<th>DISTRICT-WIDE ASSESSMENT(S)</th>
<th>ACCOMMODATION(S) OR ALTERNATE ASSESSMENT(S)</th>
<th>IMPLEMENTATION SPECIFICATIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

IV. Alternate Assessment Justification

If the student is participating in any alternate assessment(s), explain why the regular testing program, with or without accommodations, is not appropriate and why the selected assessment is appropriate: N/A

V. Specially Designed Instruction, Related Services, and Nonacademic Services and Activities

A. Anticipated Frequency, Duration, and Location of Specially Designed Instruction

Note: chart format provided by U.S. Department of Education (not legally required)

<table>
<thead>
<tr>
<th>Special Education:</th>
<th>Sessions Per:</th>
<th>Reporting Period</th>
<th>Year</th>
<th>Session Length</th>
<th>Location:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Week</td>
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<td>1st Semester</td>
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<td>2nd Semester</td>
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<td>1st Semester</td>
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<td>2nd Semester</td>
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<td>1st Semester</td>
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<td>2nd Semester</td>
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</table>
INDIVIDUALIZED EDUCATION PROGRAM (IEP)

Duration of Special Education and Related Services: From: _____ To: _____

DOB: _____  School: ____________________________  Grade: _____

B. Anticipated Frequency and Location of Related Services

- The IEP Team determined related services are not required to assist the student to benefit from special education.
- The IEP Team determined the following related services are required to assist the student to benefit from special education.

<table>
<thead>
<tr>
<th>Related Service(s)</th>
<th>Sessions Per:</th>
<th>Reporting Period</th>
<th>Session Length:</th>
<th>Location:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Week</td>
<td>Month</td>
<td>Year</td>
<td>Period</td>
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</tbody>
</table>

- Transportation is required as related service. Describe special transportation services:

C. Nonacademic Services & Activities (Refer to Section I: General Education Program Participation)

List the nonacademic services and activities in which the student will not participate with nondisabled peers. This time must be factored into the determination of continuum of alternative educational placement below.

<table>
<thead>
<tr>
<th>Nonacademic Services &amp; Activities</th>
<th>Sessions Per:</th>
<th>Reporting Period</th>
<th>Session Length:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Week</td>
<td>Month</td>
<td>Year</td>
</tr>
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<td></td>
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</tr>
</tbody>
</table>

VI. Continuum of Alternative Educational Placements

Check all alternative placements considered by the team and circle the decision reached.

Educational placement is determined by calculating the amount of time the student is with nondisabled peers. Regular Early Childhood Program (RECP) is at least 50% of children enrolled in a class are nondisabled and do not have an IEP. A Special Education Program (Separate) class includes less than 50 percent nondisabled children.
INDIVIDUALIZED EDUCATION PROGRAM (IEP)

Duration of Special Education and Related Services: From: _____ To: _____

Student: ________________________________________________________________ DOB: _____

School: ___________________________________________________________ Grade: _____

VII. Least Restrictive Environment Justification Statement

If the student will be removed from nondisabled peers for any part of the day (general education classroom, nonacademic services and activities), explain why the services cannot be delivered with nondisabled peers with the use of supplemental aids and services.

☐ N/A Student will not be removed from nondisabled peers.

VIII. Progress toward annual goals will be reported with the issuance of report cards unless otherwise specified below:

IX. Extended School Year Status (ESY worksheet available at www.ncpublicschools.org/ec/policy/forms.)

☐ Is not eligible for extended school year
☐ Is eligible for extended school year
☐ Eligibility is under consideration and will be determined by ______

X. Record of IEP Team Participation (Note with an * any team member who used alternative means to participate.)

A. IEP Team. The following were present and participated in the development and writing of the IEP.

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>LEA Representative</td>
<td></td>
<td></td>
</tr>
<tr>
<td>General Education Teacher</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Special Education Teacher</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Parent</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Student</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Copy given/sent to parent(s): by _____ on _____

Comment: 20 U.S.C. § 1414 (d)(1)(A)(i)(V) 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 subclause (IV)(c).

