

<b>SPECIAL EDUCATION PROCEDURE</b>	
<b>District Name</b>	Warren Woods Public Schools
<b>Subject/Topic of This Procedure</b>	<b>Identifying Needed Programs/Services in the Least Restrictive Environment</b>
<b>Date Procedure was Adopted or Revised</b>	06/19/2023

<b>Legal Requirement with Citation</b>	<p><b>§300.324 of the Individuals with Disabilities Education Act (IDEA)</b> describes the process for developing an individualized education program for a student with a disability. In developing each child’s IEP, the IEP Team must consider all the following:</p> <ul style="list-style-type: none"> <li>• the strengths of the child.</li> <li>• the concerns of the parents for enhancing the education of their child.</li> <li>• the results of the initial or most recent evaluation of the child.</li> <li>• the academic, developmental, and functional needs of the child.</li> <li>• the communication needs of the child.</li> <li>• whether the child needs assistive technology devices and services.</li> <li>• In the case of a child whose behavior impedes the child’s learning or that of others, the IEP team must consider the use of positive behavioral interventions and supports, and other strategies, to address that behavior.</li> <li>• In the case of a child with limited English proficiency, the IEP must consider the language needs of the child as those needs relate to the child’s IEP.</li> <li>• In the case of a child who is blind or visually impaired, the IEP team must provide for instruction in Braille and the use of 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.</li> </ul> <p><b>§300.320</b> Further, the IEP must include all the following:</p>
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- 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;
  - to be involved in and make progress in the general education curriculum,
  - to participate in extracurricular and other nonacademic activities; and
  - to be educated and participate with other children with disabilities and nondisabled children.
- The projected date for the beginning of the services and modifications described above, and the anticipated frequency, location, and duration of those services and modifications. (See separate but related procedures regarding *Developing Supplementary Aids and Supports*.)
- An explanation of the extent, if any, to which the child will not participate with nondisabled children in the regular class and in age-appropriate activities.

**§300.115 of IDEA** requires that districts make available a continuum of alternative placements to meet the needs of children with disabilities for special education and related services. This continuum includes instruction in regular classes, special classes, special schools, home instruction, and instruction in hospitals and institutions. The continuum must make provision for supplementary services (such as resource room or itinerant instruction) to be provided in conjunction with regular class placement.

**§300.39 of IDEA** defines special education as specially designed instruction, at no cost to the parents, to meet the unique needs of a child with a disability. This section goes on to explain that the required continuum of alternative placements includes all the following:

- Instruction conducted in the classroom, in the home, in hospitals and institutions, and in other settings.
- Instruction in physical education.
- Speech-language pathology services, or any other related service, if the service is considered special education rather than a related service under State standards.

	<ul style="list-style-type: none"> <li>• Travel training.</li> <li>• Vocational education.</li> </ul> <p><b>§300.114 of IDEA</b> requires each district to ensure that:</p> <ul style="list-style-type: none"> <li>• To the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are nondisabled.</li> <li>• Special classes, separate schooling, or other removal of children with disabilities from the regular educational 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.</li> </ul> <p><b>§300.116 of IDEA</b> requires that districts ensure that the placement decision for a student with a disability:</p> <ul style="list-style-type: none"> <li>• Is made by a group of persons, including the parents, and other persons knowledgeable about the child, the meaning of the evaluation data, and the placement options.</li> <li>• Is made in conformity with the least restrictive environment (LRE) provisions of IDEA.</li> <li>• Is determined at least annually.</li> <li>• Is based on the child’s IEP.</li> <li>• Is as close as possible to the child’s home.</li> <li>• Is in the school that s/he would attend if nondisabled, unless the IEP requires some other arrangement.</li> </ul> <p>Further, <b>§300.116</b> requires that, in selecting the least restrictive environment, consideration be given to any potential harmful effect on the child or on the quality of services that s/he needs. A child with a disability is not to be removed from education in age-appropriate regular classrooms solely because of needed modifications in the general education curriculum.</p>
<p><b>Under what circumstances will this procedure be used?</b></p>	<p>This procedure will be used when identifying the appropriate special education programs and services to be included in a student’s IEP, at least once every twelve months.</p>
<p><b>Who will implement this procedure?</b></p>	<p>Special education service providers and IEP Team members, including (but not limited to) special education teachers and related services staff. See separate but related procedure relative to <i>IEP Participants and Excusals</i>.</p>

