

Compliance Checkpoints #2

Legal Requirements for IEP Reports of Progress

Per the passage of IDEA in '97 and its update in 2004, each IEP must state how the parents of students with an IEP will be informed of the progress their child is making toward annual IEP goals, and the extent to which that progress is sufficient to enable the child to achieve the goals by the end of the year.

Report of Progress on IEP goals is in addition to the report card. Parents are to be informed of their child's progress in **all goals areas**. It is only necessary to report on the corresponding benchmark/objective for that reporting period. A report of progress is required for each service provider.

IDEA's Exact Words

IDEA states that each child's IEP must contain:

(3) A description of—

(i) How the child's progress toward meeting the annual goals ... will be measured; and

(ii) When periodic reports on the progress the child is making toward meeting the annual goals (such as through the use of quarterly or other periodic reports, concurrent with the issuance of report cards) will be provided...[§300.320(a)(3)]

How to Document Progress

IEP teams may find it easier to address this component of the IEP by framing the discussion around specific questions. For example, the IEP team might ask itself these three questions:

- *How will the child's progress be measured?*
- *When will the child's progress be measured?*
- *How well will the child need to perform in order to achieve his or her stated IEP goals (and, for some children, benchmarks or objectives)?*

The information on how well a child must perform and how his or her progress will be measured is often called *evaluation criteria*. Well-written evaluation criteria are stated in objective, measurable terms. (You'll note the tie-in with the requirement that the annual goals written for a child must be measurable.) For example, a child might be required to perform a task "with 90% accuracy" or get 18 out of 20 words correct in each of 5 trials. These are concrete numbers or scores, establishing what the IEP team considers an acceptable level of performance or progress for the child.

In other instances, progress may not be measured in number scores, such as statements like this:

By June 15, Vicky will complete the obstacle course unassisted, as documented by the adapted physical education teacher.

In this example, the teacher will observe and take notes while Vicky completes the obstacle course. Teacher observation/notes are one way of checking progress. Other ways of checking progress may include:

- reviewing class work and homework assignments;
- giving quizzes, tests, or teacher-made assessments; and
- giving informal and/or formal assessments (the QRI or Woodcock-Johnson, for example).

Lack of Progress

One reporting period you could say maintaining, but seems on the cusp of improvement. The next report **MUST** show improvement.

If the student is not improving, you need to indicate in the report of progress what **YOU** are going to do differently (teaching method, procedures, cuing, etc) so that the student will most likely improve on the next report. That report **MUST** show improvement or you need to call another IEP meeting to discuss the lack of progress.

When a student demonstrates minimal or no progress during more than one grading period, the IEP team, in consultation with the parent, reconvenes to discuss instructional techniques and explore new interventions that may support student achievements. If the IEP team believes that the student's lack of progress cannot be adequately addressed by altering instructional approaches, the IEP team determines if the appropriate services are being delivered and if the goals and objectives outlined in the IEP are appropriate. If it is decided to pursue a more restrictive environment a must have packet must be submitted to Wing D. An assessment must be completed prior to adding any new services.

It is the responsibility of the team to address this issue early in order to adjust the program to ensure the student is receiving FAPE.

Responsibilities

It is the responsibility of special education teachers/related service providers to prepare and send the report of progress home to parents. Special education teachers/related service provider is to document the child's current level of performance. The level of performance for each objective is based on data.

It is the responsibility of the general education teacher(s) is to provide the service providers with data from the classroom to assist in documenting progress on the goals.

The *IEP Report of Progress* is sent home to parents at each grading period. It is suggested that the report of progress be in a packet separate from the report card. A copy is filed in the cum and retained in provider records.

When the IEP is reviewed at least annually, the present levels of performance and/or evaluation results should reflect the progress made on the previous goals.