Comment: 34 CFR § 300.320(a)(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”

Comment: NC Guiding Practices 1503.4.1: “Progress toward annual goals must be reported at a minimum at the issuance of report cards.”

Comment: 34 CFR § 300.320(a)(3): “A description of the progress the child is making toward meeting annual goals (such as through the use of quarterly or other periodic reports, concurrent with the issuance of report cards) will be provided.”

Comment: 34 CFR 300.106(a)(1): “As used in this section, the term extended school year services means special education and related services that— (1) Are provided to a child with a disability— (i) Beyond the normal school year of the public agency; (ii) In accordance with the child’s IEP; and (iii) At no cost to the parents of the child; and (2) Meet the standards of the SEA.”

Comment: 34 CFR 300.106(b): “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 §§ 300.320 through 300.324.”
INDIVIDUALIZED EDUCATION PROGRAM (IEP) ADDENDUM

Duration of Special Education and Related Services: From: _____ To: _____

Student: _______________________________________________ DOB: _____

School: _______________________________________________ Grade: _____

X. Record of IEP Team Participation continued
(Note with an * any team member who used alternative means to participate.)

B. Reevaluation. The IEP was reviewed at reevaluation and was found to be appropriate. An annual review of this IEP will be conducted on or before ___.

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>LEA Representative</td>
<td></td>
<td></td>
</tr>
<tr>
<td>General Education Teacher</td>
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<td></td>
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<tr>
<td>Special Education Teacher</td>
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<tr>
<td>Parent</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Student</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

XI. Amending the IEP
The IEP was amended due to a disciplinary change in placement.  ☐ yes ☐ no

A. IEP Addendum Team.
The following were present and participated in the development and writing of the addendum to the IEP.

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>LEA Representative</td>
<td></td>
<td></td>
</tr>
<tr>
<td>General Education Teacher</td>
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<tr>
<td>Special Education Teacher</td>
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<tr>
<td>Parent</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Student</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

B. Amending the IEP without holding a meeting after the annual IEP Team meeting for the school year.

☐ The parent and LEA agreed that the IEP could be amended by _____ on _____ without holding a meeting.

☐ Copies of the amendment were provided to individuals responsible for implementing changes to the IEP by _____ on _____

Indicate page(s) and section(s) where any amendment(s) were made:

_____

_____

_____

☐ A revised copy of the IEP with amendments incorporated was provided to parent(s) on _____ by _____.

Elizabeth Ireland 4/17/13 4:14 PM

Comment: NC Guiding Practices 1503-4.1: “IEPs are developed annually. Amendments to the IEP can be made by the IEP Team at any time deemed appropriate within the duration of the IEP.”
Appendix I: Model DEC 4

This appendix demonstrates how the recommendations in this report would work together, so that ACS can promote this model form throughout the state. As in a “track change” style, the comments on the side show the changes that are recommended. Additions to the form are indicated in red.

INDIVIDUALIZED EDUCATION PROGRAM (IEP)

This is the document that contains the description of the Special Education Services that your child is supposed to receive from the school. You will be completing this document with the members of the “IEP Team” that consists of teachers and school personnel.

Special Education means Specially Designed Instruction, at no cost to the parents, to meet the unique needs of the child. NC 1500-2.34(a)(1). Specially Designed Instruction means adapting the content, methodology, or delivery of instruction to address the unique needs of the child that result from the child’s disability and to ensure access of the child to the general curriculum so that he or she can meet the state’s educational standards. NC 1500-2.34(b)(3).

Duration of Special Education and Related Services: From: _____ To: _____

Student: ____________________________________________ DOB: _____

School: ____________________________________________ Grade: _____

Primary Area of Eligibility* ______________________________ Secondary Area(s) of Eligibility: (if applicable) ____________________

(*Reported on Child Count)

1. Student Profile

a. What are the student’s educational/developmental strengths, interest areas, significant personal attributes and personal accomplishments as indicated by formal or informal assessment? Be sure to include specific feedback from the student. (34 CFR §300.324(a)(1))

b. There are a number of assessments that help schools and parents determine how a student is currently doing in school. These include results of assessments from the district, measures based on the curriculum, and other methods of measuring progress. How would the IEP team summarize these assessments? How would the IEP team summarize how the student is doing with any goals from the current IEP or Individual Family Service Plan? (34 CFR §300.324(a)(1))

c. What are the student’s overall strengths? (34 CFR §300.324(a)(1))

d. What is the student’s vision for the student’s future?

e. What is the student’s vision for the student’s future?