**Describe the steps in this procedure.**

1. The IEP Team develops the statement(s) regarding the student's present level of academic achievement and functional performance. (See separate but related procedure relative to *Developing the PLAAFP.*)
2. The PLAAFP must include a statement regarding how the student's disability impacts involvement and progress in the general curriculum, including participation with non-disabled peers in the regular classroom. For preschoolers, this may include a statement regarding how the disability impacts involvement in age-appropriate activities.
3. After completing the statement(s) about the student's current level of functioning and impact of the disability on participation/progress in the general curriculum, the IEP Team uses the statement(s) to drive the rest of the IEP. The IEP Team must review the student's current functioning (PLAAFP) to determine:
  - which needs will be addressed later in the IEP by a supplementary aid or support,
  - which needs will be addressed by a measurable annual goal or short-term objective, and
  - which needs will be addressed by a program or service.If it is determined that a specific need will not be addressed in the IEP, this decision must be documented on the "Notice of an Offer of a FAPE" in the section labeled "options considered and not selected." (See separate but related procedures relative to *Developing Measurable Annual Goals, Developing Supplementary Aids/Supports, and Prior Written Notice.*)
4. When determining the programs/services that are necessary to address the student's unique needs, the IEP Team shall:
  - First consider whether a satisfactory education can be achieved in a setting with nondisabled peers through the implementation of supplementary aids/supports in the regular classroom. This may include accommodations or modifications to the general curriculum or instructional activities, as well as additional supports such as co-teaching and in-class delivery models for related services.
  - Ensure that the student is removed from the regular classroom only to the extent necessary to provide a free, appropriate, public education.

	<ul style="list-style-type: none"> <li>• Base the identification of programs/services on peer-reviewed research to the extent practicable.</li> <li>• Consider any potential harmful effect on the student or on the quality of services that s/he needs.</li> <li>• For students age 15 and above (or younger, if appropriate) ensure that the IEP includes transition services/activities to support the student in attaining his/her postsecondary goals.</li> <li>• Ensure that all programs/services are provided at no cost to the parent/family.</li> <li>• Ensure that the placement is as close as possible to the student’s home.</li> <li>• Ensure that the placement is in the school that the student would attend if s/he were not disabled, unless the IEP requires some other arrangement.</li> <li>• Document on the programs/services page and the supplementary aids/supports section of the IEP all the programs/services that are determined necessary to meet the student’s unique needs. This documentation must include the frequency, duration and location of each program/service or supplementary aid.</li> <li>• Document in the notice of an offer of FAPE any programs/services that were considered by the IEP Team and not selected, as well as the basis for that decision.</li> </ul> <p>5. When determining the programs/services that are necessary to address the student’s unique needs, the team shall NOT:</p> <ul style="list-style-type: none"> <li>• Remove a student from the regular classroom solely because of needed modifications to the general education curriculum.</li> <li>• Be restricted to considering programs/services that are currently available within the district or the ISD.</li> <li>• Set up a situation that effectively requires a student to “earn” the program, service, or setting that would provide a FAPE.</li> </ul>
<p><b>What forms are necessary to implement this procedure?</b></p>	<p>IEP form, including Notice of an Offer of FAPE</p>

<b>How, when and by whom will this procedure be consistently documented?</b>	Compliance with this procedure is documented on the PowerSchool Special Education IEP form.
<b>How, when and by whom will this procedure be routinely supervised?</b>	<p>Compliant IEP development will be supervised by the Special education administrator.</p> <p>IEPs will be reviewed for compliance monthly based on a random sample.</p>
<b>How, when and by whom will changes to this procedure be communicated?</b>	<p>Changes to this procedure will be communicated by the Special education administrator.</p> <p>Changes to this procedure will be communicated annually and as a result of MDE guidance.</p> <p>Changes will be communicated using the district website, hard copies to staff and during scheduled professional development.</p>