2. Consideration of Transitions

a. Do you know whether there will be changes in the student’s home life or school life within the next 12 months? If so,
<table>
<thead>
<tr>
<th>What information will help make sure the student experiences those changes smoothly? [20 U.S.C. § 1414 (d)(1)(A)(VIII)]</th>
<th>□ N/A</th>
</tr>
</thead>
<tbody>
<tr>
<td>b. Is the student age 14 or older, or will the student be age 14 or older during the duration of the IEP?</td>
<td>□ Yes □ No</td>
</tr>
</tbody>
</table>
INDIVIDUALIZED EDUCATION PROGRAM (IEP)

Duration of Special Education and Related Services: From: _____ To: _____

Student: ___________________________________________ DOB: _____

School: ________________________________________________ Grade: _____

3. Consideration of Special Factors (Note: If you check yes, you must address in the IEP.) (34 CFR 300.324(2))

<table>
<thead>
<tr>
<th></th>
<th>Does the student have behavior(s) that impede his/her learning or that of others? □ Yes □ No</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Does the student have Limited English Proficiency? □ Yes □ No</td>
</tr>
<tr>
<td></td>
<td>If the student is blind or partially sighted, will the instruction in or use of Braille be needed? □ Yes □ No □ N/A</td>
</tr>
<tr>
<td></td>
<td>Does the student have any special communication needs? □ Yes □ No</td>
</tr>
<tr>
<td></td>
<td>Is the student deaf or hard of hearing? □ Yes □ No</td>
</tr>
<tr>
<td></td>
<td>The child’s language and communication needs;</td>
</tr>
<tr>
<td></td>
<td>Opportunities for direct communications with peers and professional personnel in the child’s language and communication mode;</td>
</tr>
<tr>
<td></td>
<td>Academic level;</td>
</tr>
<tr>
<td></td>
<td>Full range of needs, including opportunities for direct instruction in the child’s language and communication mode.</td>
</tr>
<tr>
<td>(Communication Plan Worksheet available at <a href="http://www.ncpublicschools.org/ec/policy/forms">www.ncpublicschools.org/ec/policy/forms</a>.)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Does the student require specially designed physical education? □ Yes □ No</td>
</tr>
</tbody>
</table>
INDIVIDUALIZED EDUCATION PROGRAM (IEP)

Duration of Special Education and Related Services: From: _____ To: _____

Student: ____________________________ DOB: _____

School: ____________________________ Grade: _____

4. Present Level(s) of Academic and Functional Performance
How is the student currently doing in terms of academic and functional performance? (Functional performance means the routine activities of everyday living that are not considered academic.) Include specific descriptions of what the student can and cannot do in relationship to this area. Include current academic and functional performance, behaviors, social/emotional development, other relevant information, and how the student’s disability affects his/her involvement and progress in the general curriculum. (20 U.S.C. § 1414 (d)(1)(A)(i)(I), 34 CFR § 300.320(a)(1), NC Guiding Practices 1503-4.1.)


   - Academic Goal
   - Functional Goal

   a. Does the student require assistive technology devices and/or services? (34 CFR 300.324(2)) [ ] Yes [ ] No
      If yes, describe needs:
      
   b. Is this goal integrated with related service(s)? (This question should be answered after determining the related services.) [ ]
      Yes* [ ] No
      *If yes, list the related service area(s) of integration:

   Deleted: Include specific descriptions of what the student can and cannot do in relationship to this area. Include current academic and functional performance, behaviors, social/emotional development, other relevant information, and how the student’s disability affects his/her involvement and progress in the general curriculum.

5/17/13 4:26 PM
Elizabeth Ireland

Deleted: Address after determination of related services.

5/17/13 4:27 PM
Elizabeth Ireland

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5/17/13 4:28 PM
Elizabeth Ireland

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INDIVIDUALIZED EDUCATION PROGRAM (IEP)

Duration of Special Education and Related Services: From: _____ To: _____

Student: ___________________________________________ DOB: _____

School: ___________________________________________ Grade: _____

6. List the Competency Goals of the Student

Required for areas (if any) where student participates in state assessments using modified achievement standards.

Select Subject Area: [ ] Language Arts [ ] Mathematics [ ] Science

a. List Competency Goal from the NC Standard Course of Study:
(Standard must match the student’s assigned grade.)

Note: Selected Grade Standard Competency Goals listed are those identified for specially designed instruction. In addition to those listed, the student has access to grade level content standards through general education requirements.

7. Benchmarks or Short Term Objectives: Is this student participating in an alternate form of testing or assessment? If so, please state the benchmarks or short-term objectives that will help the student achieve their goal. (20 U.S.C. § 1414 (d)(1)(A)(ii)(cc); 34 CFR § 300.320(a)(2)(ii)

(Required for students participating in state alternate assessments aligned to alternate achievement standards)

8. Data should be collected and available to support the child’s ongoing progress. How will progress toward the annual goal will be measured and how will the progress be reported? (At a minimum, progress toward annual goals should be reported when report cards are distributed.) (20 U.S.C. § 1414 (d)(1)(A)(ii)(III); 34 CFR § 300.320(a)(3)(ii); NC Guiding Practices 1503-4.1)

Elizabeth Ireland 4/17/13 4:29 PM
Deleted: (if applicable)

Elizabeth Ireland 4/7/13 11:19 PM
Deleted: Describe how progress toward the annual goal will be measured
INDIVIDUALIZED EDUCATION PROGRAM (IEP)

Duration of Special Education and Related Services: From: _____ To: ____

Student: ___________________________________________ DOB: _____

School: ___________________________________________ Grade:_____

9. Least Restrictive Environment

I. General Education Program Participation

In the space provided, list the general education classes, nonacademic services, and activities (ex: lunch, recess, assemblies, media center, field trips, etc.) in which the student will participate and the supplemental aids, supports, modifications, and/or accommodations required (if applicable) to access the general curriculum and make progress toward meeting annual goals. Discussion and documentation must include any test accommodations required for state and/or district-wide assessment. If supplemental aids/services, modifications/accommodations and/or assistive technology will be provided in special education classes include in the table below. (20 U.S.C. § 1414 (d)(1)(A)(II)(aa))

<table>
<thead>
<tr>
<th>GENERAL EDUCATION</th>
<th>NONACADEMIC SERVICES &amp; ACTIVITIES</th>
<th>SPECIAL EDUCATION (If Applicable)</th>
<th>SUPPLEMENTAL AIDS/SERVICES MODIFICATIONS/ACCOMMODATIONS ASSISTIVE TECHNOLOGY (If Applicable)</th>
<th>IMPLEMENTATION SPECIFICATIONS (Example: Who? What? When? Where?)</th>
</tr>
</thead>
<tbody>
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</table>

a. If the student is in preschool, how will the student be involved in the general education program? [ ] N/A

b. Does the teacher need additional technical assistance to implement this IEP? If so, what type of assistance is needed? [ ] None

Elizabeth Ireland 4/17/13 4:32 PM
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Elizabeth Ireland 4/17/13 4:32 PM
Deleted: is
Elizabeth Ireland 4/17/13 4:32 PM
Deleted: provide to the general education teacher(s) and/or other school personnel for implementation of the IEP
**INDIVIDUALIZED EDUCATION PROGRAM (IEP)**

**Student Name:** 

**Duration From:**  

**To:**

---

### North Carolina Testing Program

Select the appropriate state assessment(s) that will allow the student to demonstrate his/her knowledge. Accommodations listed on the IEP must be used routinely in classroom instruction and on similar classroom assessments. Select testing accommodations that correlate to instructional accommodations used routinely throughout the academic year. For specifics regarding accommodation use and availability for specific tests, refer to the *Testing Students with Disabilities* publication, available at [http://www.ncpublicschools.org/accountability/policies/iesd](http://www.ncpublicschools.org/accountability/policies/iesd) (NC Guiding Practices 1503-4.1)

IEP Teams are instructed to select, for each assessment, only those accommodations that do not invalidate the score.

---

#### NC Testing Program

<table>
<thead>
<tr>
<th>Approved Accommodations</th>
<th>ELA</th>
<th>Mathematics</th>
<th>Science</th>
<th>Course Assessments</th>
<th>CTE</th>
<th>Tests of English Language Proficiency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Student will participate in the Standard Test Administration with No Accommodations</td>
<td></td>
<td></td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Student will participate in the NCExtenD1 with No Accommodations</td>
<td></td>
<td></td>
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</tr>
</tbody>
</table>
| Student will participate in the NCExtenD1 with Accommodations  
If checked, complete IEP DEC4 (6a of 10) | | | | | | |

**MUST BE COMPLETED**

**General Assessment**

<table>
<thead>
<tr>
<th></th>
<th>ELA</th>
<th>Mathematics</th>
<th>Science</th>
<th>ELA</th>
<th>Mathematics</th>
<th>Science</th>
<th>CTE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Student will participate in:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
| NCExtenD2  
2 | | | | | | | |

| Braille Edition | | | | | | |
| Large Print Edition (not for online assessments) | | | | | | |
| One Test Item Per Page Edition (not for online assessments) | | | | | | |
| Assistive Technology Devices: Specify | | | | | | |
| Braille Writer/Slate and Stylus (Braille Paper) | | | | | | |
| Crammer Abacus | | | | | | |
| Dictation to a Scribe | | | | | | |
| Interpreter/Transliterator Signs/Caes Test | | | | | | |
| Magnification Devices | | | | | | |
| Word-to-Word Bilingual (English/Language) | | | | | | |
| Dictionary/Electronic Translator (LEP only) | | | | | | |
| Student Marks Answers in Test Book (not for online assessments) | | | | | | |
| Student Reads Test Aloud to Self | | | | | | |
| Test Administrator Reads Test Aloud (In English) | | | | | | |
| Read Everything | | | | | | |
| Read by Student Request | | | | | | |
| Other | | | | | | |

| Computer Reads Test Aloud – Student Controlled  
(not for paper and pencil assessments) | | | | | | |
| Multiple Testing Sessions | | | | | | |
| More Frequent Breaks (Every ___ Min.) | | | | | | |
| Over Multiple Days (Number of Days ___) | | | | | | |
| Other | | | | | | |

| Scheduled Extended Time | | | | | | |
| Approximately ___ minutes | | | | | | |
| Other | | | | | | |

| Testing in a Separate Room | | | | | | |
| Small Group | | | | | | |
| One-on-One | | | | | | |

| Other (specify) | | | | | | |

---

1 Dependent upon the platform used to provide the student the general assessment (online vs. paper and pencil), some accommodations may be non-applicable or unavailable.
All NCEXTEND2 tests are designed to be administered online; therefore, some of the state-approved testing accommodations do not apply to these tests. If a paper and pencil version of the NCEXTEND2 test is needed as an accommodation, an Accommodation Notification Form (available from the school test coordinator) must be submitted to the LEA test coordinator.

Available only for students identified as Limited English Proficient (LEP) who scored below Level 5.0 Bridging on the reading subset of the W-APT™ or ACCESS for ELLs.

In order to be used on the state assessment this accommodation must be approved by the NCDPI. To request approval, an Accommodation Notification Form (available from the school test coordinator) must be submitted to the LEA test coordinator.
INDIVIDUALIZED EDUCATION PROGRAM (IEP)

Duration of Special Education and Related Services: From: _____ To: _____

Student: ___________________________________________ DOB: _____

School: ___________________________________ Grade: _____

11. EXPLORE/PLAN/ACT/WorkKeys

<table>
<thead>
<tr>
<th>Grade</th>
<th>Accommodations:</th>
<th>Implementation Specifications:</th>
</tr>
</thead>
<tbody>
<tr>
<td>8th</td>
<td></td>
<td></td>
</tr>
<tr>
<td>10th</td>
<td></td>
<td></td>
</tr>
<tr>
<td>11th</td>
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<td></td>
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<tr>
<td>12th</td>
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</tr>
</tbody>
</table>

1 EXPLORE, PLAN, and WorkKeys accommodations must meet accommodations guidelines specified in the Supervisor’s Manuals that correspond to each test.

2 Accommodations for the ACT must be requested and reviewed by ACT via submission of an ACT-Approved Accommodations Application. ACT-approved accommodations result in scores that are college-reportable, while state-allowed accommodations result in scores that are not college-reportable but may be used for state accountability purposes.
INDIVIDUALIZED EDUCATION PROGRAM (IEP)

**Duration of Special Education and Related Services:** From: ____ To: ____

**Student:** __________________________ DOB: ____

**School:** __________________________ Grade: ____

### 12. District-Wide Assessment Program

a. **Will the student be taking any district-wide tests or assessments?** If so, what accommodations or alternative assessments will be used by the student? (20 U.S.C. § 1414 (d)(1)(A)(i)(VI), 34 CFR § 300.320(a)(6)(1)(i))

<table>
<thead>
<tr>
<th>DISTRICT-WIDE ASSESSMENT(S)</th>
<th>ACCOMMODATION(S) OR ALTERNATE ASSESSMENT(S)</th>
<th>IMPLEMENTATION SPECIFICATIONS</th>
</tr>
</thead>
</table>

### 13. Alternate Assessment Justification


N/A

### 14. Specially Designed Instruction, Related Services, and Nonacademic Services and Activities

A. **What are the specially designed instruction and related services to be provided by the school?** (20 U.S.C. § 1414 (d)(1)(A)(i)(IV), 34 CFR § 300.320(a)(4), Guiding Practices NC 1503-4.1)

B. **How frequently will the specially designed instruction take place, and where will it be located?**

**Special Education: Sessions Per:**

<table>
<thead>
<tr>
<th>Reporting Period</th>
<th>Session Length</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>Week</td>
<td>Month</td>
<td>Year</td>
</tr>
<tr>
<td>____</td>
<td>____</td>
<td>____</td>
</tr>
<tr>
<td>____</td>
<td>____</td>
<td>____</td>
</tr>
</tbody>
</table>
INDIVIDUALIZED EDUCATION PROGRAM (IEP)

Duration of Special Education and Related Services: From: _____ To: _____

Student: ___________________________ DOB: _____

School: ___________________________ Grade: _____

C. How frequently will the related services take place, and where will they be located? (20 U.S.C. § 1414(d)(1)(A)(i)(VII), 34 CFR § 300.320(a)(7), NC Guiding Practices 5003-4.1)

☐ The IEP Team determined related services are not required to assist the student to benefit from special education.

☐ The IEP Team determined the following related services are required to assist the student to benefit from special education.

<table>
<thead>
<tr>
<th>Related Service(s):</th>
<th>Sessions Per:</th>
<th>Reporting Period</th>
<th>Session Length:</th>
<th>Location:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Sessions Per:</td>
<td>Week Month Year Period</td>
<td>Support Description</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Sessions Per:</td>
<td>Week Month Year Period</td>
<td>Support Description</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Sessions Per:</td>
<td>Week Month Year Period</td>
<td>Support Description</td>
<td></td>
</tr>
</tbody>
</table>

☐ Transportation is required as related service. Describe special transportation services:

D. Nonacademic Services & Activities (Refer to Section I: General Education Program Participation)

What are the nonacademic services and activities during which the student will not participate with nondisabled peers? This time must be factored into the determination of continuum of alternative educational placement below. (20 U.S.C. § 1414(d)(1)(A)(V), 34 CFR § 300.320(a)(5))

<table>
<thead>
<tr>
<th>Nonacademic Services &amp; Activities:</th>
<th>Sessions Per:</th>
<th>Reporting Period</th>
<th>Session Length:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Sessions Per:</td>
<td>Week Month Year Period</td>
<td>Support Description</td>
</tr>
<tr>
<td></td>
<td>Sessions Per:</td>
<td>Week Month Year Period</td>
<td>Support Description</td>
</tr>
<tr>
<td></td>
<td>Sessions Per:</td>
<td>Week Month Year Period</td>
<td>Support Description</td>
</tr>
</tbody>
</table>

15. Continuum of Alternative Educational Placements

Check all alternative placements considered by the team and circle the decision reached.

Educational placement is determined by calculating the amount of time the student is with nondisabled peers. Regular Early Childhood Program (RECP) is at least 50% of children enrolled in a class are nondisabled and do not have an IEP. A Special Education Program (Separate) class includes less than 50 percent nondisabled children.

School Age:

☐ Regular - 80% or more of the day with nondisabled peers

☐ Resource - 40% - 79% of the day with nondisabled peers

☐ Separate - 39% or less of the day with nondisabled peers

☐ Separate School

☐ Residential

☐ Home/Hospital

Preschool:

☐ RECP at least 10 hours a week, services in RECP program

☐ RECP at least 10 hours a week, services in other location

☐ RECP less than 10 hours a week, services in RECP program

☐ RECP less than 10 hours a week, services in other location

☐ Separate, Special Education Class

☐ Separate School

☐ Separate, Residential Facility

☐ Home, or

☐ Service Provider Location
INDIVIDUALIZED EDUCATION PROGRAM (IEP)

Duration of Special Education and Related Services: From: _____ To: _____

Student: ___________________________________________ DOB: _____

School: ___________________________________________ Grade: _____

16. Least Restrictive Environment Justification Statement

Will the student be removed from nondisabled peers for any part of the day? If so, explain why the services cannot be delivered with nondisabled peers with the use of supplemental aids and services. (20 U.S.C. § 1414 (d)(1)(A)(i)(V), 34 CFR § 300.320(a)(5))

☐ N/A Student will not be removed from nondisabled peers.


18. Extended School Year Status (34 CFR 300.106(a)(1), 34 CFR 300.106(b)) (ESY worksheet available at www.ncpublicschools.org/ec/policy/forms.)

☐ is not eligible for extended school year

☐ is eligible for extended school year

☐ Eligibility is under consideration and will be determined by _____

19. Record of IEP Team Participation (Note with an * any team member who used alternative means to participate.)

A. IEP Team. The following were present and participated in the development and writing of the IEP.

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>LEA Representative</td>
<td></td>
<td></td>
</tr>
<tr>
<td>General Education Teacher</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Special Education Teacher</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Parent</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Student</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Copy given/sent to parent(s): by _____ on _____

Elizabeth Ireland 4/7/13 11:13 PM
Deleted: VII
Elizabeth Ireland 4/17/13 4:45 PM
Deleted: If
Elizabeth Ireland 4/17/13 4:45 PM
Deleted: will
Elizabeth Ireland 4/17/13 4:45 PM
Deleted: (general education classroom, nonacademic services and activities).

Elizabeth Ireland 4/7/13 11:13 PM
Deleted: VIII
Elizabeth Ireland 4/17/13 4:46 PM
Deleted: P
Elizabeth Ireland 4/17/13 4:46 PM
Deleted: annual
Elizabeth Ireland 4/17/13 4:46 PM
Deleted: will be reported with the issuance of report cards unless otherwise specified below:
Elizabeth Ireland 4/7/13 11:13 PM
Deleted: IX
Elizabeth Ireland 4/7/13 11:13 PM
Deleted: X
INDIVIDUALIZED EDUCATION PROGRAM (IEP) ADDENDUM

Duration of Special Education and Related Services: From: _____ To: _____

Student: ___________________________________________ DOB: _____

School: ___________________________________________ Grade: _____

19. Record of IEP Team Participation continued
(Note with an * any team member who used alternative means to participate.)

B. Reevaluation. The IEP was reviewed at reevaluation and was found to be appropriate. An annual review of this IEP will be conducted on or before ______.

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>LEA Representative</td>
<td>Date</td>
<td></td>
</tr>
<tr>
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<td>Date</td>
<td></td>
</tr>
<tr>
<td>Special Education Teacher</td>
<td>Date</td>
<td></td>
</tr>
<tr>
<td>Parent</td>
<td>Date</td>
<td></td>
</tr>
<tr>
<td>Student</td>
<td>Date</td>
<td></td>
</tr>
</tbody>
</table>

20. Amending the IEP
The IEP was amended due to a disciplinary change in placement. □ yes □ no

A. IEP Addendum Team.
The following were present and participated in the development and writing of the addendum to the IEP.

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>LEA Representative</td>
<td>Date</td>
<td></td>
</tr>
<tr>
<td>General Education Teacher</td>
<td>Date</td>
<td></td>
</tr>
<tr>
<td>Special Education Teacher</td>
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<td></td>
</tr>
<tr>
<td>Parent</td>
<td>Date</td>
<td></td>
</tr>
<tr>
<td>Student</td>
<td>Date</td>
<td></td>
</tr>
</tbody>
</table>

B. Amending the IEP without holding a meeting after the annual IEP Team meeting for the school year. (NC Guiding Practices NC 1503-4.1)

☐ The parent and LEA agreed that the IEP could be amended by _____ on _____ without holding a meeting.

☐ Copies of the amendment were provided to individuals responsible for implementing changes to the IEP by _____ on _____

Indicate page(s) and section(s) where any amendment(s) were made:

_____

_____

_____

☐ A revised copy of the IEP with amendments incorporated was provided to parent(s) on _____ by _____
“A statement of the child’s present levels of academic achievement and functional performance, including—

(aa) how the child’s disability affects the child’s involvement and progress in the general education curriculum;

(bb) for preschool children, as appropriate, how the disability affects the child’s participation in appropriate activities; and

(cc) for children with disabilities who take alternate assessments aligned to alternate achievement standards, a description of benchmarks or short-term objectives”

“A statement of measurable annual goals, including academic and functional goals designed to—

(aa) 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

(bb) meet each of the child’s other educational needs that result from the child’s disability;”

34 CFR § 300.320(a)(2)(i):
“A statement of measurable annual goals, including academic and functional goals designed to—

(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

(B) Meet each of the child's other educational needs that result from the child's disability.”

34 CFR § 300.320(a)(6)(1)(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;”

20 U.S.C. § 1414 (d)(1)(A)(i)(VI) (bb): “If the IEP Team determines that the child shall take an alternate assessment on a particular State or districtwide assessment of student achievement, a statement of why— (AA) the child cannot participate in the regular assessment; and (BB) the particular alternate assessment selected is appropriate for the child;”
“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 child, 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—
(aa) to advance appropriately toward attaining the annual goals; (bb) to be involved in and make progress in the general education curriculum in accordance with subclause (I) and to participate in extracurricular and other nonacademic activities; and
(cc) to be educated and participate with other children with disabilities and nondisabled children in the activities described in this subparagraph”

34 CFR § 300.320(a)(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 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—
(i) To advance appropriately toward attaining the annual goals;
(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
(iii) To be educated and participate with other children with disabilities and nondisabled children in the activities described in this section;”

NC Guiding Practices 1503-4.1:
“There is not a definition of peer reviewed research in the regulations. The LEA must be prepared to respond about how and why the supplementary aids and services were chosen for individual students. The present level of performance should guide the discussion of determination and justification of supplementary aids and services.”

“The projected date for the beginning of the services and modifications described in subclause (IV), and the anticipated frequency, location, and duration of those services and modifications”

NC Guiding Practices 1503-4.1:
“Occupational Therapy/Physical Therapy/Speech Language Pathology Related Services Support Description: Support services are a part of an Individualized Education Program (IEP). Some students need support from a school-based OT, PT and/or SLP, but do not require direct or indirect service to acquire specific skills. In these cases, a description,
specifying what the student needs from the therapist in order to access his/her educational environment and participate in his/her special education program, is written by an IEP Team that includes the therapist. These services do not require specific IEP goals, benchmarks, or progress reports. Therapist visits and time spent on behalf of the student are documented. The therapist’s service (intervention) notes documenting the services must be available upon request. The service frequency will be documented on the IEP service delivery page specifying how often the therapist will monitor, although emergencies or unforeseen incidents may require additional visits. The IEP Team that includes the therapist must review the IEP at least annually. It should be modified based on student needs.”